

2012



DENTON COUNTY SHERIFF'S OFFICE
Racial Profiling Report

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SECTION I

INTRODUCTION

Introduction to Report

TCLEOSE Training Requirements Relating to Racial Profiling (Occupations Code)

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2012





INTRODUCTION

On September 1, 2001, the Racial Profiling Law went into effect as a result of the 76th Texas Legislature addressing the issue of racial profiling in policing. The 81st Legislature re-defined the scope of the contacts at issue, expanded the questions to be answered about the stop, and created a civil penalty for the chief administrator who does not make an annual report, among other significant changes. The Legislature also required that the annual report be submitted electronically to TCLEOSE in addition to the governing body. The amended provisions applied to the 2010 annual report and to subsequent reports.

The Denton County Sheriff's Office, in accordance with the racial profiling statutes, has collected citation-based contact data for the purpose of identifying and responding, if appropriate, to concerns regarding any racial profiling practices by patrol deputies. The Sheriff's Office has created, implemented and made public record, a racial profiling policy and a complaint process. The racial profiling policy is on the main page of the Sheriff's website, in English and in Spanish. Copies of the annual report are also available to any person on request. The Racial Profiling Report made to the Texas Commission on Law Enforcement is also available to any person.

This annual report contains data collected and compiled by the Sheriff's Office, statistical information from the U.S. Census Bureau, the statutes that mandate the training for the deputies and the statutes from the Texas Code of Criminal Procedure that constitute the Racial Profiling Law. This report serves to assist the Denton County Sheriff's Office and especially the citizens of Denton County in identifying and resolving issues regarding racial profiling.

Occupations Code

Subchapter 1. Professional Training and Recognition

Sec. 1701.402. Proficiency Certificates.

- (a) The commission shall issue certificates that recognize proficiency based on law enforcement training, education, and experience. For this purpose the commission shall use the employment records of the employing agency.
- (b) As a requirement for the basic proficiency certificate, the commission shall require completion of local courses or programs of instruction on federal and state statutes that relate to employment issues affecting peace officers and county jailers, including:
 - (1) civil service;
 - (2) compensation, including overtime compensation , and vacation time;
 - (3) personnel files and other employment records;
 - (4) management-employee relations in law enforcement organizations;
 - (5) work-related injuries;
 - (6) complaints and investigations of employee misconduct; and
 - (7) disciplinary actions and the appeal of disciplinary actions.
- (c) An employing agency is responsible for providing the training required by this Section.
- (d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on asset forfeiture established by the commission under Section 1701.253 (g).
- (e) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253 (h).**
- (f) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on identity theft established by the commission under Section 1701.253 (i).
- (g) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program described by Section 1701.253 regarding de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

Text of subsection as added by Acts 2009, 81st Leg., R.S., Ch. 1002,
Sec. 6

- (h) As a requirement for an intermediate or advanced proficiency certificate issued by the commission on or after January 1, 2011, an officer must complete the basic education and training program on the trafficking of persons described by Section 1701.258 (a).

Text of subsection as added by Acts 2009, 81st Leg., R.S., Ch. 1172,
Sec. 17

(h) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on investigative topics established by the commission under Section 1701.253(b).

(i) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on civil rights, racial sensitivity, and cultural diversity established by the commission under Section 1701.253(c).

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 929, Sec. 6, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 947, Sec. 5, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 1276, Sec. 14.008, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1326, Sec. 9, eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., ch. 393, Sec. 4, eff. September 1, 2005.

Acts 2009, 81st Leg., R.S., Cj. 1002, Sec. 6, eff. September 1, 2009.

Acts, 1999, 76th Leg., ch. 388, Sec. 1, eff. September 1, 1999.

Acts 2009, 81st Leg., R.S., ch 174 Sec. 1, eff. May 27, 2009.

Occupations Code

Subchapter F

Sec. 1701.253. School Curriculum

- (a) The commission shall establish minimum curriculum requirements for preparatory and advanced courses and programs for schools subject to approval under Section 1701.251(c)(1).
- (b) In establishing requirements under this section, the commission shall require courses and programs to provide training in:
 - (1) the investigation and documentation of cases involve:
 - (A) child abuse or neglect;
 - (B) family violence; and
 - (C) sexual assault;
 - (2) Issues concerning sex offender characteristics; and
 - (3) Crime victims' rights under Chapter 56, Code of Criminal Procedure, and Chapter 57, Family Code, and the duty of law enforcement agencies to ensure that a victim is afforded those rights.
- (c) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on civil rights, racial sensitivity, and cultural diversity for persons licensed under this chapter.
- (d) Training in documentation of cases required by subsection (b) shall include instruction in:
 - (1) making a written account of the extent of injuries sustained by the victim of an alleged offense;
 - (2) recording by photograph or videotape the area in which an alleged offense occurred and the victim's injuries; and
 - (3) recognizing and recording a victim's statement that may be admissible in court as evidence in a proceeding concerning the matter about which the statement was made.
- (e) As part of the minimum curriculum requirements relating to the vehicle and traffic laws of this state, the commission shall require an education and training program on laws relating to the operation of motorcycles and to the wearing of protective headgear by motorcycle operators and passengers. In addition, the commission shall require education and training on motorcycle operator profiling awareness and sensitivity training.
- (f) Training for officers and recruits in investigation of cases required by Subsection(b)(1)(B) shall include instruction in preventing dual arrest whenever possible and conducting a thorough investigation to determine which person is the predominant aggressor when allegations of family violence from two or more opposing persons are received arising from the same incident.
- (g) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on asset

forfeiture under Chapter 59, Code of Criminal Procedure, for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

- (h) **As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever is earlier.**
- (i) As part of the minimum curriculum required, the commission shall Establish a statewide comprehensive education and training program on identity theft under Section 32.51, Penal Code, for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.
- (j) As part of the minimum curriculum required, the commission shall require an officer to complete a statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer may not satisfy the requirements of this section or section 1701.402(g) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments
- (k) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program for officers that covers the laws of this state and of the United States pertaining to peace officers.

