

Biased Based Profiling Report for 2014

Leander Police Department
January 24, 2015

In compliance with the requirements of the *Texas Code of Criminal Procedure* 2.132(b), the Leander Police Department has a detailed written policy on racial profiling. In compliance with our accreditation status with the Commission of Accreditation for Law Enforcement, Inc. (CALEA) we have expanded this to encompass bias based profiling. Our Department Standard Operational Procedure (DSOP) Chapter 1 contain the detailed written policy. Portions of that policy are reproduced in this report. Currently all vehicles regularly assigned to patrol activities are equipped with video/audio recording equipment.

Policy Statement from DSOP 1

It shall be the policy of this department to comply with Articles 2.131 through 2.135 of the *Code of Criminal Procedure (CCrP)* and subsequent amendments, commonly referred to as the “Racial Profiling Law.” Further, biased based profiling is defined as the selection of an individual(s) for enforcement based solely on a trait common to a group. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. In short, “Biased Based Profiling,” as defined herein, is prohibited by employees of this department in traffic contacts, field contacts and in asset seizure and forfeiture efforts.

Definitions from DSOP 1

Bias based profiling: The selection of an individual(s) for enforcement action based solely on a trait common to a group. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

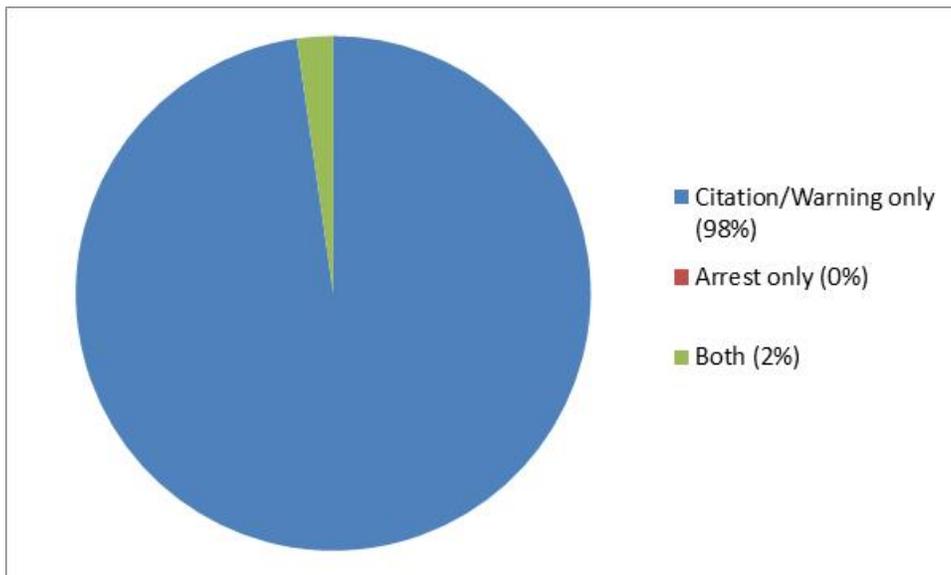
Race or Ethnicity: means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

Acts Constituting Biased Based Profiling: are actions taken by law enforcement, such as a traffic stop, a detention, a search, issuance of a citation, or an arrest, initiated solely on the basis of an individual’s race, ethnicity, trait common to a group, or national origin or on the basis of racial or ethnic stereotypes, rather than upon the individual’s behavior, information identifying the individual as having possibly engaged in criminal activity, or other lawful reasons for initiating the enforcement action.

Data has been collected from all traffic stops. In all traffic stops, either a citation or a written warning is issued to document the race/ethnicity of the driver, whether the officer knew the race/ethnicity prior to the stop, and if a search was conducted, and if that search was a consent search. This data has been reported to the state via electronic submission. The data reported in this method is shown in Appendix A. In addition, the data is illustrated graphically.

