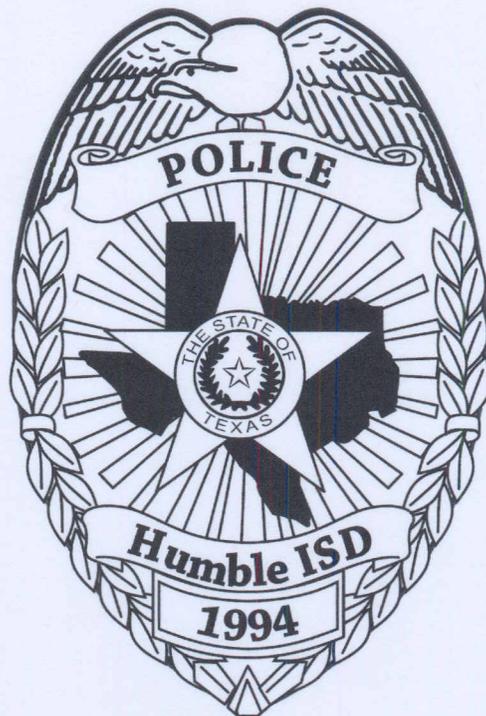


**Humble ISD Police Department
Racial Profiling Traffic and Pedestrian Stop
Data Report 2013**



Established 1994

Solomon Cook, Chief of Police



Humble ISD Police Department

341 Charles Street • Humble, TX 77338 • Office: (281) 641-7900 • FAX: (281) 446-4044

February 14, 2014

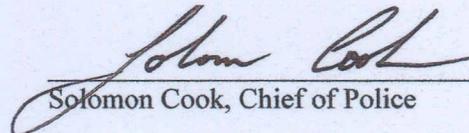
To the members of the Humble Independent School District School Board:

Since January 1, 2013 the Humble Independent School District Police Department, in accordance with the Texas Racial Profiling Law (S.B. No. 1074), has been collecting police contact data for the purpose of identifying and responding, if necessary, to concerns regarding racial profiling practice. It is my hope that the findings provided in this report will serve as evidence that the Humble Independent School District Police Department remains committed in the opposition on Racial Profiling.

In this report, the reader will encounter several sections designed at providing background information on the rationale and objectives of the Texas Racial Profiling Law. Other sections contain information relevant to the institutional policies adopted by the Humble Independent School District Police Department prohibiting the practice of racial profiling among its officers.

The final components of this report provide statistical data relevant to the public contacts made during the period of January 1, 2013 thru December 31, 2013. This information has been analyzed and compared to Texas Education Agency ethnicity population data for the Humble Independent School District. The analysis of the data is also included.

Sincerely,


Solomon Cook, Chief of Police

**Humble ISD Police Department
Police Contact Data
Annual Report
January 1, 2013 thru December 31, 2013**

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*Humble ISD Police
Department Vision and
Mission Statement*

**Humble ISD Police Department
Solomon Cook, Chief of Police**



Vision of the Humble Independent School District

We are a growing organization devoted to improvement, excellence, maintaining a team atmosphere, and operating on the principles of quality leadership.



Mission Statement of the Humble ISD Police Department

We of the Humble ISD Police Department exist to ensure the safety of our district's students, families and staff. In order to learn, students need a safe environment where they can concentrate on their studies and teachers and staff needs a secure environment in order to teach. We as the Humble ISD Police Department will meet the needs of our diverse school community. We work in partnership with students, parents and staff to meet their needs. We preserve the peace, enforce laws, identify and apprehend offenders, provide emergency services and offer crime prevention and public safety throughout our school community. Our most important goal is to promote, maintain and inspire an atmosphere of trust and confidence with students, families and staff in our community.