Acts 1999, 76th Leg., ch. 388, Sec.1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 657, Sec 4, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 897, Sec. 1, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 929, Sec.5, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 947, Sec. 4, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 1034, Sec. 14, eff. Sept.1, 2001; Acts 2003, 78th Leg., ch. 1276, Sec.14.007, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1326, Sec. 8, eff. Sept.1, 2003.

Amended by:

Acts 2005, 79th Leg., ch. 393, Sec. 3, eff. September 1, 2005.

Acts 2009, 81st Leg., R.S., ch 1172, Sec. 12, eff. September 1, 2009.

Texas Code of Criminal Procedure

Article 2.13 through Article 2.1385

Art. 2.13. Duties and Powers.

- (a) It is the duty of every peace officer to preserve the peace within the officer's jurisdiction. To effect this purpose, the officer shall use all lawful means.
- (b) The officer shall:
 - (1) in every case authorized by the provisions of this Code, interfere without warrant to prevent or suppress crime;
 - (2) execute all lawful process issued to the officer by any magistrate or court;
 - (3) give notice to some magistrate of all offenses committed within the officer's jurisdiction, where the officer has good reason to believe there has been a violation of the penal law ; and
 - (4) arrest offenders without warrant in every case where the officer is authorized by law, in order that they may be taken before the proper magistrate or court to be tried.
- (c) It is the duty of every officer to take possession of a child under Article 63.009(g) (Acts 1965, 59th Leg., vol. 2, p.317, ch. 722, effective January 1, 1966; Acts 1999, 76th Leg., ch. 685, effective September 1, 1999; Acts 2003, 78th Leg., ch. 1276, effective September 1, 2003.)

Art. 2.131. Racial Profiling Prohibited.

- A peace officer may not engage in racial profiling.
(Acts 2001, 77th Leg., ch.947, effective September 1, 2001.)

Art. 2.132. Law Enforcement Policy on Racial Profiling.

- (a) In this article:
 - (1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.
 - (2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.
 - (3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent.
- (b) 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 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.
- (c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.
- (d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.
- (e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6)
- (f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on a written request by the officer.
- (g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

(Acts 2001, 77th Leg., ch. 947, effective September 1, 2001; am. Acts 2009, 81st Leg., ch. 1172 (H.B. 3389), 25, effective September 1, 2009.)

Art. 2.133. Reports Required for Motor Vehicle Stops.

- (a) In this article, “race or ethnicity” has the meaning assigned by Article 2.132(a).
- (b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:
 - (1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:
 - (A) the person’s gender; and
 - (B) the person’s race or ethnicity, as stated by the person or, if the person does not state the person’s race or ethnicity, as determined by the officer to the best of the officer’s ability;
 - (2) the initial reason for the stop;
 - (3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
 - (4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;
 - (5) the reason for the search, including whether:
 - (A) any contraband or other evidence was in plain view;
 - (B) any probable cause or reasonable suspicion existed to perform the search; or
 - (C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;
 - (6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;
 - (7) the street address or approximate location of the stop; and
 - (8) whether the officer issued a written warning or a citation as a result of the stop.

Acts 2001, 77th Leg., ch.947, effective September 1, 2001; am. Acts 2009, 81st Leg., ch 1172 (H.B.3389), 26, effective September 1, 2009.)

Art. 2.134. Compilation and Analysis of Information Collected.

- (a) In this article:
 - (1) “Motor vehicle stop” has the meaning assigned by Article 2.132(a),
 - (2) “Race or ethnicity” has the meaning assigned by Article 2.132(a).
- (b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.
- (c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

- (1) a comparative analysis of the information compiled under Article 2.133 to:
 - (A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; and
 - (B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and
 - (2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.
 - (d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133 (b)(1)
 - (e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information required by this article.
 - (f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.
 - (g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.
- (Acts 2001, 77th Leg., ch.947, effective September 1, 2001, am. Acts 2009, 81st Leg., ch. 1172 (H.B. 3389), 27, effective September 1, 2009.)

Art. 2.135. Partial Exemption for Agencies Using Video and Audio Equipment.

- (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:
 - (1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:
 - (A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle stops is equipped with transmitter-activated equipment; and
 - (B) Each motor vehicle stop made by an officer employed by the agency that is capable of being recorded by video and audio equipment, as appropriate, is recorded by using the equipment; or
 - (2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified

by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

- (b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.
- (c) This article does not affect the collection or reporting requirements under Article 2.132.
- (d) In this article, “motor vehicle stop” has the meaning assigned by Article 2.132(a). (Acts 2001, 77th Leg., ch.947, effective September 1, 2001; am. Acts 2009, 81st Leg., ch. 1172 (H.B. 3389), 28, effective September 1, 2009.)