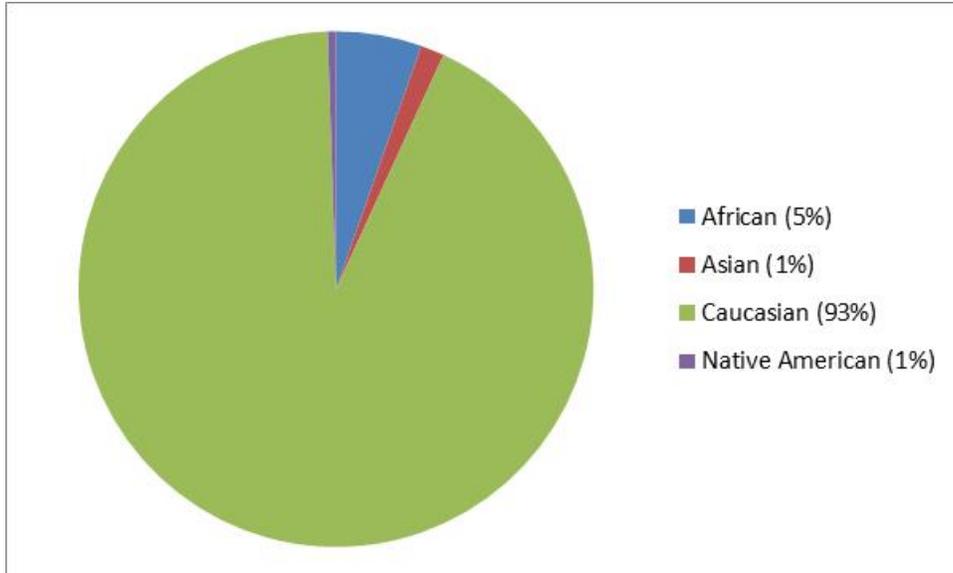
All traffic stops result in either a written warning or a citation. If a traffic stop results in an arrest, the case number is documented on the citation or warning. A total of 9,673 traffic stops resulted in citations or warnings only, 98%, and 224 of those stops resulting in both a citation/warning and an arrest, 2%. As stated earlier, or policy requires either a written citation or warning for all stops.

Result of Traffic Stop

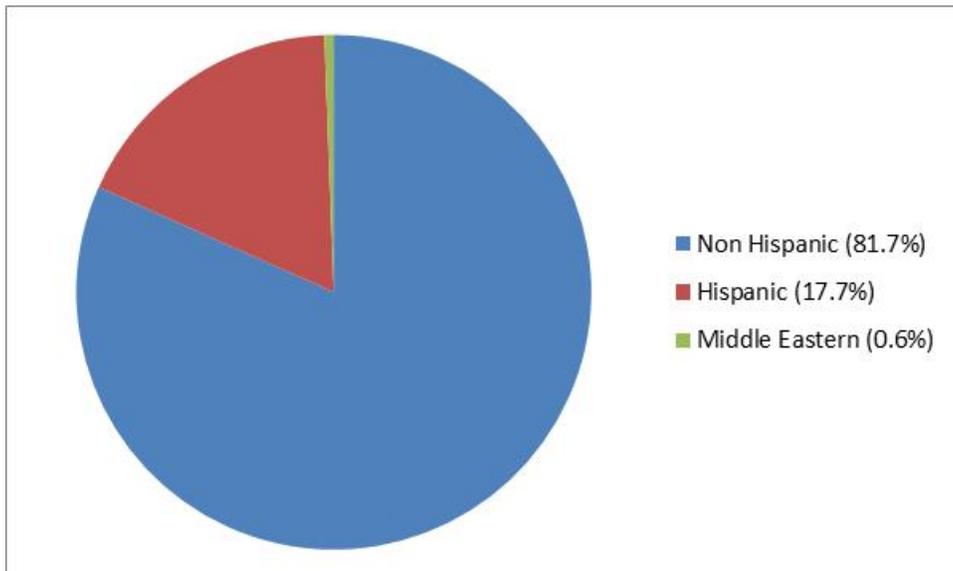


Race and ethnicity may overlap in that someone may be reported on their driver license as Caucasian but have an ethnicity of Hispanic. Graphs first will illustrate race of the driver and a separate graph illustrates the ethnicity of the driver. The races are Asian, Native American, African American or Caucasian. The ethnicities are Middle Eastern, Hispanic and Non-Hispanic.

