Reno Police and Public Safety Services

City of Reno

160 Blackburn Street, Reno, TX 75462
(903)785-1744-main/ (903)783-0463-fax

Chief of Police Matt Birch ***Sergeant Jeremy Massey***

VII e.

To: Reno City Council
From: Matt Birch, Chief of Police, Reno Police Department
Date: February 5th, 2013
Subject: Reno Police Department 2012 Racial Profiling report

In 2001 the state of Texas took steps to combat racial profiling in policing by passing the racial profiling law. Since then, Reno Police Department, in response to the law being passed, has enacted policies and general orders to ensure its officers are abiding by those laws and ensuring its officers use only information based on standards of reasonable suspicion and probable cause as required by the 4th Amendment of the US Constitution and statutory authority.

Also in response to the law, Reno Police Department makes a complaint form readily available in the public areas of City Hall near the billing windows and near the Police Department entrance. Racial profiling is also a priority on the department's webpage where anyone can find a copy of the complaint form.

In addition to the 2012 Racial Profiling Report and data, you'll find a copy of the Racial Profiling law, a copy of the department's policy on Racial or Biased Based Profiling, and a copy of Reno Police Department complaint form.

This report covers all of 2012 and is further documentation that Reno Police department is in compliance with the law regarding racial profiling and is proactive and transparent regarding this issue.

If you should have any questions about this report, please feel free to contact me at any time.

Sincerely,

Matt Birch
Chief of Police
Reno Police Department

Partial Exemption Racial Profiling Reporting
(Tier 1)
January 2012 - December 2012

RENO POLICE DEPARTMENT

Number of motor vehicle stops:

Mark only 1 category per vehicle stop

1. 234 Citation Only
2. 21 Arrest Only
3. 6 Both

4. 261 Total

Race or Ethnicity:

5. 34 African
6. 1 Asian
7. 213 Caucasian
8. 13 Hispanic
9. 0 Middle Eastern
10. 0 Native American

11. 261 Total

Race or Ethnicity known prior to stop?

12. 32 Yes
13. 229 No

14. 261 Total

Search Conducted?

15. 9 Yes
16. 252 No

17. 261 Total

Was search consented?

18. 4 Yes
19. 5 No

20. 9 Total Must equal #15

RACIAL PROFILING ANALYSIS

January 2012 - December 2012

RENO POLICE DEPARTMENT
160 BLACKBURN ST.
RENO, TX 75462

Race/Ethnicity	Contacts		Searches		Consent Searches		PC Searches		Custody Arrest	
	N	%	N	%	N	%	N	%	N	%
Caucasian	213	81.6%	6	66.7%	3	75.0%	3	60.0%	18	66.7%
African American	34	13.0%	3	33.3%	1	25.0%	2	40.0%	8	29.6%
Hispanic	13	5.0%	0	0.0%	0	0.0%	0	0.0%	1	3.7%
Asian	1	.4%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Native American	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Middle Eastern	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Total	261		9		4		5		27	

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency'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 Officer Standards and Education; 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.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes

a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 25, eff. September 1, 2009.

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS. (a) In this article, "race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or

ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(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 any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a written warning or a citation as a result of the stop.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 26, eff. September 1, 2009.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED. (a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article 2.132(a).

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; and

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 27, eff. September 1, 2009.

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle stop made by an officer employed by the agency that is capable of being recorded by

video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) 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 or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 28, eff. September 1, 2009.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or

reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing

body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.1385. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of $1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of $1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

Added by Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 29, eff. September 1, 2009.

	RENO POLICE DEPARTMENT	
	Policy 2.13 Racial or Biased Based Profiling	
	Effective Date: 03/29/2012	Replaces: N/A
	Approved: Matt Birch, Chief of Police	

NOTE: This General Order is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher Standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this General Order, if proven, can only form the basis of a complaint by this Department and only in a non-judicial, administrative setting.

