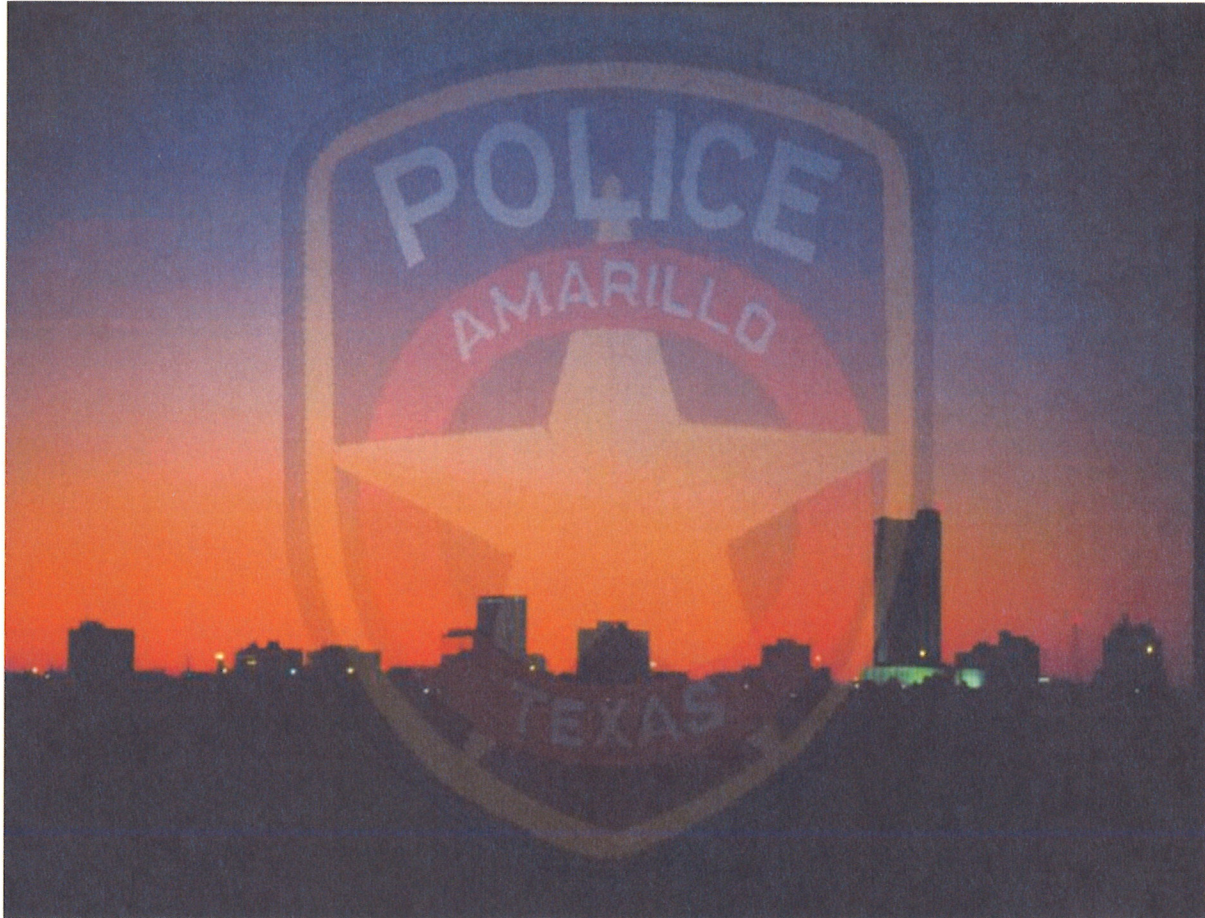


Amarillo Police Department



Racial Profiling Report

2016

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Racial Profiling Background

Texas Code of Criminal Procedure (CCP) Article 2.132 , Law Enforcement Policy on Racial Profiling established requirements that law enforcement agencies throughout Texas adopt a written policy on racial profiling. The law requires the policy address seven areas to include: (1) clearly defined 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 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; (6) require the collection of information relating to traffic stops in which a citation was issued, and to arrests resulting from those traffic stops, including information relating to (a) the race or ethnicity of the individual detained; (b) and whether a search was conducted, (c) and if so, whether the person who was detained had consented to the search; and (7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected.