Art. 2.136. Liability.

A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

(Acts 2001, 77th Leg., ch. 947, effective September 1, 2001.)

Art. 2.137. Provision of Funding or Equipment.

- (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:
 - (1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;
 - (2) smaller jurisdictions; and
 - (3) municipal and county law enforcement agencies.
- (b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.
- (c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds

or video and audio equipment for that purpose.

- (c) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), The governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.
- (d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

(Acts 2001, 77th Leg., ch. 947, effective September 1, 2001.)

Art. 2.138. Rules.

The Department of Public Safety may adopt rules to implement Articles 2.131 – 2.137

(Acts 2001, 77th Leg., ch. 947, effective September 1, 2001.)

Art. 2.1385 Civil Penalty.

- (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.
- (b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.
- (c) Money collected under this article shall be deposited in the state treasury to the credit to the general revenue fund.

(Enacted by Acts 2009, 81st Leg., ch. 1172 (H.B. 3389), 29, effective Sept. 1, 2009.)

SECTION II

BACKGROUND

County's Demographical Information

Sheriff's Office Demographics

Report on Usage/Auditing of Video/Audio Equipment in Vehicles

2012





Census Population by County, 1970-2010

County	1970	1980	1990	2000	2010	Population	Percent
						Change 2000-2010	Change 2000-2010
Collin County	66,920	144,576	264,036	491,675	782,341	290,666	59.1%
Dallas County	1,327,321	1,556,390	1,852,810	2,218,899	2,368,139	149,240	6.7%
Denton County	75,633	143,126	273,525	432,976	662,614	229,638	53.0%
Ellis County	46,638	59,743	85,167	111,360	149,610	38,250	34.3%
Erath County	18,141	22,560	27,991	33,001	37,890	4,889	14.8%
Hood County	6,368	17,714	28,981	41,100	51,182	10,082	24.5%
Hunt County	47,948	55,248	64,343	76,596	86,129	9,533	12.4%
Johnson County	45,769	67,649	97,165	126,811	150,934	24,123	19.0%
Kaufman County	32,392	39,015	52,220	71,313	103,350	32,037	44.9%
Navarro County	31,150	35,323	39,926	45,124	47,735	2,611	5.8%
Palo Pinto County	28,962	24,062	25,055	27,026	28,111	1,085	4.0%
Parker County	33,888	44,609	64,785	88,495	116,927	28,432	32.1%
Rockwall County	7,046	14,528	25,604	43,080	78,337	35,257	81.8%
Somervell County	2,793	4,154	5,360	6,809	8,490	1,681	24.7%
Tarrant County	716,317	860,880	1,170,103	1,446,219	1,809,034	362,815	25.1%
Wise County	19,687	26,575	34,679	48,793	59,127	10,334	21.2%
NCTCOG Region	2,506,973	3,116,152	4,111,750	5,309,277	6,539,950	1,230,673	23.2%

2010 Census Population by Race and Hispanic Origin and Occupancy Status for Denton County, Texas

The U.S. Census Bureau considers race to be separate from ethnicity. Because the two are distinct concepts, persons of Hispanic origin may be of any race. The following table summarizes the race of the total population, Hispanic persons, and non-Hispanic persons.

	Total Population		Hispanic		Non-Hispanic	
	Number	Percent	Number	Percent	Number	Percent
Total	662,614	100.0%	120,836	18.2%	541,778	81.8%
White alone	497,260	75.0%	70,373	10.6%	426,887	64.4%
Black/African American alone	55,534	8.4%	1,500	0.2%	54,034	8.2%
American Indian and Alaska Native alone	4,551	0.7%	1,408	0.2%	3,143	0.5%
Asian alone	43,478	6.6%	387	0.1%	43,091	6.5%
Native Hawaiian and Other Pacific Islander alone	462	0.1%	51	0.0%	411	0.1%
Some other race alone	41,916	6.3%	40,740	6.1%	1,176	0.2%
Two or more races	19,413	2.9%	6,377	1.0%	13,036	2.0%

	18-and-Over Population		Hispanic		Non-Hispanic	
	Number	Percent	Number	Percent	Number	Percent
Total	480,354	100.0%	76,110	15.8%	404,244	84.2%
White alone	368,480	76.7%	44,409	9.2%	324,071	67.5%
Black/African American alone	39,729	8.3%	788	0.2%	38,941	8.1%
American Indian and Alaska Native alone	3,152	0.7%	861	0.2%	2,291	0.5%
Asian alone	31,379	6.5%	229	0.0%	31,150	6.5%
Native Hawaiian and Other Pacific Islander alone	351	0.1%	36	0.0%	315	0.1%
Some other race alone	27,326	5.7%	26,594	5.5%	732	0.2%
Two or more races	9,937	2.1%	3,193	0.7%	6,744	1.4%

Occupancy Status	Number	Percent
Total Housing Units	256,139	100.0%
Occupied	240,289	93.8%
Vacant	15,850	6.2%

For information on confidentiality protection, nonsampling error, and definitions, see <http://factfinder2.census.gov/main.html>.