*History of Humble ISD
and Humble ISD Police
Department*

History of Humble ISD

Humble Independent School District began over 100 years ago as a one-room schoolhouse with 12 students, a teacher and a four-month school term. Today, with 41 schools, more than 38,000 students and over 5,000 employees, Humble ISD is nationally recognized for the outstanding education it offers to students. *Humble ISD is listed among the 25 fastest growing school districts in Texas, and is currently the 31st largest district in the state.*

Our district is continuing to grow with the additions of new campuses just to meet the current enrollment and each year our enrollment is continuing to increase.

History of the Humble ISD Police Department

The Humble ISD Police Department began in 1993, when it was approved by the Humble ISD school board members. In 1994, Donald R. Maddox was appointed Chief of Police. In December 2003, Mr. Maddox retired and Captain Cook was promoted to Chief of Police.

The Humble ISD Police Department began in 1993, when Mr. Don Maddox was hired by the district as security coordinator. In January 1994, the Humble ISD board of trustees voted to make application to the state for a school district police department and the application was approved in February of the next year. Mr. Don Maddox's title changed to Chief of Police, and several security officers were hired.

In December, 2003, Mr. Maddox retired and Captain Solomon Cook was promoted to Chief of Police. Chief Cook has been with Humble ISD since 1996, and was a police officer with the City of Humble before coming to Humble ISD.

The department has grown to include 36 police officers positions, 13 part time officers positions, 4 fulltime communications officer positions, 2 part-time communications officer positions, 5 security officers and 1 civilian staff. The patrol fleet has grown to 40 units including several patrol cars and SUVs. Our fully equipped, marked patrol vehicles are utilized 24 hours a day by the patrol division. The police department personnel patrol the district's facilities 24 hours a day, 7 days a week and respond to alarms and calls for service. Our officers issue citations, complete offense reports, and make arrests. Officers also provide security at district athletic events and other campus functions. Our fleet also includes an unmarked vehicle for investigations.

The growth of the district has called for the placement of full time police officers at ALL of the district's high schools and a couple of the middle schools. A full time Security Officer has been assigned to each high school to assist the campus officers with parking and.

As with all law enforcement agencies, continuous training is an important part of our police department. Over a quarter of our district's police officers are certified TCLEOSE instructors. In order to maintain our state license, our officers must complete a minimum of 40 hours of training every 2 years. Chief Cook makes every attempt to schedule these training classes during times when school is not in session. Our Field Training Program consists of a team of our highest trained officers, hand picked by the Chief of Police, and then sent through a rigorous Field Training Officer (FTO) school. After completion of this school, the new Field Training Officers (FTOs) train new officers. The FTO course is a 8 week course that each new officer must complete. The FTOs train, guide, and critique

every new officer in every aspect of what is expected of them. The FTOs report directly to the FTO commander, Lt. T. Stanford, who reports these findings directly to the Chief.

The Humble ISD Police Department's officer are currently located at 1703 Building E Wilson Road in Humble.

Senate Bill
Number 1074

A BILL TO BE ENTITLED
AN ACT

relating to electronic transmission of documentation involved in certain insurance transactions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 35, Insurance Code, is amended by designating Sections 35.001 through 35.004 as Subchapter A and adding a subchapter heading to read as follows:

SUBCHAPTER A. ELECTRONIC TRANSACTIONS GENERALLY

SECTION 2. Section 35.003, Insurance Code, is amended to read as follows:

Sec. 35.003. ELECTRONIC TRANSACTIONS AUTHORIZED. Subject to Subchapter B, a [A] regulated entity may conduct business electronically to the same extent that the entity is authorized to conduct business otherwise if before the conduct of business each party to the business agrees to conduct the business electronically.

SECTION 3. Chapter 35, Insurance Code, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. ELECTRONIC DELIVERY OF NOTICES, DOCUMENTS, AND INFORMATION

Sec. 35.051. DEFINITIONS. In this subchapter:

(1) "Delivered by electronic means" includes:

(A) delivery to an e-mail address at which a party consented to receive notices, documents, or information; and

(B) posting on an electronic network or Internet website accessible by an electronic device, including a computer, mobile device, or tablet, or a software application, including a mobile device application.

