

The UT System Police Department

2017

Annual Contact Report

PREPARED BY:

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Tier 1 (Partial Exemption TCOLE Form)

Partial Exemption Racial Profiling Reporting (Tier 1)

Department Name University of Texas System Police

Agency Number 453005

Chief Administrator Name Michael J. Heidingsfield, Director

Reporting Name Michael J. Heidingsfield, Director

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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:

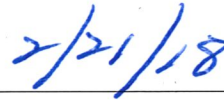
(A) the Commission on Law Enforcement; and

(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



Michael J. Heidingsfield



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



Michael J. Heidingsfield



Date

(I) Tier 1 Data

Motor Vehicle-Related Contact Information (1/1/17—12/31/17)

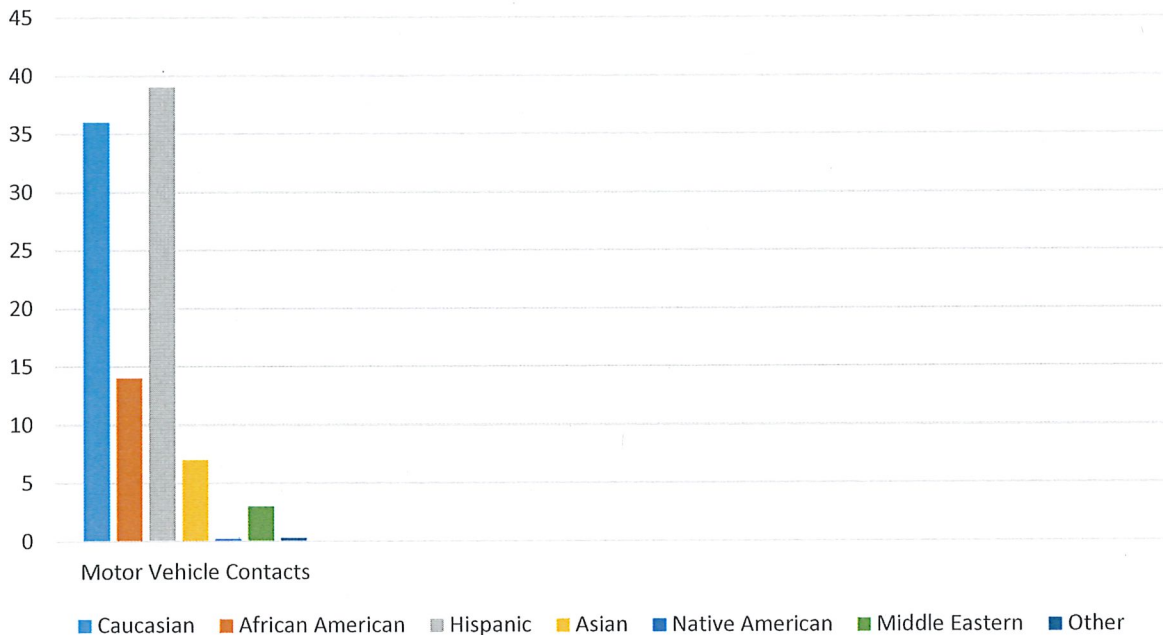
Race/Ethnicity *	Contacts		Searches		Consensual Searches		PC Searches		Custody Arrests	
	N	%	N	%	N	%	N	%	N	%
Caucasian	3,392	36	348	33	72	37	276	32	268	30
African American	1,331	14	239	23	40	21	199	23	188	21
Hispanic	3,591	39	435	41	77	40	358	41	402	45
Asian	686	7	22	2	1	.5	21	2	15	2
Native American	22	.2	1	.09	0	0	1	.1	0	0
Middle Eastern	264	3	7	.7	0	0	7	.8	5	.6
Other	30	.3	6	.6	3	2	3	.3	6	.7
Total	9,316	100	1,058	100	193	100	865	100	884	100