For information regarding the dispute of 2010 Census counts, see <http://2010.census.gov/2010census/about/cgr.php>.

Source: U.S. Census Bureau; compiled by the North Central Texas Council of Governments <http://census.nctco.org>

State & County QuickFacts

Denton County, Texas

People QuickFacts	Denton County	Texas
Population, 2010	662,614	25,145,561
Population, percent change, 2000 to 2010	53.0%	20.6%
Population, 2000	432,976	20,851,820
Persons under 5 years, percent, 2010	7.5%	7.7%
Persons under 18 years, percent, 2010	27.5%	27.3%
Persons 65 years and over, percent, 2010	6.9%	10.3%
Female persons, percent, 2010	50.8%	50.4%
White persons, percent, 2010 (a)	75.0%	70.4%
Black persons, percent, 2010 (a)	8.4%	11.8%
American Indian and Alaska Native persons, percent, 2010 (a)	0.7%	0.7%
Asian persons, percent, 2010 (a)	6.6%	3.8%
Native Hawaiian and Other Pacific Islander, percent, 2010 (a)	0.1%	0.1%
Persons reporting two or more races, percent, 2010	2.9%	2.7%
Persons of Hispanic or Latino origin, percent, 2010 (b)	18.2%	37.6%
White persons not Hispanic, percent, 2010	64.4%	45.3%
Living in same house 1 year & over, 2005-2009	78.1%	80.8%
Foreign born persons, percent, 2005-2009	13.2%	15.8%
Language other than English spoken at home, pct age 5+, 2005-2009	20.2%	33.6%
High school graduates, percent of persons age 25+, 2005-2009	90.2%	79.3%
Bachelor's degree or higher, pct of persons age 25+, 2005-2009	37.4%	25.4%
Veterans, 2005-2009	39,537	1,621,077
Mean travel time to work (minutes), workers age 16+, 2005-2009	27.3	24.7
Housing units, 2010	256,139	9,977,436
Homeownership rate, 2005-2009	66.7%	64.7%
Housing units in multi-unit structures, percent, 2005-2009	26.6%	24.3%
Median value of owner-occupied housing units, 2005-2009	\$170,900	\$118,900
Households, 2005-2009	202,351	8,269,046
Persons per household, 2005-2009	2.95	2.81
Per capita money income in past 12 months (2009 dollars) 2005-2009	\$30,960	\$24,318
Median household income, 2009	\$70,724	\$48,286
Persons below poverty level, percent, 2009	8.7%	17.1%
Business QuickFacts	Denton County	Texas
Private nonfarm establishments, 2009	11,225	519,028 ¹
Private nonfarm employment, 2009	157,762	8,925,096 ¹
Private nonfarm employment, percent change 2000-2009	42.6%	11.2% ¹

Nonemployer establishments, 2009	50,692	1,844,130
Total number of firms, 2007	58,767	2,164,852
Black-owned firms, percent, 2007	5.3%	7.1%
American Indian- and Alaska Native-owned firms, percent, 2007	0.6%	0.9%
Asian-owned firms, percent, 2007	6.2%	5.3%
Native Hawaiian and Other Pacific Islander-owned firms, percent, 2007	F	0.1%
Hispanic-owned firms, percent, 2007	8.6%	20.7%
Women-owned firms, percent, 2007	30.1%	28.2%
Manufacturers shipments, 2007 (\$1000)	4,008,259	593,541,502
Merchant wholesaler sales, 2007 (\$1000)	12,358,953	424,238,194
Retail sales, 2007 (\$1000)	7,668,326	311,334,781
Retail sales per capita, 2007	\$12,465	\$13,061
Accommodation and food services sales, 2007 (\$1000)	797,850	42,054,592
Building permits, 2010	2,096	88,461
Federal spending, 2009	1,914,745	216,379,449 ¹
Geography QuickFacts	Denton County	Texas
Land area in square miles, 2010	878.43	261,231.71
Persons per square mile, 2010	754.3	96.3
FIPS Code	121	48
Metropolitan or Micropolitan Statistical Area	Dallas-Fort Worth-Arlington, TX Metro Area	

1: Includes data not distributed by county.

(a) Includes persons reporting only one race.

(b) Hispanics may be of any race, so also are included in applicable race categories.

D: Suppressed to avoid disclosure of confidential information

F: Fewer than 100 firms

FN: Footnote on this item for this area in place of data

NA: Not available

S: Suppressed; does not meet publication standards

X: Not applicable

Z: Value greater than zero but less than half unit of measure shown

Source U.S. Census Bureau: State and County QuickFacts. Data derived from Population Estimates, American Community Survey, Census of Population and Housing, Small Area Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits, Consolidated Federal Funds Report

Last Revised: Friday, 23-Dec-2011 11:35:13 EST

Denton County Sheriff's Office 2012 Employee Demographics

Total Number of Employees = 602

Employee/Ethnic Code	Total Number
Black or African American	44
White or Caucasian	501
Hispanic or Latino	50
American Indian	3
Asian	4



2012 REPORT ON VIDEO/AUDIO EQUIPMENT

All patrol units that routinely perform traffic stops are equipped with video/audio equipment. The Sheriff's Office Patrol Division during 2012 had three vehicles still equipped with the video camera/tape system. The Operations Support Unit had two vehicles with the video camera/tape system. The video tapes are kept by the Denton County Sheriff's Office in a secured vault specifically designed for that purpose. The vault has limited access by supervisors only. The tapes are logged into and out of the vault by supervisors and issued to patrol units. The video/audio tapes used are kept by the Denton County Sheriff's Office, as specified by the Texas Code of Criminal Procedure Art. 2.135, for a minimum of 90 days. The remainder of the vehicles maintained in the patrol fleet are equipped with digital recording devices. The video/audio captured on these units is uploaded to a server and maintained for 90 days. Stops that are captured by both systems are reviewed as per policy, by supervisors on their computers or video players.

