

**MIDLAND COUNTY SHERIFF'S OFFICE  
2012 RACIAL PROFILING REPORT**



# TEXAS DEPARTMENT OF PUBLIC SAFETY

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512/424-2000

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January 23, 2013

Midland County Sheriff's Office  
Attn: Lt. Donald Graham  
PO Box 11287  
Midland, Texas 79702

Dear Lt. Donald Graham:

The Department has received your agency's request for driver record information to assist you in complying with the requirements of Code of Criminal Procedures §2.131.

This report was generated in January 2013. The report reflects the race demographics by county and zip code for all driver license records on the date the report was generated. For all future requests, you must specifically indicate each zip code and/or county for which you want information.

Data provided in this report is derived from the race codes maintained in the Department's driver record file. Race codes are established for the purpose of driver license issuance and include Black, White, Indian, Asian, Hispanic and Other. According to the Texas Law Enforcement Manual §02.10.04 (1a), "Other" is to be used for those of "mixed" races/backgrounds who refuse to accept any of these classifications, or for other unusual situations.

Driver Record information is exempted from release under the Open Records Act and provides that information relating to an individual's driver license can be released only in accordance with Chapter 730 of the Texas Transportation Code (TRC). This statute allows the release of driver record information to a government law enforcement entity. Further, TRC §521.049(c) provides the authority to release information in a class-type listing to a government entity. However, the Department is prevented from releasing class-type listings to nongovernmental entities under TRC §521.051.

The Department understands that the intended use of the requested information could lead to its release in an open government forum or a required report. However, the Department is not waiving any exceptions to disclosure under the Open Records Act by providing this report. In addition, due to restrictions related to providing class-type listings to nongovernmental entities, the Department requests that your agency refrain from disseminating this document.

If we may be of further service, please contact the Driver Record Section at (512) 424-2032.

Sincerely,

*Margaret Spinks*

Margaret Spinks, Manager  
License and Record Service

**79701**

	<b>AMERICAN INDIAN/ALASKAN NATIVE</b>	<b>ASIAN/PACIFIC ISLANDER</b>	<b>BLACK</b>	<b>HISPANIC</b>	<b>WHITE</b>	<b>OTHER</b>	<b>ALL RACES</b>
Male	31	60	2011	1728	12547	190	16567
Female	38	83	1672	1312	11095	166	14366
All	69	143	3683	3040	23642	356	30933

**79702**

	<b>AMERICAN INDIAN/ALASKAN NATIVE</b>	<b>ASIAN/PACIFIC ISLANDER</b>	<b>BLACK</b>	<b>HISPANIC</b>	<b>WHITE</b>	<b>OTHER</b>	<b>ALL RACES</b>
Male	0	1	32	16	242	0	291
Female	0	0	15	6	102	1	124
All	0	1	47	22	344	1	415

**79703**

	<b>AMERICAN INDIAN/ALASKAN NATIVE</b>	<b>ASIAN/PACIFIC ISLANDER</b>	<b>BLACK</b>	<b>HISPANIC</b>	<b>WHITE</b>	<b>OTHER</b>	<b>ALL RACES</b>
Male	32	87	654	883	9268	112	11036
Female	30	108	496	675	8791	97	10197
All	62	195	1150	1558	18059	209	21233

**79704**

	<b>AMERICAN INDIAN/ALASKAN NATIVE</b>	<b>ASIAN/PACIFIC ISLANDER</b>	<b>BLACK</b>	<b>HISPANIC</b>	<b>WHITE</b>	<b>OTHER</b>	<b>ALL RACES</b>
Male	0	0	3	3	53	1	60
Female	0	0	3	2	34	1	40
All	0	0	6	5	87	2	100

**79705**

	<b>AMERICAN INDIAN/ALASKAN NATIVE</b>	<b>ASIAN/PACIFIC ISLANDER</b>	<b>BLACK</b>	<b>HISPANIC</b>	<b>WHITE</b>	<b>OTHER</b>	<b>ALL RACES</b>
Male	41	193	1802	943	14384	154	17517
Female	34	198	1746	722	14054	120	16874
All	75	391	3548	1665	28438	274	34391