"N" represents "number" of traffic-related contacts

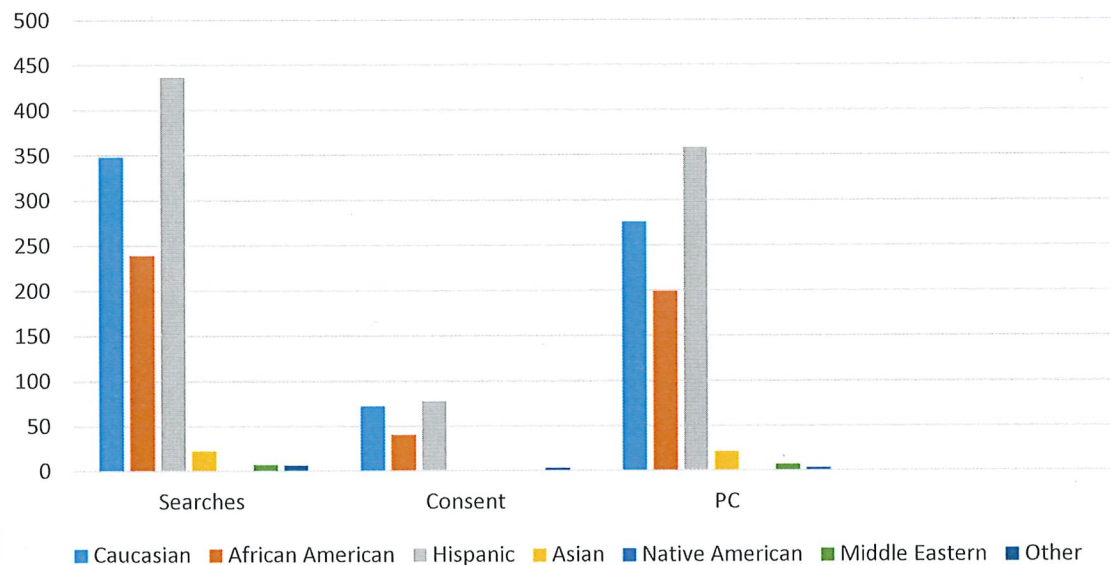
* Race/Ethnicity is defined by Senate Bill 1074 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American or Middle Eastern".

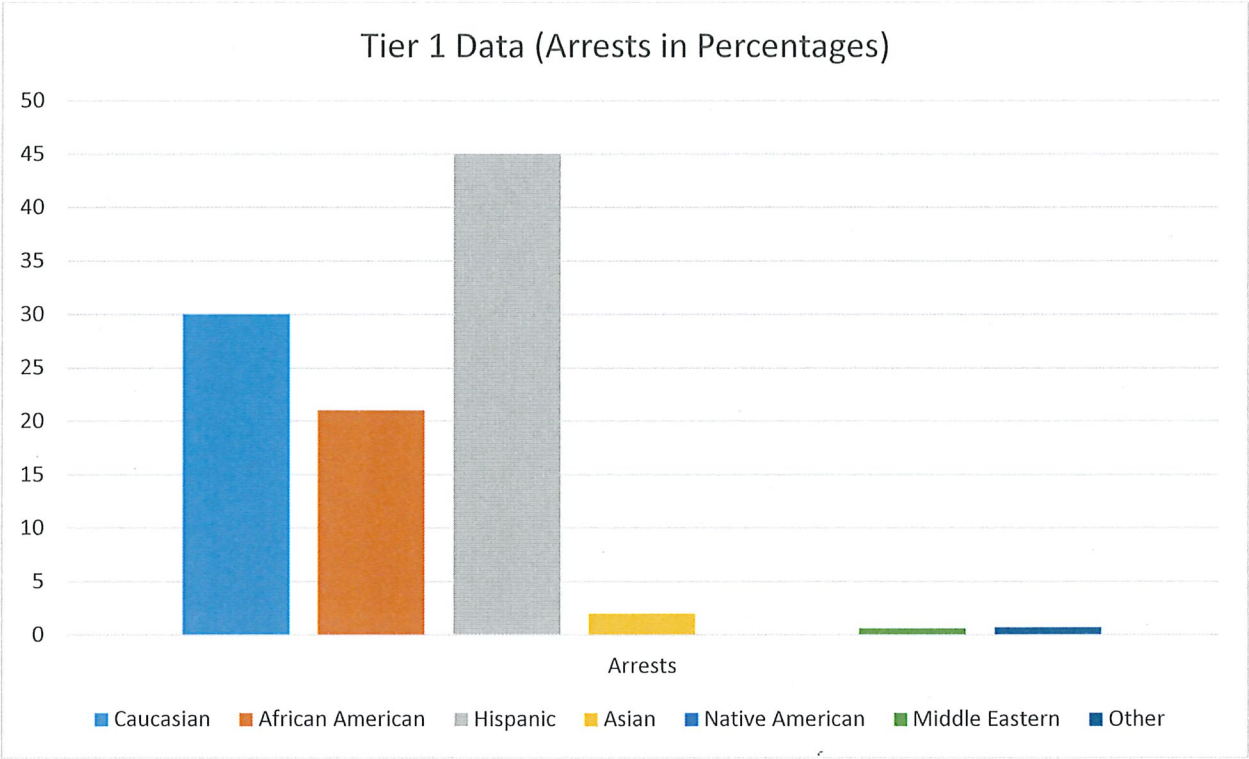
**Figure has been rounded

Tier 1 Data (Motor Vehicle Contacts in Percentages)