The fact that video/audio equipment is being used by the Denton County Sheriff's Office is particularly relevant to this report, as it is stated in the Texas Code of Criminal Procedure Art. 2.135, that all police agencies with this type of equipment in place are exempt from collecting Tier I* data. The Denton County Sheriff's Office not only collects Tier I data and Tier II* data, but has also taken the additional measure of downloading the collected data monthly and analyzing this data to ensure that compliance with Art. 2.131 is maintained. The data collected is included in this report.

*Tier I Data: Citations and arrests from traffic stops: race or ethnicity of the individual being detained, whether a search was conducted, if so, whether consent was obtained.

*Tier II Data: Citations and arrests from traffic stops: gender, race or ethnicity, the traffic law violated or the suspected offense, whether a search was conducted, was consent obtained, whether contraband was discovered and the type of contraband, whether probable cause to search existed, whether an arrest was made as a result of the stop or search, the location of the stop, whether a warning or a citation was issued, with a description of the warning or a statement of the violation.

SECTION III

RESPONDING TO THE TEXAS RACIAL PROFILING LAW

Sheriff's Office Policy on Racial Profiling-English and Spanish

2012 Report on Complaints Filed Against Sheriff's Office
for Violating Racial Profiling Policy

Statement of Racial Profiling Training

2012



SUBJECT: Racial Profiling

Section 4.05

This order consists of the following numbered sections:

- I. Statement**
- II. Definitions**
- III. Training**
- IV. Complaint Investigation**
- V. Public Education**
- VI. Citation Data Collection & Reporting**
- VII. Effective Date**

I. Statement

The purpose of the policy is to reaffirm the Denton County Sheriff's Office commitment to unbiased law enforcement in all its encounters between a deputy and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our deputies from unwarranted accusations of misconduct when they act within the responsibilities of Sheriff's Office policy and the law.

It is the policy of this Office to provide law enforcement service in a pro-active manner and, to aggressively investigate suspected violations of law. Deputies shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Deputies are strictly prohibited from engaging in racial profiling as defined in this policy.

Specifically, Deputies may not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Furthermore, while deputies may use race in conjunction with other known factors of the suspect, Deputies may not use racial or ethnic stereotypes as deciding factors in selecting whom to stop and search.

This policy shall be applicable to all persons, whether drivers, passengers or pedestrians. Deputies shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizures

by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected. Racial profiling is an unacceptable patrol tactic and will not be condoned.

This policy shall not preclude deputies from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person. Lastly, this policy does not apply to witnesses, complainants or other citizen contacts.

II. Definitions

Racial Profiling - 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.

Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts.

The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom a deputy is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin is racial profiling. Examples of racial profiling include but are not limited to the following:

1. Making a motor vehicle stop on a driver who is speeding in traffic where most other drivers are speeding and choosing that particular driver to stop because of the driver's race, ethnicity or national origin.
2. Making a motor vehicle stop on a driver on the determination that the driver of that race, ethnicity or national origin is unlikely to own or possess that specific make or model of vehicle.
3. Making a motor vehicle stop based upon the determination that the driver of that race, ethnicity or national origin does not belong in a specific part of town or a specific place.

Race or Ethnicity - Of a particular decent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern.

Motor Vehicle Stop - A peace officer who stops a motor vehicle's driver for an alleged violation of a law or ordinance regulating traffic.

III. Training

Deputies are responsible to adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training requirements as mandated by law.

All deputies shall complete a TCLEOSE training and education program on racial profiling not later than the second anniversary of the date the deputy is licensed under Chapter 1701 of the Texas Occupations Code or the date the deputy applies for an intermediate proficiency certificate, whichever date is earlier. A person, who on September 1, 2001, held a TCLEOSE intermediate certificate or who had held a peace officer license issued by TCLEOSE for at least two years, shall complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.

IV. Complaint Investigation

1. The Denton County Sheriff's Office will accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.

2. Any employee who receives an allegation of racial profiling, including the deputy who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint to Internal Affairs. Any employee contacted regarding a complaint shall direct the person to Internal Affairs who upon request shall provide to that person a copy of the complaint. All employees will report any allegation of racial profiling to their superior before the end of their shift.

3. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be directed to the Sheriff. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be direct to the Sheriff.

4. If a racial profiling complaint is sustained against a deputy, it will result in appropriate corrective and/or disciplinary action, up to and including termination.

5. If there is a Sheriff's Office video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this Office into the complaint and written request of the deputy made the subject of the complaint, this Office shall promptly provide a copy of the recording to that deputy.

V. Public Education

This Office will inform the public of its policy against racial profiling and the complaint process. Methods that may be utilized to inform the public are the news media, radio, service or civic presentations, the Internet, as well as governing board meetings. Additionally, information will be made available as appropriate in languages other than English.