**79706**

	<b>AMERICAN INDIAN/ALASKAN NATIVE</b>	<b>ASIAN/PACIFIC ISLANDER</b>	<b>BLACK</b>	<b>HISPANIC</b>	<b>WHITE</b>	<b>OTHER</b>	<b>ALL RACES</b>
Male	9	9	171	840	8805	98	9932
Female	16	17	109	641	7999	77	8859
All	25	26	280	1481	16804	175	18791

79707

	<b>AMERICAN INDIAN/ALASKAN NATIVE</b>	<b>ASIAN/PACIFIC ISLANDER</b>	<b>BLACK</b>	<b>HISPANIC</b>	<b>WHITE</b>	<b>OTHER</b>	<b>ALL RACES</b>
Male	68	704	801	650	14862	196	17281
Female	52	591	601	523	14683	151	16601
All	120	1295	1402	1173	29545	347	33882



**Partial Exemption Racial Profiling Reporting  
(Tier 1)**

<b>Department Name</b>	<u>MIDLAND COUNTY SHERIFF'S OFFICE</u>
<b>Agency Number</b>	<u>329100</u>
<b>Chief Administrator Name</b>	<u>SHERIFF GARY PAINTER</u>
<b>Reporting Name</b>	<u>SHERIFF GARY PAINTER</u>
<b>Contact Number</b>	<u>(432) 688-4600</u>
<b>E-mail Address</b>	<u>gary_painter@co.midland.tx.us</u>

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

**Policy Requirements (2.132(b) CCP):**

**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.

These policies are in effect


1-24-13  
 \_\_\_\_\_  
 Chief Administrator Date



**Partial Exemption Racial Profiling Reporting  
(Tier 1)**

**Video and Audio Equipment Exemption**

**Partial Exemption Claimed by (2.135(a) CCP):**



all cars regularly used for motor vehicle stops are equipped with video camera and transmitter-activated equipment and each motor stop is recorded and the recording of the stop is retained for at least 90 days after the stop.

**OR**



In accordance with 2.135(a)(2) the agency has requested and not received funds to install the recording equipment

I claim this exemption

*Amy Painter, Shiff*  
Chief Administrator

Date 1-24-13

**Midland County Sheriff's Office  
Racial Profiling Report  
For Year 2012**

**Although the Midland County Sheriff's Office qualifies for the *Tier 1 Reporting – Partial Exemption*, our agency also submits additional Analysis in furtherance of our strict racial profiling policy.**

**Number of Motor Vehicle Stops:**

Warnings:	<u>3366</u>	
Citations:	<u>1647</u>	Total: <u>5013</u>

**Stops By Ethnicity:**

Asian:	<u>27</u>	
Black:	<u>276</u>	
Hispanic:	<u>2339</u>	
Middle Eastern	<u>15</u>	
Native American	<u>7</u>	
Non Hispanic	<u>2</u>	
White/Non-Hispanic	<u>2347</u>	Total: <u>5013</u>

**Stops by Gender:**

Female:	<u>1394</u>	
Male:	<u>3619</u>	Total: <u>5013</u>

**Race or Ethnicity Known Prior to Stop:**

Race Known Prior to stop:	<u>116</u>	
Race Unknown Prior to Stop:	<u>4897</u>	Total: <u>5013</u>

**Arrest Made (Warning & Citation)**

Yes:	<u>187</u>	
No:	<u>4826</u>	

**Arrest Type:**

Warrants:	<u>99</u>	
Complaint:	<u>88</u>	Total: <u>187</u>

**Search Conducted:**

<b>Yes:</b>	<u>357</u>
<b>No:</b>	<u>4656</u>

**Search Consented:**

<b>Consent:</b>	<u>356</u>
<b>No-Consent:</b>	<u>1</u>

**Contraband Found:**

<b>Yes:</b>	<u>75</u>
<b>No:</b>	<u>278</u>

**Type of Contraband Found:**

<b>Drugs:</b>	<u>30</u>
<b>Weapons:</b>	<u>2</u>
<b>Currency:</b>	<u>0</u>
<b>Other:</b>	<u>43</u>