

# The UT System Police Department Annual Contact Report (2013)



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# Tier 1 Data

**Tier 1 (Partial Exemption TCLEOSE Form)**

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

**Department Name** University of Texas System Police

**Agency Number** 453005

**Chief Administrator** Michael J. Heidingsfield, Director of Police

**Reporting Name** Michael J. Heidingsfield, Director of Police

**Contact Number** (512)499-4688

**E-mail Address** mheidingsfield@utsystem.edu

### **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 polices are in effect

  
\_\_\_\_\_  
Chief Administrator

1/30/14  
\_\_\_\_\_  
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

  
\_\_\_\_\_  
Chief Administrator

  
\_\_\_\_\_  
Date

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

(This is the TCLEOSE recommended form. The form is not mandatory. The information contained in this form, however, is mandatory. You may use your form, but all information must be provided.)

**If you claim a partial exemption you must submit a report that contains the following data or use this format to report the data.**

**1. Total on lines 4, 11, 14, and 17 Must be equal**

**2. Total on line 20 Must equal line 15**

### **Number of Motor Vehicle Stops:**

1. 9,811 citation only
2. 594 arrest only
3. 160 both

4. 10,565 Total

### **Race or Ethnicity:**

5. 1,069 African
6. 729 Asian
7. 3,564 Caucasian
8. 4,733 Hispanic
9. 430 Middle Eastern
10. 40 Native American

11. 10,565 Total

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

12. 325 Yes

13. 10,240 No

14. 10,565 Total

**Search Conducted:**

15. 804 Yes

16. 9,761 No

17. 10,565 Total

**Was Search Consented?**

18. 190 Yes

19. 614 No

20. 804

Total Must Equal # 15

## **Option to submit required data by utilizing agency report**

**You must submit your report in PDF format**

### **Electronic Submission of data required by 2.132(b)(6) CCP**

(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

This report meets the above requirements

  
\_\_\_\_\_  
Chief Administrator

  
\_\_\_\_\_  
Date

***Send entire documents electronically to this website***

**[www.tcleose.state.tx.us](http://www.tcleose.state.tx.us)**

# **Analysis and Interpretation of Data**

## Analysis

In 2001, the Texas legislature passed Senate Bill 1074 which became the Texas Racial Profiling Law. That is, the law came into effect on January 1, 2002 and required that all police departments in Texas collect traffic-related data and report this information to their local governing authority by March 1<sup>st</sup> of each year. In 2009, the racial profiling law was modified to include the collection and reporting of all motor vehicle related contacts where a citation was issued or arrest made. In addition, since 2009, the law requires that all police officers indicate whether or not they knew the race or ethnicity of the individual before detaining them. Further, it is required that agencies report motor vehicle related data to their local governing authority and to the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) by March 1st of each year. The purpose in collecting and presenting this information is to determine if police officers in a particular municipality are engaging in the practice of racially profiling minority motorists.

The Texas Racial Profiling Law requires police departments to interpret motor vehicle-related data. Even though most researchers would probably agree with the fact that it is within the confines of good practice for police departments to be accountable to the citizenry while carrying a transparent image before the community, it is very difficult to determine if police officers are engaging in racial profiling, from a review or analysis of aggregate data. In other words, it is challenging for a reputable researcher to identify specific "individual" racist behavior from aggregate-level "institutional" data on traffic or motor vehicle-related contacts.

In 2009, the Texas Legislature passed House Bill 3389, which modified the existing Racial Profiling Law by adding new requirements; this took effect on January 1st, 2010. These most recent changes include, but are not exclusive of, the re-definition of a contact to include motor vehicles where a citation was issued or an arrest made. In addition, it requires police officers to indicate if they knew the race or ethnicity of the individual before detaining them. Also, the new law requires adding "middle eastern" to the racial and ethnic category and submitting the annual traffic data report to TCLEOSE before March 1st of each year, starting this year. I am pleased to inform you that these new requirements have been addressed by the UT System Police Department as it is demonstrated throughout this report.

In an effort to comply with The Texas Racial Profiling Law, the UT System Police Department commissioned the analysis of its 2013 motor vehicle contact data. Thus, careful evaluation of the 2013 motor vehicle related data was performed. This particular analysis measured, as required by law, the number and percentage of Caucasians, African Americans, Hispanics, Asians, Native Americans and Middle Easterners that came in contact with the police in the course of a motor vehicle stop, and were either issued a citation or arrested. In addition, as required by Tier 1 reporting, the analysis was made on the searches conducted and if the officers knew the race/ethnicity of the suspect before being detained.

The UT System Police is comprised of police departments across the State of Texas. That is, a total of 15 academic institutions house UT System Police Department which reports to the central administration based in Austin. These academic institutions include UT Arlington, UT Austin, UT Brownsville, UT Dallas, UT Southwestern Medical Center at Dallas, UT El Paso, UT Medical Branch at Galveston, UT Health Science Center at Houston and MD Anderson Cancer Center, UT Pan American, UT Permian Basin, UT San Antonio, UT Health Science Center at San Antonio, UT Tyler and UT Health Center at Tyler. Due to the fact that these institutions' police agencies do not patrol the same demographical population and that a comparison of all 15 agencies to a particular baseline is virtually impossible, the analysis provided here is limited in that the data is not compared to a specific baseline. Instead, the data is discussed as it is presented on the TCLEOSE reporting table.

#### Tier 1 (2013) Motor Vehicle-Related Contact Analysis

When analyzing the Tier 1 data collected in 2013, it was evident that most motor vehicle-related contacts were made with Hispanic drivers. This was followed by Caucasian and African American drivers. With regards to contacts that resulted in a search, the overwhelming number of stops made in 2013 did not result in searches. Further, of these searches, most were not consented.

While considering the findings made in this analysis, it is recommended that the UT System Police Department should continue to collect and evaluate additional information on motor vehicle contact data (i.e., reason for probable cause searches, contraband detected) which may prove to be useful when determining the nature of the contacts police officers are making with all individuals. Although this additional data may not be required by state law, it is likely to provide insights regarding the nature and outcome of all motor vehicle contacts made with the public. Further, the Department is encouraged to provide advanced racial profiling training to all of its command staff in all of its 15 campuses.

The information and analysis provided in this report serves as evidence that the UT System Police Department has, once again, complied with the Texas Racial Profiling Law.