VI. Citation Data Collection and Reporting

A deputy is required to collect information relating to traffic stops in which a citation is issued or an arrest is made. On the citation deputies must include:

1. the violators race or ethnicity
2. whether the race or ethnicity was known to the officer prior to the stop
3. whether a search was conducted
4. was the search consensual
5. whether an arrest of the driver occurred

By March of each year, the Sheriff's Office shall submit a report to the Denton County Commissioners' Court and to the Texas Commission on Law Enforcement Officer Standards and Education that includes the information gathered from the citations. The report will include:

1. the number of motor vehicle stops in which the deputy knew or did not know the race or ethnicity of the driver prior to the stop
2. a breakdown of citations by race or ethnicity
3. the number of searches that were conducted; and whether the search was consensual
4. the number of motor vehicle stops that resulted in an arrest of the driver

VII. Effective Date:

04/2010

TEMA: Discriminación Racial

Sección 4.05

Esta orden consiste de las siguientes secciones:

- I. Declaración**
- II. Definiciones**
- III. Entrenamiento**
- IV. Investigación de Denuncias**
- V. Educación Publica**
- VI. Datos de Citación y Reportes**
- VII. Fecha Efectiva**

I. Declaración

El propósito de la póliza es para confirmar que la Oficina de Denton County Sheriff es cometido a aplicar la ley sin prejuicios en todas las encuestas entre un oficial y una persona; para reforzar los procedimientos que sirven para garantizar la confianza pública y mutua a través de la provisión de servicio de una manera justa y equitativa; y para proteger la policía de acusaciones injustas de conducto cuando procedan dentro sus responsabilidades de la póliza de la Oficina del Sheriff y la ley.

Es la póliza de esta Oficina para mantener el servicio de la ley en una manera pro-activa y, agresivamente investigar sospecha de violaciones de la ley. Policías activamente cumplen con las leyes federales y del estado en una manera profesional y responsable, sin considerar raza, etnia, o origen nacional. Policías son estrictamente prohibidos involucrarse en la discriminación racial tal como se define en esta póliza.

Mientras, oficiales pueden usar raza en conjunto con otros factores sabidos del sospechoso, oficiales no son permitidos a usar estereotipos raciales o étnicos como factores de selección a quien van a detener y registrar.

Esta póliza será aplicada a todas personas, no importa si son conductores, pasajeros, o pedestres. Oficiales se comportaran con dignidad y respeto a todo tiempo mientras en contacto con el público. Dos de los derechos fundamentales garantizados por las constituciones de los Estados Unidos y Texas es la igualdad de protección ante la ley y la libertad de escolcas y detenciones arbitrarias por agentes del gobierno. Los derechos de todas personas de ser tratados igualmente y ser libre de escolcas y detenciones arbitrarias serán respetados. Discriminación racial es una táctica de patrulla inaceptable y no será tolerada.

Esta póliza no impide a las policías de ofrecer ayuda, por ejemplo si observan algo gotear de un vehículo, llanta pinchada, o alguien que parece enfermo, perdido o confuso. Esta póliza tampoco impide detener un sospechoso basado en acciones observadas y/o información recibida de esa persona. Últimamente, esta póliza no es aplicada a testigos, denunciadores o en contacto con otro ciudadano.

II. Definiciones

Discriminación Racial- una acción en la aplicación de la ley basada en la raza, etnia, origen nacional de un individuo en lugar de su comportamiento o en la información que identifica al individuo como la persona que participa en actividades criminales.

Discriminación Racial pertenece a personas que son vistas como sospechosos o posibles sospechosos de acciones criminales. Esta definición no es aplicada a testigos, denunciadores o en contacto con otro ciudadano.

La prohibición contra discriminación racial no impide el uso de raza, etnia, o origen nacional como factores de detención. Raza, etnia, o origen nacional pueden ser factores legítimos en una detención cuando son usados como parte de una actual descripción de un sospechoso específico que la policía está buscando. Parando un individuo para obtener información sobre sus actividades simplemente por su raza, etnia, o origen nacional es discriminación racial. Ejemplos de discriminación racial incluyen, pero no se limitan a lo siguiente:

1. Deteniendo un automóvil por exceso de velocidad cuando hay otros conductores que van a exceso de velocidad y seleccionando ese conductor particular por causa de su raza, etnia, o origen nacional.
2. Deteniendo un automóvil por determinación que es probable que el conductor de esa raza, etnia, o origen nacional no sea el dueño o que tenga posesión a un vehículo de una marca o modelo específico.
3. Deteniendo un automóvil basado en determinación que el conductor de esa raza, etnia, o origen nacional no pertenece en un área específica o ciudad.

Raza o Etnia- de un particular descendencia, incluyendo Caucásico, Africano, Hispano, Asiático, Nativo Americano, o de Oriente Medio.

Deteniendo un Automóvil- un oficial que detiene a un conductor de vehículos por una presunta violación de la ley o ordenanza que regula el tráfico.

III. Entrenamiento

Policías son responsables a adherirse a todos los requisitos de entrenamiento de Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) como mandados por la ley.