CCP Article 2.132 defines a "Motor Vehicle Stop" as an occasion in which a peace officer stops a motor vehicle for an alleged violation of law or ordinance. It also declares that "race and ethnicity" means a person is of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern.

The Amarillo Police Department has established policy (General Order 3.25) that unequivocally states that bias based profiling, including racial or ethnic profiling, is illegal and unacceptable. The policy provides guidelines for officers to prevent any such occurrences. Officers will actively enforce the law and make law enforcement decisions without regard to race, ethnicity, national origin, gender, sexual orientation, religion, economic status, age, culture group, or any other identifiable group, rather than on the individual's behavior or information identifying the

individual as having engaged in criminal activity. This policy also provides for officers to receive bias based training in accordance with the Texas Commission on Law Enforcement (TCOLE) guidelines. This policy establishes guidelines for appropriately handling complaints related to bias based profiling. It also requires supervisors to periodically review video from each officer's in car camera/recording system to ensure compliance with this directive.

Each Texas law enforcement agency falls into one of three reporting categories for information collection and reporting. First, law enforcement agencies that do not routinely make motor vehicle stops can be fully exempt from reporting requirements. Second, "Tier 1" data collection is required under Article 2.132 of the Code of Criminal Procedures and lastly, "Tier 2" information collection and reporting is required under Article 2.133 of the Code of Criminal Procedures and is more in-depth as to the data required to be collected. Under Article 2.135 of the Code of Criminal Procedure, agencies may report only Tier 1 (simplified) data if those agencies meet certain criteria, primarily the installation of video cameras and transmitters in each agency law enforcement vehicle regularly used to make motor vehicle stops. The statutes also require that each motor vehicle stop made by officers that is capable of being recorded actually be recorded by using the equipment. The statute also requires the agency to retain all audio/video documentation for each stop for at least 90 days after the date of the motor vehicle stop.

The Amarillo Police Department reports racial profiling data under "Tier 1" Partial Exemption. The Amarillo Police Department has complied with requirements of CCP 2.135(a) that requires all cars regularly used for motor vehicle stops be equipped with video cameras and transmitter-activated equipment and each motor vehicle stop is recorded and the recording is retained for a minimum of 90 days after the stop.

One of the more difficult tasks is analyzing the racial profiling data once it has been collected. What baseline should be used as a benchmark to compare with the data that is collected? Considerable research has been done on this topic and the best answer is there is no method of

comparison without disparities. The Amarillo Police Department is currently using information from the US Census Bureau Survey as comparative data. This is somewhat problematic with current research suggesting that a percentage of the minority population chooses not to report to the US Census Bureau possibly making the minority population considerably higher than is recorded.

While some believe it is relatively simple to identify racial demographics of a state or of a particular city it is almost impossible to determine the actual demographics of the “driving population” at any given time. Amarillo is the largest city in the northern part of the Texas panhandle and we attract a lot of visitors from the surrounding area. These visitors shop in our malls, visit our medical center, attend classes at any one of our educational facilities or they may just be on their way to Amarillo’s Rick Husband International Airport. Amarillo is also fortunate to have not one, but two Interstate highways coming through the heart of town. There are a large number of people on our streets and highways that are part of our “driving population” but have no other connection to Amarillo. It is important to keep in mind that the racial profiling data is collected from the “driving population” but compared to the demographics of the resident population.