Race of Driver

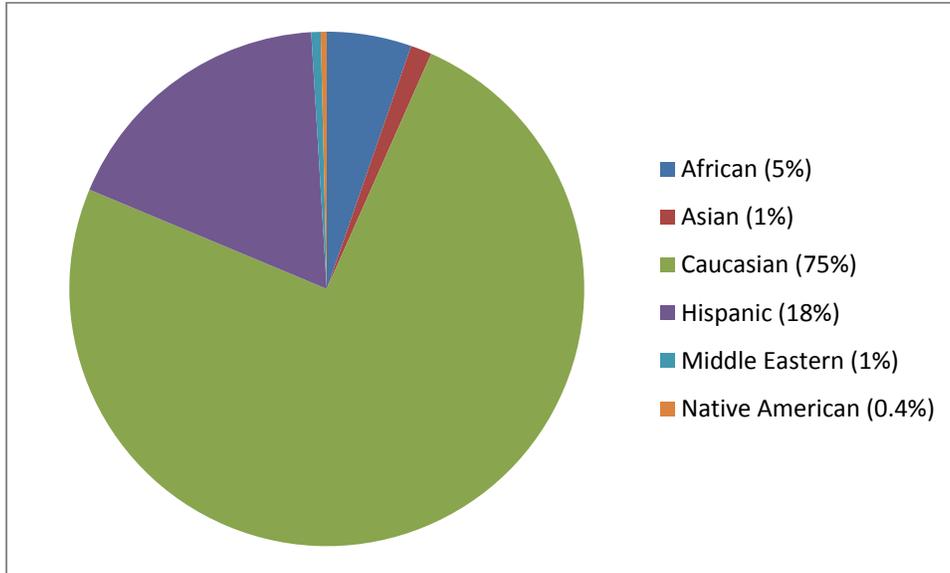


Ethnicity of Driver



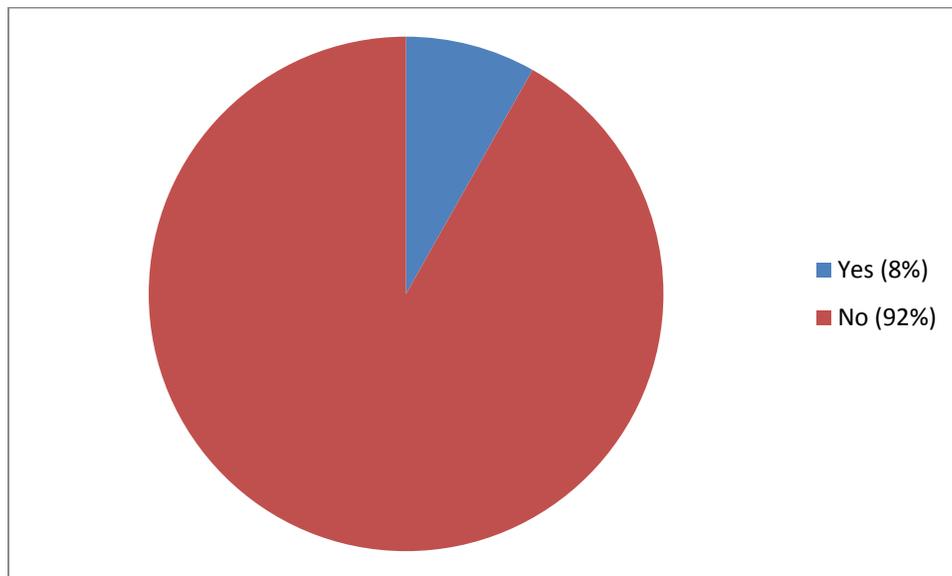
In compliance with the required state reporting categories, all drivers identified as African American, Asian, or Native American were reported as such. All drivers with an ethnicity of Hispanic or Middle Eastern were reported as such, adjusting each total number if a Hispanic or Middle Eastern person was already included in the African American, Asian or Native American category. The remaining drivers were reported as Caucasian.

Combined Race and Ethnicity of Driver



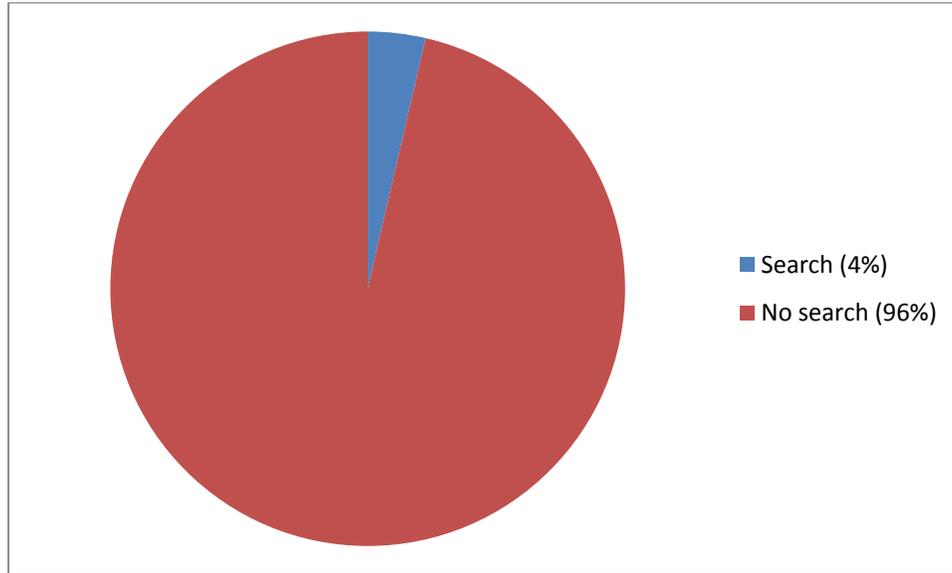
Officers reported in only 810 of the traffic stops, or 8%, that they knew the race or ethnicity of the driver prior to the stop. This is illustrated in the graph as the “yes” category.