(2) "Party" means a recipient, including an applicant, insured, policyholder, or annuity contract holder, of a notice or a document or information required as part of an insurance transaction.

(3) "Written communication" means a notice, document, or other information provided in writing.

Sec. 35.052. CONSENT. (a) Subject to Subsection (c), a

notice to a party or other written communication with a party required in an insurance transaction or that is to serve as evidence of insurance coverage may be delivered, stored, and presented by electronic means only if the delivery, storage, or presentment complies with the Uniform Electronic Transactions Act (Chapter 322, Business & Commerce Code).

(b) Delivery of a written communication in compliance with this section is equivalent to any delivery method required by law, including delivery by first class mail, first class mail, postage prepaid, or certified mail.

(c) A written communication may be delivered by electronic means to a party by a regulated entity under this section if:

(1) the party affirmatively consented to delivery by electronic means and has not withdrawn the consent;

(2) the party, before giving consent, is provided with a clear and conspicuous statement informing the party of:

(A) any right or option the party may have for the written communication to be provided or made available in paper or another nonelectronic form;

(B) the right of the party to withdraw consent under this section and any fees, conditions, or consequences imposed if consent is withdrawn;

(C) whether the party's consent applies:

(i) only to a specific transaction for which the written communication must be given; or

(ii) to identified categories of written communications that may be delivered by electronic means during the course of the relationship between the party and the regulated entity;

(D) the means, after consent is given, by which a party may obtain a paper copy of a written communication delivered by electronic means and the amount of the fee, if any, for a paper copy; and

(E) the procedure a party must follow to:

(i) withdraw consent under this section;

and

(ii) update information needed for the regulated entity to contact the party electronically; and

(3) the party:

(A) before giving consent, is provided with a statement identifying the hardware and software requirements for the party's access to and retention of a written communication delivered by electronic means; and

(B) consents electronically or confirms consent electronically in a manner that reasonably demonstrates that the party can access a written communication in the electronic form

used to deliver the communication.

(d) After consent of the party is given, in the event a change in the hardware or software requirements to access or retain a written communication delivered by electronic means creates a material risk that the party may not be able to access or retain a subsequent written communication to which the consent applies, the insurer shall:

(A) provide the party with a statement:

(i) identifying the revised hardware and software requirements for access to and retention of a written communication delivered by electronic means; and

(ii) disclosing the right of the party to withdraw consent without the imposition of any fee, condition, or consequence that was not disclosed under Subsection (c)(2)(B); and

(B) comply with Subsection (c)(3).

(e) This section does not affect requirements for content or timing of any required written communication.

(f) If a written communication provided to a party expressly requires verification or acknowledgment of receipt, the written communication may be delivered by electronic means only if the method used provides for verification or acknowledgment of receipt.

(g) The legal effectiveness, validity, or enforceability of any contract or policy of insurance executed by a party may not be denied solely due to the failure to obtain electronic consent or confirmation of consent of the party in accordance with Subsection (c)(3)(B).

(h) A withdrawal of consent by a party does not affect the legal effectiveness, validity, or enforceability of a written communication delivered by electronic means to the party before the withdrawal of consent is effective. A withdrawal of consent is effective after the date of the receipt by the insurer of the withdrawal. Failure by an insurer to comply with Subsection (d) may be treated by the party as a withdrawal of consent.

(i) If the consent of a party to receive a written communication by electronic means is on file with a regulated entity before January 1, 2014, and if the entity intends to deliver to the party written communications under this subchapter, then before the entity may deliver by electronic means additional written communications, the insurer must notify the party of:

(1) the written communications that may be delivered by electronic means that were not previously delivered by electronic means; and

(2) the party's right to withdraw consent to have written communications delivered by electronic means.

(j) Except as otherwise provided by law, an oral communication or a recording of an oral communication may not

qualify as a written communication delivered by electronic means for purposes of this subchapter.