Todos la policía tiene que completar el programa de entrenamiento de TCLEOSE sobre discriminación racial no mas de dos años después de la fecha que fueron autorizados por Capitulo 1710 de el Texas Occupations Code o la fecha que el oficial aplique por un certificado de aptitud intermedia, cualquier fecha que llegue primero. Una persona, que en el 1 de Septiembre 2001, obtuvo un certificado de nivel intermedio por TECLEOSE o que había mantenido una licencia como oficial de la paz por lo menos dos años, tiene que completar el entrenamiento de TCLEOSE y programa de educación sobre discriminación racial antes del 1 de Septiembre 2003.

IV. Investigación de Denuncias

1. La Oficina de Denton County Sheriff acepta denuncias de cualquier persona que cree que ha sido parado o esculcado basado en raza, etnia, o origen nacional. Ninguna persona será desanimado, intimidado, o por coerción de hacer una denuncia. Ni será discriminado por haber hecho tal denuncia.
2. Cualquier empleado que recibe una acusación de discriminación racial, incluyendo el oficial que inicio el paro, ara datos del nombre, dirección, numero telefónico, y será dirigido a la oficina de Asuntos Internos. Si un empleado es contactado, lo pondrán en contacto con Asuntos Internos, y recibirá una copia de su denuncia si es pedida.
3. Denuncias son investigadas de manera completa y oportuna. Todas las quejas serán reconocidas por escrito al iniciador que recibirá la disposición en relación con dicha denuncia en un plazo razonable de tiempo. La investigación en escrito con comentarios y conclusiones serán dirigidos al Sheriff. Cuando es aplicable, resultados y/o surgencias de acción disciplinaria, entrenamiento, o cambios a la póliza serán dirigidos al Sheriff.
4. Si una denuncia de discriminación racial contra la policía es sostenida, resultara en acción apropiada y/o disciplinaria, asta o incluyendo terminación.
5. Si hay un video o audio de la Oficina del Sheriff del la ocasión en cual ocurrió la discriminación racial, en el inicio de la investigación por esta Oficina de la denuncia y si es pedido por el oficial en cuestión, la Oficina le dará una copia de la grabación a ese oficial.

V. Educación Publica

Esta Oficina informara el público de su póliza contra la discriminación racial y el proceso de denuncias. Las noticias, estación de radio, servicio o presentaciones, el Internet, y juntas del gobierno son métodos que pueden ser usados para informar el público. Adicional, información será disponible en idiomas distintos del inglés.

VI. Datos de Citación y Reportes

La policía tiene la obligación de coleccionar información relativa a las detenciones de tráfico en el que una cita se haya expedido o un arresto es hecho. En la cita, un oficial debe incluir:

1. La raza o etnia del violador de la ley
2. Si sabia la raza o etnia antes de la detención
3. Si un esculque fue hecho
4. Si el esculque era consensual
5. Si el conductor fue arrestado

En Marzo de cada año, la Oficina del Sheriff presentará un reportaje a la Corte de Comisionados de Denton y al Texas Commission on Law Enforcement Officer Standards and Education que incluye información de todas la citas. El reporte incluye:

1. El numero de automóviles detenidos en que la policía sabía o no sabía la raza o etnia del conductor antes de la detencion.
2. Una lista de las citaciones por la raza o etnia
3. Numero de esculque que hizo, y si el esculque era consensual
4. Numero de automóviles detenidos que resultaron en el arresto del conductor

VII. Fecha Efectiva
04/2010

Sheriff Will Travis



127 N. Woodrow Lane
Suite 300
Denton, TX 76205

DENTON COUNTY SHERIFF'S OFFICE

Phone (940) 349-1601
(972) 434-5501
Fax (940) 349-1605

2012 REPORT ON COMPLAINTS

A search of complaints filed with the Denton County Sheriff's Office Internal Affairs Division revealed that no complaints were received during the reporting period of January 1, 2012 through December 31, 2012.

Sheriff Will Travis

DENTON COUNTY SHERIFF'S OFFICE



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RACIAL PROFILING TRAINING 2012

A check of transcripts of all the deputies in Patrol, including Traffic and the Special Enforcement Unit, showed that all deputies of all ranks have had a course addressing Racial Profiling. This check included the deputies that were hired or transferred in during 2012. All deputies who routinely perform traffic stops have been trained.

SECTION IV

2012 RACIAL PROFILING REPORT SUBMITTED TO THE TEXAS COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION

(SUBMITTED JANUARY 18, 2013)

2012



TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

Agency Name: DENTON CO. SHERIFF'S OFFICE
Reporting Date: 01/18/2013
TCLEOSE Agency Number: 121100
Chief Administrator: WILLIAM TRAVIS
Agency Contact Information: Phone: 940 349-1675
Email: DOUG.LEE@DENTONCOUNTY.COM
Mailing Address:
DENTON CO. SHERIFF'S OFFICE
127 North Woodrow Lane
Denton, TX 76205

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

DENTON CO. SHERIFF'S OFFICE 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 DENTON CO. SHERIFF'S OFFICE from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the DENTON CO. SHERIFF'S OFFICE if the individual believes that a peace officer employed by the DENTON CO. SHERIFF'S OFFICE 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 DENTON CO. SHERIFF'S OFFICE who, after an investigation, is shown to have engaged in racial profiling in violation of the DENTON CO. SHERIFF'S OFFICE'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: *WILLIAM TRAVIS*

Chief Administrator

DENTON CO. SHERIFF'S OFFICE

Date: 01/18/2013

**DENTON CO. SHERIFF'S OFFICE Motor Vehicle Racial Profiling
Information**

Number of motor vehicle stops:

1. 3906 citation only
2. 80 arrest only
3. 50 both
4. 4036 Total (4, 11, 14 and 17 must be equal)

Race or Ethnicity:

5. 283 African
6. 65 Asian
7. 3371 Caucasian
8. 311 Hispanic
9. 2 Middle Eastern
10. 4 Native American
11. 4036 Total (lines 4, 11, 14 and 17 must be equal)

Race or Ethnicity known prior to stop?