Race or Ethnicity Known Prior to Traffic Stop



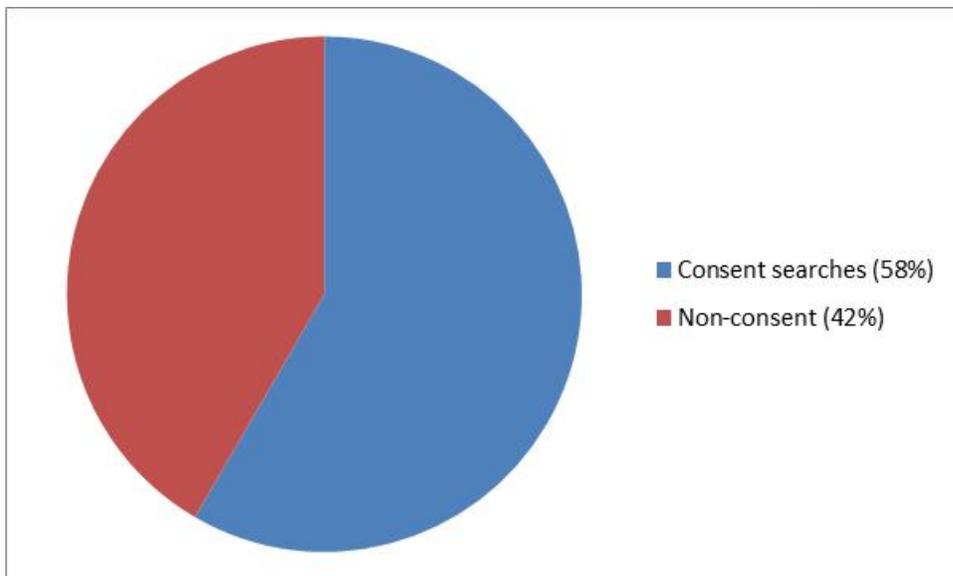
Officers reported that in 358 of the traffic stops, or 4%, searches were conducted. This is represented in the graph as the “Search” category.

Search Conducted on Traffic Stop



Of those 358 searches, officers reported that 209, or 58%, were consent searches. The consent search is illustrated in the graph by the “Consent” category. Part of this number of “total” searches was the category of Vehicle Inventory, which is not legally considered a search. We record this inventory in the category because we are inside the vehicle. Of 383 searches, officers reported that 47, or 12% of the total, were inventories to protect the owner’s property. Another way to represent this data is that of the 163 non-consent searches 29% were done to protect the owner’s property.

Consent Searches on Traffic Stop



Appendix A
Data Reported Electronically to the state

TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

Agency Name: LEANDER POLICE DEPT.
Reporting Date: 01/24/2015
TCOLE Agency Number: 491210
Chief Administrator: GREG MINTON
Agency Contact Information: Mailing Address:
LEANDER POLICE DEPT.
705 Leander Dr
Leander, TX 78641

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

LEANDER POLICE DEPT. 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 LEANDER POLICE DEPT. from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the LEANDER POLICE DEPT. if the individual believes that a peace officer employed by the LEANDER POLICE DEPT. 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 LEANDER POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the LEANDER POLICE DEPT.'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: **GREG MINTON**

Chief Administrator

LEANDER POLICE DEPT.

Date: 01/24/2015

LEANDER POLICE DEPT. Motor Vehicle Racial Profiling Information

Number of motor vehicle stops:

1. **9673** citation only
2. **0** arrest only
3. **224** both
4. **9897 Total** (4, 11, 14 and 17 must be equal)

Race or Ethnicity:

5. **526** African
6. **132** Asian
7. **7389** Caucasian
8. **1755** Hispanic
9. **58** Middle Eastern
10. **37** Native American
11. **9897 Total** (lines 4, 11, 14 and 17 must be equal)

Race or Ethnicity known prior to stop?

12. **810** Yes
13. **9087** No
14. **9897 Total** (lines 4, 11, 14 and 17 must be equal)

Search conducted?

15. **358** Yes
16. **9539** No
17. **9897 Total** (lines 4, 11, 14 and 17 must be equal)

Was search consented?

18. **209** Yes
19. **149** No
20. **358 Total** (must equal line 15)