(k) If a signature on a written communication is required by law to be notarized, acknowledged, verified, or made under oath, the requirement is satisfied if the electronic signature of the notary public or other authorized person and the other required information are attached to or logically associated with the signature or written communication.

(l) This section may not be construed to modify, limit, or supersede the provisions of the federal Electronic Signatures in Global and National Commerce Act (15 U.S.C. Section 7001 et seq.).

SECTION 4. This Act applies only to a written communication that is delivered by electronic means on or after January 1, 2014. A written communication delivered by electronic means before January 1, 2014, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2013.

*Guidelines for
Compiling and
Reporting under
Senate Bill 1074*

Guidelines for Compiling and Reporting Data under Senate Bill 1074

Background

Senate Bill 1074 of the 77th Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of *what* must be accomplished by an agency but allows wide latitude in determining *how* the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an “agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers’ official duties.”

The article further defines race or ethnicity as being of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American.” The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

Standard 2

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person's race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer's best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Commentary

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, "the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose."

Standard 3

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

Commentary

Senate Bill 1074 from the 77th Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure

regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide an analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for “tier one” data for traffic stops in which a citation results are:

- 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American”);
- 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
- 3) whether there was a custody arrest.

The minimum requirements for reporting on “tier two” reports include traffic and pedestrian stops. Tier two data include:

- 1) the detained person’s gender and race or ethnicity;
- 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
- 3) whether a search was conducted, and if so whether it was based on consent or probable cause;
- 4) facts supporting probable cause;
- 5) the type, if any, of contraband that was collected;
- 6) disposition of the stop, e.g., arrest, ticket, warning, or release;
- 7) location of stop; and
- 8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

Standard 4

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

Commentary

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

Standard 5

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

Commentary

None

Standard 6

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

Commentary

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

Standard 7

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

Commentary

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

*Humble ISD Police
Department Racial
Profiling Policy*

RACIAL PROFILING

Date Issued: 6-2005

Date Revised: 2-2006

Purpose:

The purpose of the policy is to reaffirm the Humble ISD Police Department's commitment to unbiased policing in all its encounters between officer and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of the department policy and the law.

I) Policy

A. It is the policy of this department to police in a proactive manner and, to aggressively investigate suspected violations of the law.

- 1. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity, or national origin.**
- 2. Officers are strictly prohibited from engaging in racial profiling as defined in this policy**
- 3. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians**

B. Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public.

- 1. Two of the fundamental rights guaranteed by both the United States and Texas Constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents**
- 2. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected**
- 3. Racial profiling is an unacceptable patrol tactic and will not be condoned.**

C. This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost, or confused. Nor does this policy prohibit stopping someone suspected of a

crime based upon observed actions and/or information received about the person.

II) Definitions

A. Racial Profiling – a law enforcement-initiated action based on an individual’s race, ethnicity, or national origin rather than on the individual’s behavior or on information identifying the individual as having engaged in criminal activity

- 1. Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants, or other citizen contacts**
- 2. The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching.**

A. Detaining an individual and conducting an inquiry into that person’s activities simply because of that individual’s race, ethnicity or national origin is racial profiling.

B. Examples of racial profiling include but are not limited to the following:

- 1. citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver’s race, ethnicity or national origin**
- 2. detaining the driver of a vehicle based on the determination that a person of that race, ethnicity or national origin is unlikely to own or possess that specific make or model of vehicle**
- 3. detaining an individual based upon the determination that a person of that race, ethnicity, or national origin does not belong in a specific part of town or a specific place**

C. A law enforcement agency can derive at two principles from the adoption of this definition of racial profiling:

- 1. police may not use racial or ethnic stereotypes as factors in selecting whom to stop and search, while**

police may use race in conjunction with other known factors of the suspect

- 2. law enforcement officers may not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling is not relevant as it pertains to witnesses, etc.**
- B. Race or Ethnicity – of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American**
 - C. Pedestrian Stop – an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest**
 - D. Traffic Stop – a peace officer that stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.**