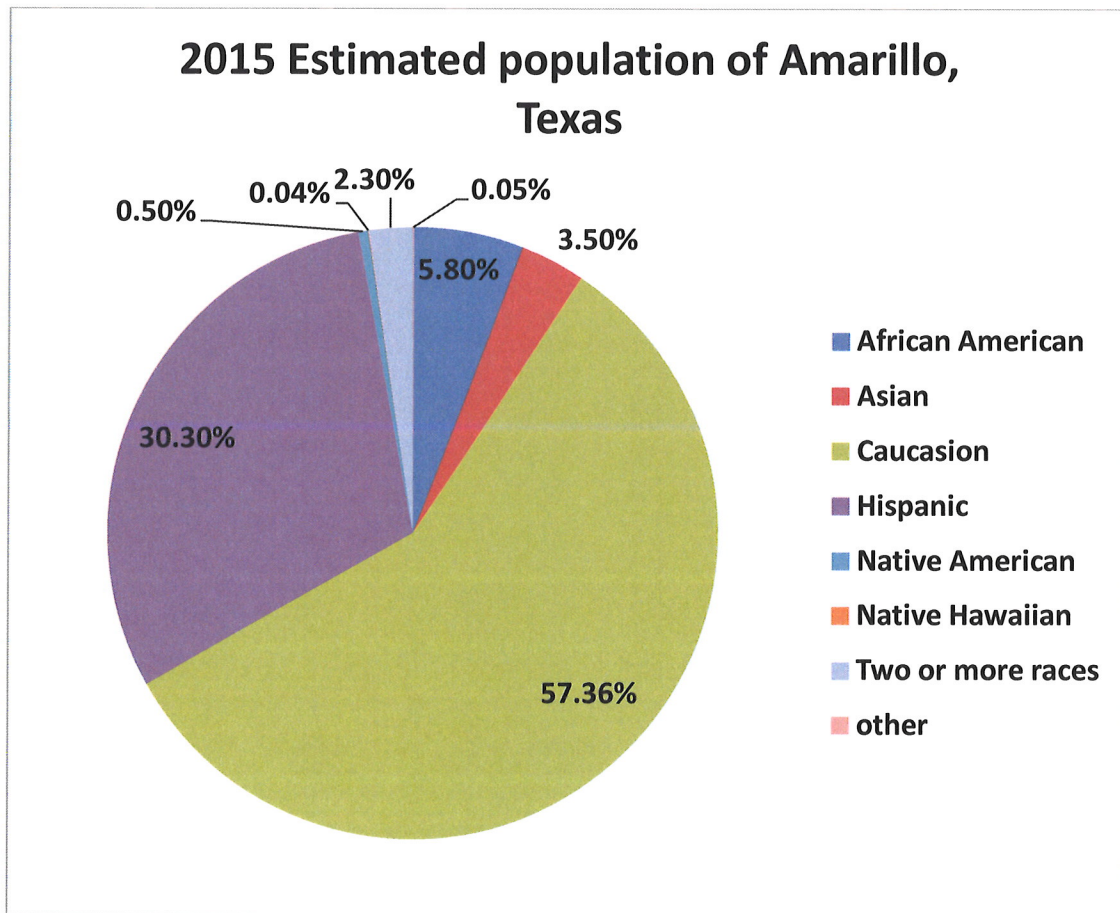
These are just a few disparities that deserve consideration when analyzing racial profiling data. No single database can determine whether Racial Profiling exists or to what extent. However stop data does provide critical information to assess organizational behavior. We understand this method of data collection may not always be perfect but it is better than no data at all. It provides us with a beginning reference point to be used in determining trends and to provide guidance as we strive to meet the needs and concerns of our community.

City of Amarillo estimated Demographics

The United States Census Bureau estimates the (2015) total population of Amarillo at 198,645.

