

## TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

**Agency Name:** HIDALGO CO. CONST. PCT. 4  
**Reporting Date:** 02/19/2014  
**TCOLE Agency Number:** 215104  
**Chief Administrator:** JOSE E. GUERRA  
**Agency Contact Information:** Phone: 9563838560  
Mailing Address:  
HIDALGO CO. CONST. PCT. 4  
2814 S. business highway 281  
Edinburg, TX 78539

This Agency claims partial racial profiling report exemption because:

Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

Certification to This Report 2.132 (Tier 1) – Partial Exemption

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling

HIDALGO CO. CONST. PCT. 4 has adopted a detailed written policy on racial profiling. Our policy:

- (1) clearly defines acts constituting racial profiling;
- (2) strictly prohibits peace officers employed by the HIDALGO CO. CONST. PCT. 4 from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the HIDALGO CO. CONST. PCT. 4 if the individual believes that a peace officer employed by the HIDALGO CO. CONST. PCT. 4 has engaged in racial profiling with respect to the individual;
- (4) provides public education relating to the agency's complaint process;
- (5) requires appropriate corrective action to be taken against a peace officer employed by the HIDALGO CO. CONST. PCT. 4 who, after an investigation, is shown to have engaged in racial profiling in violation of the HIDALGO CO. CONST. PCT. 4's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
  - (A) the race or ethnicity of the individual detained;
  - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

**I certify these policies are in effect.**

Executed by: **JOSE E. GUERRA**

Chief Administrator

HIDALGO CO. CONST. PCT. 4

Date: 02/19/2014

**HIDALGO CO. CONST. PCT. 4Motor Vehicle Racial Profiling  
Information**

**Number of motor vehicle stops:**

1. **40** citation only
2. **0** arrest only
3. **0** both
4. **40 Total** (4, 11, 14 and 17 must be equal)

**Race or Ethnicity:**

5. **0** African
6. **0** Asian
7. **4** Caucasian
8. **36** Hispanic
9. **0** Middle Eastern
10. **0** Native American
11. **40 Total** (lines 4, 11, 14 and 17 must be equal)

**Race or Ethnicity known prior to stop?**

12. **0** Yes
13. **40** No
14. **40 Total** (lines 4, 11, 14 and 17 must be equal)

**Search conducted?**

15. **0** Yes
16. **40** No
17. **40 Total** (lines 4, 11, 14 and 17 must be equal)

**Was search consented?**

18. **0** Yes
19. **0** No
20. **0 Total** (must equal line 15)



## CONSTABLE PRECINCT 4

J.E. "EDDIE" GUERRA

February 19, 2014

Texas Commission on Law Enforcement  
6330 East Highway 290, STE 200  
Austin, Texas 78723  
512-936-7700

Re: 2013 Racial Profiling Report

Commission,

Please allow this letter to serve as notice that the reported 2013 racial profiling statistics for Hidalgo County Constable Precinct 4 are inaccurate. The inaccuracy results from the loss of a staff member charged with the duty of maintaining of the records for subsequent analysis and reporting to TCOLE. The constable's office has taken appropriate measures, to include complete automation of the ticket writing system, to prevent such an oversight from ever occurring again. In the 2013 report, we have included whatever statistics were recovered and reported them accordingly.

Respectfully,

Joel Rivera  
Chief Deputy Constable