III) Training

- A. Officers are responsible to adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.**
- B. All officers shall complete a TCLEOSE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or on the date the officer applies for an intermediate proficiency certificate, whichever is easier.**
 - 1. A person who on September 1, 2001, held a TCLEOSE intermediate proficiency certificate, or who held a peace officer license issued by TCLEOSE for at least two (2) years, shall complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.**
- C. The Chief of Police, as part of the initial training and continued education for such appointment, will be required to attend the LEMIT program on racial profiling**
- D. An individual appointed or elected as a police chief before the effective date of this Act shall complete the program on racial profiling established under Subsection (G), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003**

IV) Complaint Investigation

- A. The department shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic, or national origin profiling.**
 - 1. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.**
- B. Any employee who receives an allegation of racial profiling, including the officer who initiated the stop, shall record the person's name, address, telephone number, and forward the complaint through the appropriate channel or direct the individual(s).**
 - 1. Any employee contacted shall provide to that person a copy of the complaint form.**
 - 2. the employee shall give explanation of the department process for filing the complaint.**
 - A. All employees will report any allegation of racial profiling to their superior before the end of their shift.**
- C. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive a disposition regarding said complaint within a reasonable period of time.**
 - 1. the investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the chief.**
 - 2. when applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the chief.**
- D. If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.**
- E. If there is a departmental video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this department into the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.**

V) Public Education

- A. This department will inform the public of its policy against racial profiling and the complaint process.**
- B. Methods that may be utilized to inform the public are the news media, radio, service or civic presentations, the Internet, as well as governing board meetings.**
- C. Additionally, information will be made available as appropriate in languages other than English.**

VI) Citation Data and Collection

- A. An officer is required to collect information relating to traffic stops in which a citation is issued. On the citation, officers must include:**
 - 1. violator's race or ethnicity**
 - 2. whether a search is conducted**
 - 3. was the search consensual**
 - 4. arrest for this cited violation or any other violation**
- B. By March of each year, the department shall submit a report to the School Board that includes the information gathered by the citations. This report will include:**
 - 1. a breakdown of citations by race and ethnicity**
 - 2. number of citations that resulted in a search**
 - 3. number of searches that were consensual**
 - 4. number of citations that resulted in custodial arrest for this cited violation or any other violations**
- C. Not later than March 1st of each year, this department shall submit a report to the School Board containing this information from the preceding calendar year**

VII) Collection and Reporting Information Gathered from Traffic and Pedestrian Stops

- A. An officer who stops a motor vehicle for an alleged violation of the law or ordinance regulating traffic, or who stops a pedestrian (as defined in Transportation Code 541.001) for any suspected offense, shall record and report the following information:**
 - 1. a physical description of each person detained as a result of the stop, including the person's gender, race or ethnicity, as stated by the person or as determined by the officer to the best of his/her ability**

2. the street address or approximate location of the stop. the suspected offense or the traffic law or ordinance alleged to have been violated
 3. whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search
 4. whether probable cause to search existed as, if so, the fact(s) supporting the existence of that probable cause
 5. whether any contraband was discovered in the course of the search and, if so, the type of contraband discovered
 6. whether the officer made an arrest as a result of the stop and/or search, and if so, a statement of the offense charged
 7. the warning citation or citation number issued by the officer as a result of the stop and a statement of the offense
- B. This department shall compile and analyze the information contained in these individual reports. Not later than March 1st of each year, this department shall submit a report to our School Board containing the information compiled from the preceding calendar year in a manner they approve. This report will include:**
1. a comparative analysis of the information contained in the individual reports in order to:
 - A. determine the prevalence of racial profiling by officers in this department
 - B. examine the disposition of traffic and pedestrian stops made by this department's officers, including searches resulting from stops
 2. Information relating to each complaint filed with this department alleging racial profiling
 3. This report will not include identifying information about a peace officer who makes a stop or about an individual who is stopped or arrested by a peace officer.