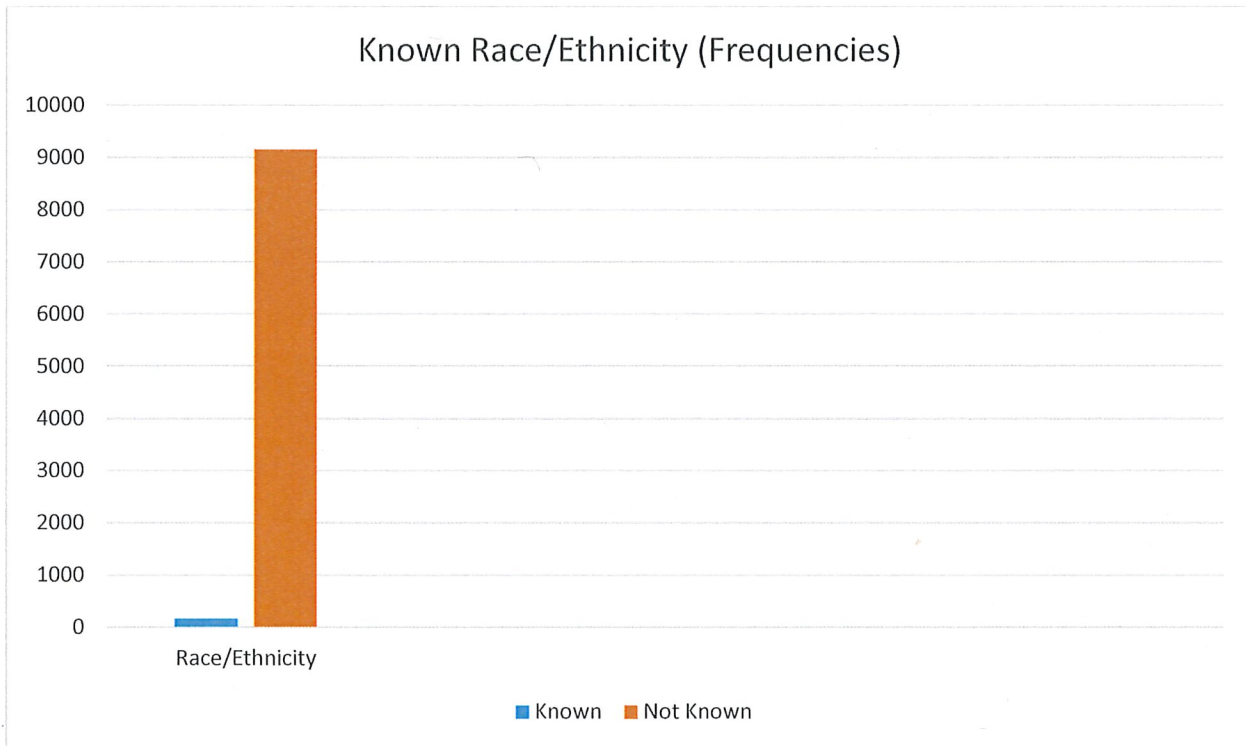
Tier 1 Data (Frequency of Searches)





Total Number of Instances where Officers Knew/did not Know Race/Ethnicity of Individuals Before Being Detained (1/1/17--12/31/17)

Total Number of Instances where Officers <u>Knew</u> Race and Ethnicity of Individuals Before Being Detained	Total Number of Instances where Officers <u>Did Not Know</u> the Race and Ethnicity of Individuals Before Being Detained
165	9,151



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



Michael J. Heidingsfield



Date

Send entire documents electronically to this website

www.tcleose.state.tx.us

Analysis and Interpretation of Data

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 1st 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 and Education (TCOLE) 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 TCOLE 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 2017, the Texas Legislators passed H.B. 3051 which removed the Middle Eastern data requirement but standardized the racial and ethnic categories relevant to the individuals that came in contact with the police. In addition, the Sandra Bland Act (S.B. 1849) was passed and became law. That is, the most significant legislative act in Texas history regarding future data requirements on law enforcement contacts, became law and effective January 1, 2018. All future reports will contain more extensive data entries and analysis as well as records regarding audits and the analysis of searches, as required by law.

In an effort to comply with The Texas Racial Profiling Law, the UT System Police Department commissioned the analysis of its 2017 motor vehicle contact data. Thus, careful evaluation of the 2017 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 14 academic institutions house UT System Police Departments which report to the central administration based in Austin. These academic institutions include UT Arlington, UT Austin, 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 Permian Basin, UT Rio Grande Valley, UT San Antonio, UT Health Science Center at San Antonio, UT Tyler and UT Health Northeast at Tyler. Due to the fact that these institutions' police departments do not patrol the same demographical population and that a comparison of all 14 departments 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 TCOLE reporting table.

Tier 1 (2017) Motor Vehicle-Related Contact Analysis

When analyzing the Tier 1 data collected in 2017, 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 searches, most were made with Hispanics. This was followed by Caucasians and African Americans, in that order. It should be noted that the group with the least number of contacts included Native Americans and Middle Easterners. With regards to arrests, most of these were made on Hispanics; this was followed by Caucasians and African Americans. It should also be noted that in most instances, officers did not know the race or ethnicity of the individual detained.

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 its entire command staff at all of its 14 institutions.

As part of this effort, the UT System Police Department is now required by law to:

- 1) Perform an independent search analysis on the search data collected throughout 2018.
- 2) Commission data audits in 2018 in order to assess data integrity; that is, to ensure that the data collected is consistent with the data being reported.

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.