The population by race is listed as;

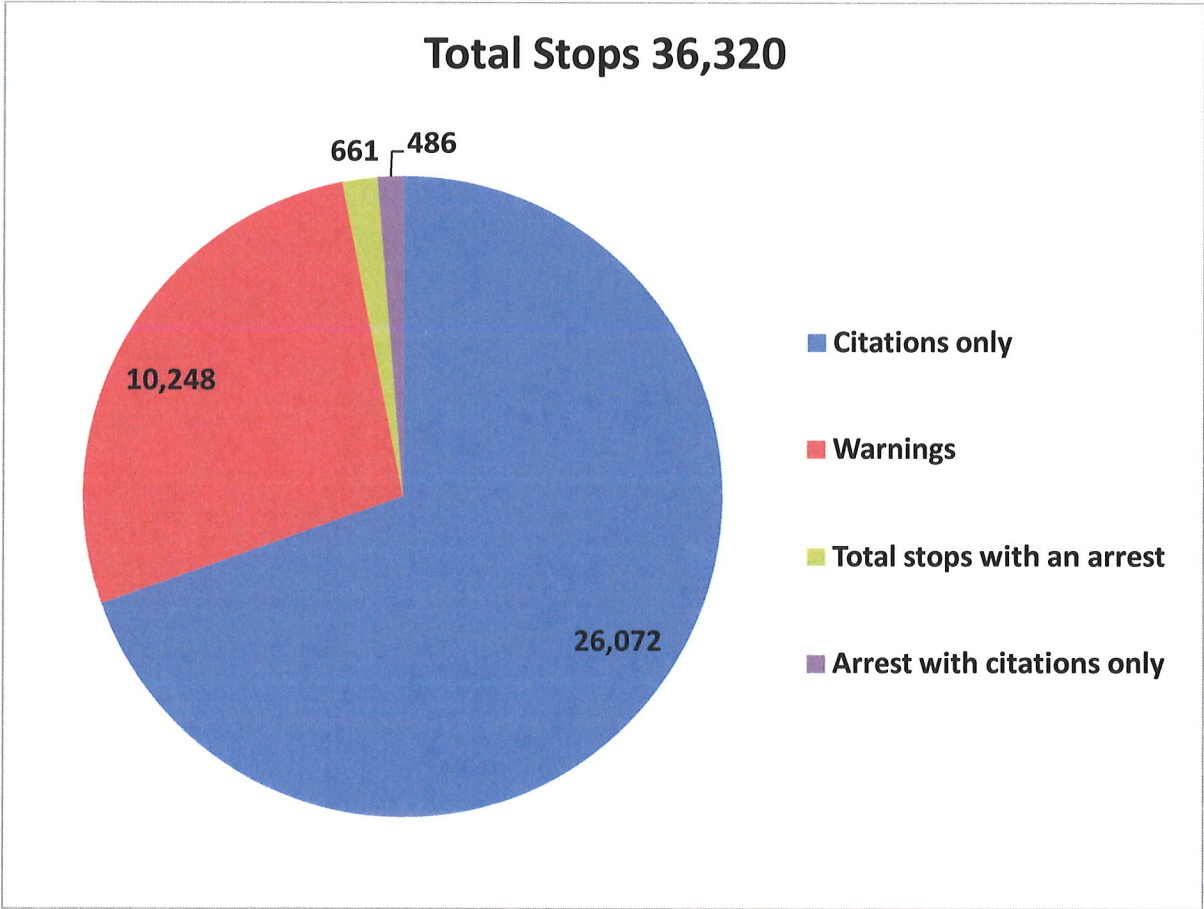
White	57.6%
Hispanic	30.3%
African American	5.8%
Asian	3.5%
Native American	.5%
Native Hawaiian	.04%
Two or more Races	2.3%
Other	.05%