Approved: _____
Solomon Cook, Chief of Police



Humble ISD Police Department

341 Charles St. • Humble, TX 77347 • Office: (281) 641-7900 • FAX: (281) 446-4044

Solomon Cook, Chief of Police

Complaint Process

Individuals who believe that the Humble I.S.D. Police Department or one of its officer(s) has violated the racial profiling policy may file a complaint. In order for a complaint against a Humble I.S.D. Police Department peace officer to be considered by the head of the Humble I.S.D. Police Department, the complaint must be in writing and signed by the person making the complaint. A copy of the complaint shall be given to the accused officer(s) within 10 business days after it is filed.

The complaint should be submitted to the Chief of Police, who will respond within 10 business days of his receipt of the complaint, unless circumstances require more time to investigate, in which case the Chief will notify the complainant of the date on which he or she will respond. The Chief may schedule a meeting with the complainant and / or with any officer(s) involved, in order to discuss the matter. Upon completing his investigation of the complaint, the Chief shall issue a decision of the matter, and if appropriate, take corrective action against any officer(s) found to be in violation of the racial profiling policy.

Chief of Police Solomon Cook

Complaints Against Employees

Date Issued: 6-2005

Purpose:

The purpose of this policy is to set forth a procedure for receiving, investigating, and classifying complaints against employees of the Humble ISD Police Department.

- I) Procedure
 - A. Any complaint received against any employee of this department shall be recorded on a "Voluntary Statement" form
 - 1. It should be noted that the purpose of complying with this form is not only for the purpose of recording the complaint, but also for ascertaining information which would be vital for a proper investigation
 - B. A "Voluntary Statement" form should be initialized by a department supervisor.
 - C. Each "Voluntary Statement" form alleging a major incident resulting from censurable conduct should bear the signature of the complainant before an investigation into the complaint will be initialized, unless otherwise directed by the Chief of Police.

- II) Departmental Process
 - A. See Texas Government Code 614.022
 - 1. Complaints are to be made in writing and signed by the complainant.
 - 2. The complaints are to be considered by the head of a state agency or by the head of a police department.
 - 3. Complaints must be made in writing and signed by the person making the complaint
 - B. See Texas Government Code 614.023
 - 1. A copy of the complaint is to be given to the officer or employee
 - A. a copy of the signed complaint shall be given to the officer or employee within a reasonable time after the complaint is filed
 - B. Disciplinary action may not be taken against the officer or employee unless a copy of the signed complaint is given to the officer or employee.
 - C. A copy of the complaint shall be given to the accused officer(s) within ten (10) business days after it is filed

Web Posting

http://www.humbleisdpolice.org/racial_profiling.html

I. PURPOSE

The purpose of the policy is to reaffirm the Humble ISD Police Department's commitment to unbiased policing in all its encounters between officer and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

II. POLICY

It is the policy of this department to police in a proactive manner and to aggressively investigate suspected violations of law. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.

Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected. Racial profiling is an unacceptable patrol tactic and will not be condoned.

This policy shall not preclude deputies from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

III. DEFINITIONS

Racial Profiling – A law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts.

The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin is racial profiling. Examples of racial profiling include but are not limited to the following:

1. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver's race, ethnicity, or national origin.

2. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity or national origin is unlikely to own or possess that specific make or model of vehicle.

3. Detaining an individual based upon the determination that a person of that race, ethnicity or national origin does not belong in a specific part of town or a specific place. A law enforcement agency can derive at two principles from the adoption of this definition of racial profiling:

1. Police may not use racial or ethnic stereotypes as factors in selecting whom to stop and search, while police may use race in conjunction with other known factors of the suspect.

2. Law enforcement officers may not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling is not relevant as it pertains to witnesses, etc.