INDEX WORDS:

Audio and Video Recording
Collection of Information
Complaint
Ethnicity
Race
Racial or biased based Profiling
Reporting
Review
Training

I. PURPOSE

The purpose of this order is to reaffirm the City of Reno Police Department's commitment to unbiased policing in all its encounters with 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

A. It is the policy of this department to police in a proactive manner and to aggressively investigate suspected violations of the law. Officers shall actively enforce local, state and federal laws in a responsible and professional manner, without regard to race, ethnicity, sex, gender, age, religion, or national origin. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. Racial or biased based profiling is an unacceptable police tactic and will not be condoned.

B. This General Order is adopted in compliance with the requirements of Articles 2.131 through 2.136, Texas Code of Criminal Procedure, which prohibits Texas peace officers from engaging in racial profiling.

III. DEFINITIONS

A. Racial or biased based Profiling - a law enforcement-initiated action based on an individual's race, ethnicity, sex, gender, age, religion, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. Racial or biased based 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, persons needing assistance, or other citizen contacts.

B. Race or Ethnicity - persons of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

C. Acts Constituting Racial or biased based profiling - acts initiating law enforcement action, such as a traffic stop, a detention, a search, issuance of a citation, or an arrest based solely upon an individual's race, ethnicity, sex, gender, age, religion, or national origin or on the basis of racial, ethnic, or any other stereotypes, rather than upon the individual's behavior, information identifying the individual as having possibly engaged in criminal activity, or other lawful reasons for the law enforcement action.

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

E. Traffic Stop - the stopping of a motor vehicle by a peace officer for an alleged violation of law or ordinance regulating traffic.

IV. PROHIBITION

A. Officers of the Reno Police Department are strictly prohibited from engaging in racial or biased based profiling. The prohibition against racial or biased based profiling does not preclude the use of race, ethnicity sex, gender, age, religion, or national origin as factors in a detention decision by an officer. Race, ethnicity sex, gender, age, religion or national origin may be legitimate factors in such a decision when used as part of a description of a suspect or witness for whom an officer is searching.

V. COMPLAINT PROCESS

A. No person shall be discouraged, intimidated or coerced from filing a complaint, or be discriminated against because they have filed a complaint.

B. Any person who believes that a peace officer employed by the Reno Police Department has engaged in racial or biased based profiling with respect to that person, may file a complaint in accordance with the department's complaint process.

1. An employee who is contacted regarding a complaint against an officer shall follow the procedures set forth in the department's policy manual.

2. Citizens who appear in person wishing to file a complaint shall be provided with a departmental brochure on Racial Profiling and Complaint Form. Brochures are maintained in the Reno City Hall/ Police Department lobby and on the Departmental website, where citizens may also be directed.

C. Any supervisor who becomes aware of an alleged or suspected violation of this policy shall report the alleged violation to the chain of command in order for a proper investigation.

D. Complaints of racial or biased based profiling shall be investigated by the department, unless otherwise directed by the Chief of Police. A file of all Racial Profiling Complaints will be maintained by department.

VI. DISCIPLINARY AND CORRECTIVE ACTIONS

Any department officer who is found, after investigation, to have engaged in racial or biased based profiling in violation of this General Order may be subject to disciplinary action, up to and including termination. Disciplinary or corrective actions may also include diversity, sensitivity or other appropriate training or counseling, as determined by the Chief of Police.

VII. PUBLIC EDUCATION

The Reno Police Department shall provide education to the public concerning the racial or biased based profiling complaint process. The primary method of public education shall be through a department brochure which are maintained in the lobby of the Reno City Hall/ Police Department. Other education methods may be utilized to inform the public, including news media, civic presentations, Departmental website, and/or public meetings.

VIII. COLLECTION OF INFORMATION AND ANNUAL REPORT WHEN CITATION ISSUED OR ARREST MADE

A. For each pedestrian or traffic stop in which a citation is issued and for each arrest resulting from such pedestrian or traffic stops, an officer involved in the stop shall collect the following information on the citation:

1. Information identifying the race or ethnicity of the person detained. The following codes will be used to identify the individual's race:

B = Black
A = Asian
I = Native American / American Indian
H = Hispanic

W = White
O = Other

Note: Officers may not ask the individual to identify their race. If the officer is unable to determine the race or ethnicity of the person contacted, then the race shall be entered as "Other" on the citation(s) issued.