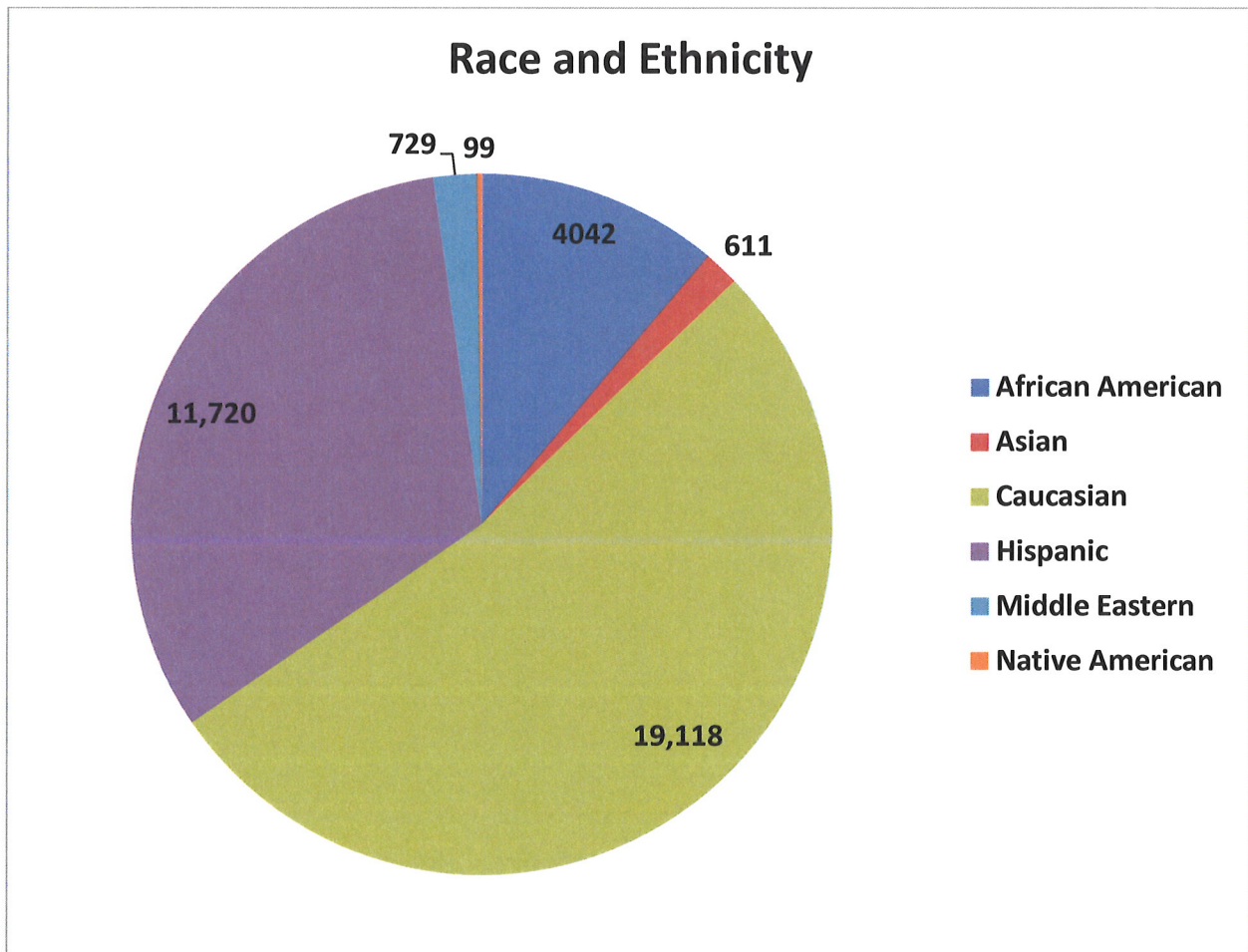
A significant issue that affects a comparison of data is the required reportable data reflects only those motor vehicle stops that resulted in a citation issuance or an arrest. Amarillo Police Officers have the discretion to issue warnings, and this data is included in this report; however, drivers stopped and not issued a citation, written warning, or arrested are not included in this report. As a result, the data used in a subset of raw data used for the overall motor vehicle stops.