Race or Ethnicity – Of a particular decent, including Caucasian, African, Hispanic, Asian, or Native American.

Pedestrian Stop – An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

Traffic Stop – A peace officer that stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

IV. TRAINING

Officers are responsible to adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

All officers shall complete a TCLEOSE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. A person who on September 1, 2001, held a TCLEOSE intermediate proficiency certificate, or who had held a peace officer license issued by TCLEOSE for at least two years, shall complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.

V. COMPLAINT INVESTIGATION

1. The department shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.

2. Any employee who receives an allegation of racial profiling, including the deputy who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel or direct the individual(s). Any employee contacted shall provide to that person a copy of a complaint form or the department process for filing a complaint. All employees will report any allegation of racial profiling to their superior before the end of their shift.

3. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the Chief of Police. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the Chief of Police.

4. If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.

5. If there is a departmental video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this department into the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.

VI. PUBLIC EDUCATION

This department will inform the public of its policy against racial profiling and the complaint process. Methods that may be utilized to inform the public are the news media, radio, service or civic presentations, the Internet, as well as governing board meetings. Additionally, information will be made available as appropriate in languages other than English.

VII. CITATION DATA COLLECTION & REPORTING

An officer is required to collect information relating to traffic stops in which a citation is issued. On the citation officers must include:

1. the violator's race or ethnicity;
2. whether a search was conducted;
3. was the search consensual; and
4. arrest for this cited violation or any other violation.

By March of each year, the department shall submit a report to their governing board that includes the information gathered by the citations. The report will include:

1. a breakdown of citations by race or ethnicity;
2. number of citations that resulted in a search;
3. number of searches that were consensual; and
4. number of citations that resulted in custodial arrest for this cited violation or any other violation.

Not later than March 1st of each year, this department shall submit a report to our governing body containing this information from the preceding calendar year.

VIII. USE OF VIDEO AND AUDIO EQUIPMENT

Some motor vehicles regularly used by this department to make traffic and pedestrian stops is equipped with a video camera and transmitter-activated equipment; and Each traffic and pedestrian stop made in one of these vehicles by an officer of this department that is capable of being recorded by video and audio, or audio, as appropriate, is recorded.

This department shall retain these video and audiotapes, or the audiotape of each traffic and pedestrian stop for at least ninety (90) days after the date of the stop. If a complaint is filed with this department alleging that one of our officers has engaged in racial

profiling with respect to a traffic or pedestrian stop, this department shall retain the video and audiotapes, or the audiotape of the stop until final disposition of the complaint.

If video and audio, or audio equipment used for recording pedestrian and traffic stops is malfunctioning or not in service for any reason, a deputy who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense, shall record and report the following information:

1. A physical description of each person detained as a result of the stop, including:
 - a) The person's gender;
 - b) The person's race or ethnicity, as stated by the person or as determined by the deputy to the best of his/her ability.
2. The street address or approximate location of the stop. The suspected offense or the traffic law or ordinance alleged to have been violated.
3. Whether the deputy conducted a search as a result of the stop and, if so, whether the person detained consented to the search.
4. Whether probable cause to search existed and, if so, the fact(s) supporting the existence of that probable cause.
5. Whether any contraband was discovered in the course of the search and, if so, the type of contraband discovered.
6. Whether the officer made an arrest as a result of the stop and/or search, and, if so, a statement of the offense charged.
7. Whether the officer issued a warning or a citation as a result of the stop and, if so, a statement of the offense charged.

This department shall compile and analyze the information contained in these individual reports. Not later than March 1st of each year, this department shall submit a report to our governing body containing the information compiled from the preceding calendar year in a manner they approve. This report will include:

1. A comparative analysis of the information contained in the individual reports in order to:
 - a) Determine the prevalence of racial profiling by deputies in this department; and
 - b) Examine the disposition of traffic and pedestrian stops made by this department's deputies, including searches resulting from stops.
2. Information relating to each complaint filed with this department alleging racial profiling.