12. 111 Yes
13. 3925 No
14. 4036 Total (lines 4, 11, 14 and 17 must be equal)

Search conducted?

15. 1284 Yes
16. 2752 No
17. 4036 Total (lines 4, 11, 14 and 17 must be equal)

Was search consented?

18. 14 Yes
19. 1270 No
20. 1284 Total (must equal line 15)

SECTION V

SUMMARY

2012



SUMMARY

The Texas Racial Profiling Law (Texas Code of Criminal Procedure Articles 2.13-2.138) requires that all police departments in the state collect traffic-related data and report this information to their local governing authority. The purpose in collecting and presenting this information is to determine if a police officer is engaging in the practice of profiling minority motorists. Despite the fact that most agree that it is a good idea for police agencies to be accountable to their citizens/residents and carry a transparent image before the community, it is very difficult to derive from aggregate figures indicators that suggest whether or not a particular officer is racially profiling. That is, it is very difficult to detect specific "individual" behavior with "aggregate-level" data.

Notwithstanding the aforementioned data-related problems, the Denton County Sheriff's Office, in an attempt to comply with the Texas Racial Profiling Law, incorporated several types of analyses into this report. The first of these involved a careful evaluation of the traffic contact data. Thus, three different types of analyses data were collected. The first analysis measured, as required by T.C.C.P. Art. 2.133, the number and percentage of Caucasians, African-Americans, Hispanics, Asians, Native Americans, and Middle Eastern individuals that came in contact with our agency and were issued a traffic-related citation in the past year. In addition, the analysis included information relevant to the number and percentage of searches while indicating the type of search (i.e., consensual or probable cause) conducted. Finally, it identified the number and percentage of individuals who, after they were issued a citation, were arrested.

The second type of analysis was based on a comparison of the traffic contact data from the past year with a particular baseline. It should be noted that there is also a great deal of disagreement in the academic literature over the type/form of baseline to be used when analyzing traffic-related contact information. The Denton County Sheriff's Office adopted the Fair Roads Standard as the baseline measure.

The Fair Roads Standard is based on data obtained through the U.S. Census Bureau (2010 Census) relevant to the number of households that have access to vehicles while controlling for race and ethnicity. According to experts, census data presents challenges to any effort made at establishing a fair and accurate racial profiling analysis. That is, census data contains information on all residents of a particular community, regardless of the fact they may or may not be among the driving population. Further, census data when used as a baseline of comparison, presents the challenge that it captures information pertaining to county residents only; thus excluding individuals who may have come in contact

with the Denton County Sheriff's Office but reside outside of Denton County. Despite this, civil rights organizations in Texas have expressed their desire that all police agencies use, in their analyses, the Fair Roads Standard.

Finally the Denton County Sheriff's Office maintains all video-audio tapes and digital recordings documenting traffic-related stops in a secured limited access storage facility or secure hard drive for a minimum period of 90 days. Also, a monthly report is generated regarding the previous month's activity. Both the video-audio tapes/digital recordings and the monthly reports are monitored to ensure compliance with T.C.C.P. 2.134.

In conclusion, the analysis contained in this report shows that the Denton County Sheriff's Office is in compliance with Texas Code of Criminal Procedure, Articles 2.13-2.138. Analysis also suggests that the findings within this report substantiate the argument that the Denton County Sheriff's Office does not appear to target minority motorists. Data also suggests that the Denton County Sheriff's Office has been consistent in the racial/ethnic composition of motorists it comes in contact with during the year. The Denton County Sheriff's Office continues to address the issue of racial profiling in a serious manner. It is clear from the Agency's approach to the collection and analysis of traffic-related data, that it is committed to identifying and addressing, if warranted, areas of concern with respect to the profiling of minority motorists.

Sheriff Will Travis

DENTON COUNTY SHERIFF'S OFFICE



127 N. Woodrow Lane
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SHERIFF'S RACIAL PROFILING STATEMENT

On assuming office on January 1, 2013, I was pleased to learn of the professionalism of my deputies while conducting the daily business of their assignments. For an agency to have only one allegation of racial profiling in eight years (which proved to be unfounded) tells me that the deputies are carrying out their duties in enforcing the law, preserving the peace, and serving the residents and visitors in the County in a fair and equitable manner without regard to race or ethnicity. This professionalism will continue during my tenure.

When a complaint of racial profiling occurs, all of the steps are in place to investigate the allegation, to determine openly and fairly if such an event did in fact happen. A sustained allegation is a serious matter and would result in serious penalties as provided for in the Denton County Sheriff's Office Policy on Racial Profiling.

A handwritten signature in black ink that reads 'Will Travis'.

Will Travis
Sheriff, Denton County