

Interoffice Memo

To: Gregory L. Grigg
Chief of Police *Greg Grigg, 1-19-18*

Via: Sharon W. Massey
Assistant Chief of Police *Smassey*

Wade A. Conner
Captain *WAC*

From: John C. Yettevich
Lieutenant *JCY*

Date: 1/11/18

Subject: Annual Comparative Analysis for Bias Base /Racial Profiling (General Orders 1.2.14 G. 4 and 1.2.14 G. 5)

Chief Grigg,

Below is the information for the comparative analysis of the data collected for traffic stops, traffic citations issued, traffic stop arrests, asset forfeiture, and seizures. State law and the Deer Park Police Department General Orders 1.2.14 G. 4 and 1.2.14 G. 5 require this data to be collected and analyzed to determine if any racial profiling or other form of bias-based policing exists in the Deer Park Police Department. The findings then must be submitted to the Texas Commission on Law Enforcement (TCOLE) database via their website by March 1, 2018.

During calendar year 2017, the Deer Park Police Department did not receive any complaints of racial profiling.

Below you will find (1) a summary of practices including citizen concerns; (2) the data for examination of the disposition of stops, including searches resulting from the stops; (3) the report required to be entered into the Texas Commission on Law Enforcement (TCOLE) database via their website; and (4) the "Asset Seizure and Forfeit Review" memorandum from Captain W. A. Conner that is the source for this analysis.

Summary of Practices

In conjunction with the efforts mentioned below, the Police Department holds numerous community meetings throughout the year to address issues and concerns as part of our Community Oriented Policing philosophy. This is a testament of the training and the quality of officers that the Deer Park Police Department is hiring.

Since January 1, 2002, the Deer Park Police Department, in accordance with the Texas Racial Profiling Law (SB 1074), has been collecting police contact data. SB 1074 required the collection of a violator's race and whether a search was conducted and, if so, whether the person detained consented to the search on all traffic stops in which a citation was issued or an arrest made. Subsequently, House Bill 3389 of the 81st Legislature of the State of Texas requires the reporting of racial profiling data for the previous calendar year to TCOLE by March 1st of each year. The Deer Park Police Department General Order 1.2.14 prohibits all bias based policing. This General Order has been reviewed and is in compliance with state law and current best practices. Racial Profiling is a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Article 2.133 of the Code of Criminal Procedure requires certain information be recorded each time a Police Officer stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense, unless the contact is recorded by mobile recording equipment. The Violator/Suspect Contact form (PD-69) has been developed for use by officers to record traffic and pedestrian stops made in absence of functional mobile recording equipment. The Violator/Suspect Contact form (PD-69) will be used anytime mobile video recording equipment is inoperable or unavailable.

The Deer Park Police Department has complied with all the requirements of the Texas Racial Profiling Law including officer training and distribution of information to the public on the complaint process. The Deer Park Police Department acquired in-car video equipment in June of 2003, which has been used consistently for the collection of data on all vehicular and pedestrian stops, and is constantly upgrading its technology to stay current with the times. The current system allows greater storage capacity and ready access to any supervisor's desk top computer for constant and immediate reviews of traffic stops. Finally, the Deer Park Police Department traffic citations and arrest reports comply with state mandates that require the proper information to be collected to capture data regarding racial profiling issues.

To ensure compliance with General Order 1.2.14, Deer Park Patrol Sergeants are required to review random samples of at least two traffic / pedestrian stops per assigned officer "on a monthly" basis to ensure policies are being followed. An email of that review with a memorandum attached is forwarded to the Community Services Lieutenant detailing the review and whether or not the department's policies are being complied with. Any violations of the department's policies shall be reported immediately to the Division's Commander via Interoffice Memorandum. At present, there is no indication that racial profiling is occurring in the department. In 2017, there was no internal affairs investigation which resulted in disciplinary action(s) taken towards an officer related to bias based policing.

A review of the current Deer Park Police Department General Order 1.2.14 regarding Bias Base /Racial Profiling was conducted while compiling this report, and there is no indication of a need for any changes to these policies and procedures at this time.

The following data provides a statistical summary for year 2017 that affirms that the Deer Park Police Department has not experienced any problems regarding racial profiling practices. Again, this is supported by the fact that of the thousands of public contacts during the year 2017, the Deer Park Police Department received no complaints from community members regarding officers' misconduct associated with racial profiling practices.

Disposition of stops, including searches resulting from the stops:

Motor Vehicle Racial Profiling Information

Number of motor vehicle stops:

1. 15,055 citation only
2. 1,231 arrest only
3. 219 both
4. 16505 Total (4, 11, 14 and 17 must be equal)

Race or Ethnicity:

5. 1875 African American
6. 297 Asian
7. 9037 Caucasian
8. 5285 Hispanic
9. 5 Middle Eastern
10. 6 Native American
11. 16505 Total (4, 11, 14 and 17 must be equal)

Race or Ethnicity known prior to stop?

12. 699 Yes
13. 15806 No
14. 16505 Total (4, 11, 14 and 17 must be equal)

Search Conducted?

15. 268 Yes
16. 16237 No
17. 16505 Total (4, 11, 14 and 17 must be equal)

Was search consented?

18. 80 Yes

19. 188 No

20. 268 Total (must equal line 15)

**Information to be submitted to TCOLE information: TIER 1 - PARTIAL
EXEMPTION RACIAL PROFILING REPORT:**

Agency Name: DEER PARK POLICE DEPT.
Reporting Date: 1/11/18

**TCOLE Agency
Number:** 201204

Chief Administrator: GREGORY L. GRIGG

Agency Contact Information: Phone: 281-479-1511
Email: jyettevich@deerparktx.org
Mailing Address:

DEER PARK POLICE DEPT.
2911 Center Street
Deer Park, TX 77536

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
DEER PARK 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 DEER PARK POLICE DEPT. from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the DEER PARK

POLICE DEPT. if the individual believes that a peace officer employed by the DEER PARK 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 DEER PARK POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the DEER PARK 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 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.

I certify these policies are in effect.

Executed by: **GREGORY L. GRIGG**

Chief Administrator

DEER PARK POLICE DEPT.

Date: 1/11/18