This report will not include any identifying information about a peace officer who makes a stop or about an individual who is stopped or arrested by a peace officer.

*2013 Traffic/Pedestrian
Stop Data Report*

TCOLE 2013 RACIAL PROFILING AGENCY REPORT FOR TIER 2

Department Name: HUMBLE I.S.D. POLICE DEPT.
Agency Number: 201936

**HUMBLE I.S.D. POLICE DEPT.
Motor Vehicle Racial Profiling Information**

Number of motor vehicle stops:

- 1. Female
- 2. Male
- 3. **Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

Race or Ethnicity:

- 4. African
- 5. Asian
- 6. Caucasian
- 7. Hispanic
- 8. Middle Eastern
- 9. Native American
- 10. **Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

Race or Ethnicity known prior to stop?

- 11. Yes
- 12. No
- 13. **Total**(3, 10, 13, 18, 21, 40 and 51 must be equal)

Reason for stop?

- 14. Violation of law other than traffic
- 15. Pre-existing knowledge (i.e.

- warrant)
16. Moving Traffic Violation
17. Vehicle Traffic Violation
(Equipment, Inspection or
Registration)

18. **Total** (3, 10, 13,
18, 21, 40 and 51
must be equal)

Search conducted?

19. Yes
20. No

21. **Total** (3, 10, 13,
18, 21, 40 and 51
must be equal)

Reason for search?

22. Consent
23. Contraband/evidence in plain
sight
24. Probable cause or reasonable
suspicion
25. Inventory search performed as
result of towing
26. Incident to arrest/warrant

27. **Total** (Must
equal line 19)

Contraband discovered?

28. Yes
29. No

30. **Total** (Must
equal line 19)

Description of Contraband

31. Illegal drugs/drug
paraphernalia
32. Currency

33. Weapons
34. Alcohol
35. Stolen property
36. Other

37. **Total** (Must equal line 28)

Arrest result of stop or search:

38. Yes
39. No

40. **Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

Arrest based on:

41. Violation of the Penal Code
42. Violation of a Traffic Law
43. Violation of City Ordinance
44. Outstanding Warrant
 Total (Must equal line 38)

Street address or approximate location of the stop:

45. City Street
46. US Highway
47. County Road
48. Private Property or Other
 Total (Must equal line 3)

Written warning or a citation as a result of the stop:

49. Yes
50. No

51. **Total** (3, 10, 13, 18, 21, 40 and 51 must be equal)

HUMBLE ISD
2013 Demographics Break-Down

The Humble Independent School District is located in Harris County Texas with portions of the district in Montgomery County Texas also.

The Humble Independent School District spans over 90 square miles and encumbers the City of Humble and the communities of Atascocita, Kingwood, Fall Creek, Eagle Springs, among others.

The Humble Independent School District Administration building and the Humble Independent School District Police Department is located in the city limits of Humble in Harris County Texas.

The community's demographics that the Humble Independent School District serves are going to greatly reflect the demographics of the school district itself.

District Value:

79.8% residential

16.6% business

2012-13 Humble ISD District Profile

Ethnic Distribution:

| Ethnicity | Count | Percent |
|-------------------|--------------|----------------|
| African American | 6,658 | 18.1% |
| Hispanic | 11,510 | 31.2% |
| White | 16,477 | 44.7% |
| American Indian | 162 | 0.4% |
| Asian | 1,100 | 3.0% |
| Pacific Islander | 158 | 0.4% |
| Two or More Races | 802 | 2.2% |

Summary Statement

Summary Statement

The findings suggest that the Humble ISD Police Department does not currently experience a problem regarding racial profiling practices. This is supported by the fact that it has/has not received complaints from community members regarding officers misconduct associated with racial profiling practices.

The continuing effort to collect police contact data will assure an on-going evaluation of the Humble ISD Police Department practices. Thus, allowing for the citizens of the Humble ISD community to benefit from professional and courteous service from their police department.