2. Whether a search was conducted;
3. If a search was conducted, whether the person detained consented to the search;
4. Whether contraband was found;
5. Whether the person contacted is a resident of the City of Reno. This shall be reflected on each citation issued by getting the contacted persons address and filling it in on the appropriate area(s) on the citation.

B. The information collected will then be entered in to the Records Management System by completing the Racial Profiling data utilizing the in-car MDC or the computers that are available in the Department. All contacts requiring Racial Profiling data collection must be entered.

C. The information collected shall be compiled in an annual report covering the period January 1 through December 31 of each year, and shall be submitted to the governing body of the City of Allen no later than March 1 of the following year. 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;
4. Number of citations that resulted in custodial arrest; and
5. Public education efforts concerning the racial profiling complaint process.

C. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any peace officer involved in a stop or arrest.

IX. AUDIO AND VIDEO EQUIPMENT

A. Each motor vehicle regularly used by this department to make traffic and pedestrian stops is equipped with a mobile video camera system capable of recording video and audio.

B. Each traffic and pedestrian stop made by an officer of this department that is capable of being recorded by video and audio shall be recorded. In units equipped with mobile video camera systems, both video and audio recordings shall be required.

C. Supervisors and Officers shall ensure that mobile video camera equipment, and/or audio equipment is properly functioning prior to commencing their tour of duty. Police units with malfunctioning or inoperable mobile video camera equipment shall not be utilized under normal circumstances.

D. Supervisors shall have the authority to assign units with malfunctioning or inoperable mobile video equipment when situations dictate. Officers assigned to such units shall collect and document the information listed below for each traffic and pedestrian stop. All documentation must be submitted to the officer's supervisor prior to ending that tour of duty. Documentation shall include but is not limited to Field Interview Forms, Traffic Citations and Warning Tickets.

1. a physical description of each person detained as a result of the stop, including:
a. the person's gender; and
b. the person's race or ethnicity, as stated by the person, or if the person does not state, the person's race or ethnicity, as determined by the officer to the best of his or her ability. Officers will not ask the individual to identify their race or ethnicity;
2. the traffic law or ordinances alleged to have been violated, or the suspected offense;
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 any contraband was discovered in the course of the search and the type of contraband discovered;
5. whether probable cause to search existed and the facts supporting the existence of that probable cause;
6. whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
7. the street address or approximate location of the stop; and
8. whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.
9. whether the person contacted is a resident or non-resident of the City of Reno. This shall be reflected on each citation issued, using an (R) for residents or an (NR) for non-resident.

XI. REVIEW OF VIDEO AND AUDIO DOCUMENTATION

A. Each audio and video recording shall be retained for a minimum period of ninety (90) days, unless a complaint is filed alleging that an officer has engaged in racial profiling with respect to a traffic or pedestrian stop. The Chief of Police shall ensure that all audio and video recordings are properly stored and retained in accordance with applicable laws and this policy.

B. If a complaint is received alleging that an officer has engaged in racial profiling, the audio / video recording shall be forwarded to the Chief of Police. The Internal Affairs Division shall retain the recording until final disposition of the complaint has been made.

C. The Chief of Police or his designee shall review a randomly selected sampling of video and audio recordings, made recently by officers employed by the Department, in order to determine if patterns of racial profiling exist. These reviews shall be conducted weekly and documented on the appropriate form.

1. Written documentation shall include:
a. the names of the officers whose contacts were reviewed;

b. the date(s) of the tapes reviewed;
c. the date the actual review was conducted; and
d. the name of the person conducting the review.
2. The Patrol Services Division Deputy Chief shall forward the required documentation to the Office of the Chief of Police.
3. The Office of the Chief of Police shall maintain a file of all tape review documentation performed, in compliance with this General Order.

D. In reviewing audio and video recordings, the Chief of Police or his designee, shall seek to determine if the officer(s) reviewed have engaged in a pattern of racial profiling, that includes multiple acts constituting racial profiling for which there is no reasonable, credible explanation based on established police and law enforcement procedures.

XII. TRAINING

A. Each peace officer employed by the department shall complete the comprehensive education and training program on racial profiling established by the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) not later than the second anniversary of the date the officer was licensed, 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.

B. The Chief of Police shall, in completing the training required by Section 96.641, Texas Education Code, complete the program on racial profiling established by the Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT), not later than September 1, 2003.

XIII. EFFECTIVE DATE

A. Any previous directive, rule, order or regulation that pertains to this subject matter and its amendments shall remain in full force and effect for any violation(s) which occur prior to the effective date of this policy.

B. If any section, sentence, clause or phrase of this General Order is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this General Order.

C. All training on this General Order will be in accordance with department policy.

D. The effective date is stated in the header block of this policy.

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Police and Public Safety Services

Racial Profiling Complaint Form

Definition of racial or biased based profiling

A law enforcement-initiated action based on an individual's race, ethnicity, sex, gender, age, religion, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. Racial or biased based 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, persons needing assistance, or other citizen contacts.

Acts constituting racial or biased based profiling

Acts initiating law enforcement action, such as a traffic stop, a detention, a search, issuance of a citation, or an arrest based solely upon an individual's race, ethnicity, sex, gender, age, religion, or national origin or on the basis of racial, ethnic, or any other stereotypes, rather than upon the individual's behavior, information identifying the individual as having possibly engaged in criminal activity, or other lawful reasons for the law enforcement action.

Instructions

Please write a brief narrative of your complaint as neatly and as detailed as possible in the space provided. Include all the details of the incident involving the alleged racial profiling. You may also use additional sheets of paper if necessary. Please print.

Please make sure you sign and date your statement in front of a Public Notary.

This statement can be turned in at Reno City Hall or mailed to the address provided.

Note: A person commits an offense if with intent to deceive, he knowingly makes a false statement that is material in a criminal investigation and makes the statement to a peace officer conducting the investigation. An offense under this section is a class B misdemeanor punishable by a fine not to exceed $2000 or 180 days in jail, or both such fine and jail. Texas Penal Code 27.08.

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Reno TEXAS

Matt Birch
Chief of Police
matt@renotexas.us

Police and Public Safety Services

PERSON MAKING COMPLAINT

Full Name: _____ Date of Birth: ___/___/_____
(Last, First, Middle) (MM/DD/YYYY)

Address: _____
(Please include your complete address- House number, street or county road name, city, state, and zip code)

Telephone: _____ / _____ / _____
(Home, work, cell, or whatever applicable)

INCIDENT IN QUESTION

Date of incident: ___/ ___/ _____ Day of week: _____ Time: _____ AM or PM
(Please circle one)

Location of incident: _____
(Please include a complete address or describe the location as much as possible)

Officer's name: _____

Type of contact: _____
(I.E. Traffic stop, pedestrian stop, etc...)

Witness name (if applicable): _____

Address: _____
(Please include your complete address- House number, street or county road name, city, state, and zip code)

Telephone: _____ / _____ / _____
(Home, work, cell, or whatever applicable)

Narrative of incident: *Please print and be as neat and as detailed as possible. Thank You!*

Note: A person commits an offense if with intent to deceive, he knowingly makes a false statement that is material in a criminal investigation and makes the statement to a peace officer conducting the investigation. An offense under this section is a class B misdemeanor punishable by a fine not to exceed $2000 or 180 days in jail, or both such fine and jail. Texas Penal Code 27.08.

160 Blackburn Street
Reno, TX 75462-7152
(903)785-1744 office
(903)783-0463 fax
www.renotexas.us

Matt Birch
Chief of Police
matt@renotexas.us

Police and Public Safety Services

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Signature of Complainant: _____

Notary _____

On this _____ day of _____, 20 ___, personally appeared _____, whom on their oath, stated the above facts were true and correct.

_____

Notary Public in and for Lamar County, Texas

Notary Stamp

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