2016 Total Motor Vehicle Stops

Total stops	36,320
Stops with citations only	26,072
Total stops with an arrest (warnings & citations)	661
Stops with arrest and citation only	486

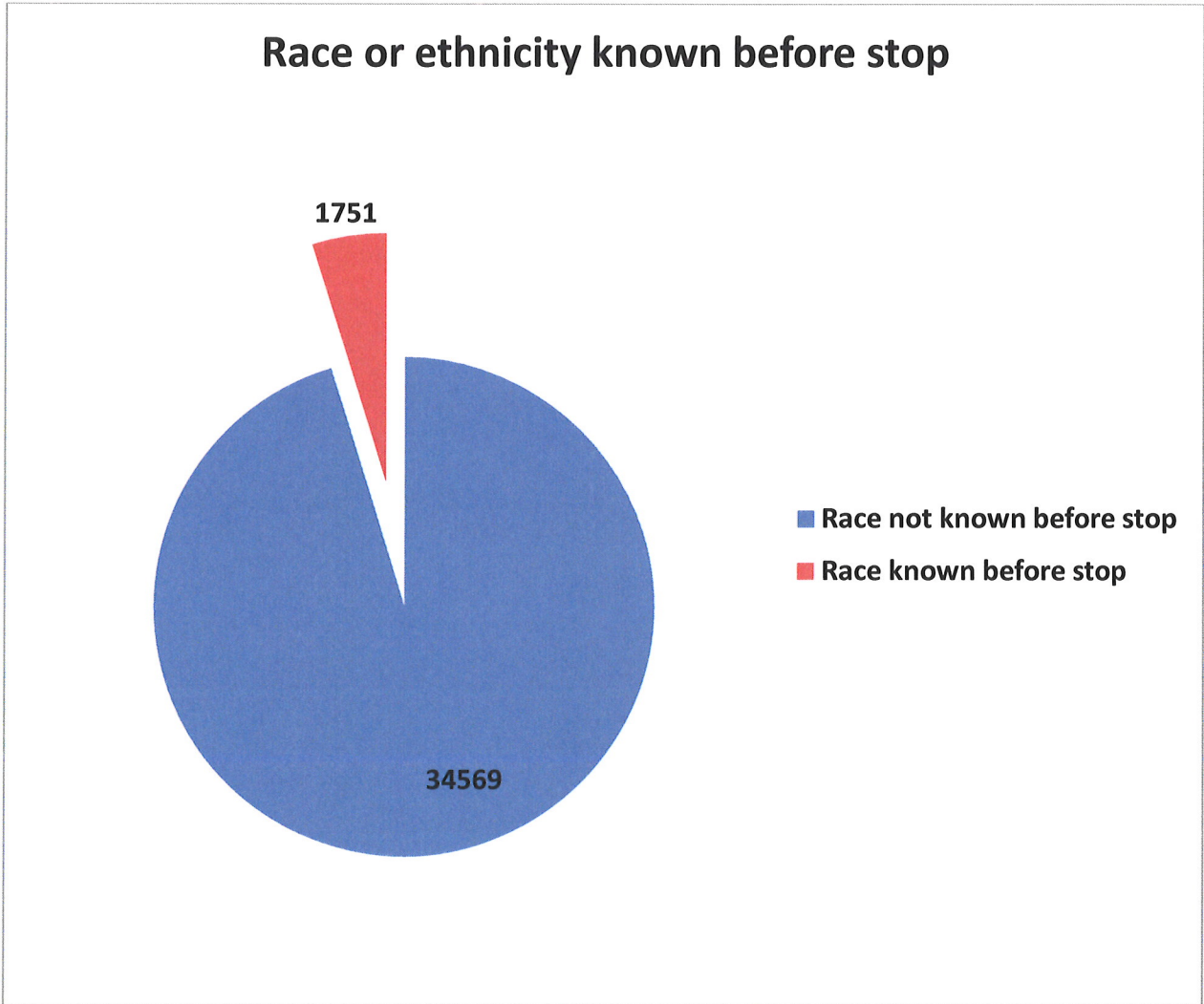


<u>2016 Race and Ethnicity Data</u>	<u>Contacts</u>	<u>Percentage of total contacts</u>
African American	4042	11.12%
Asian	611	1.68%
Caucasian	19,118	52.64%
Hispanic	11,720	32.27%
Middle Eastern	729	2.07%
Native American	99	.03%



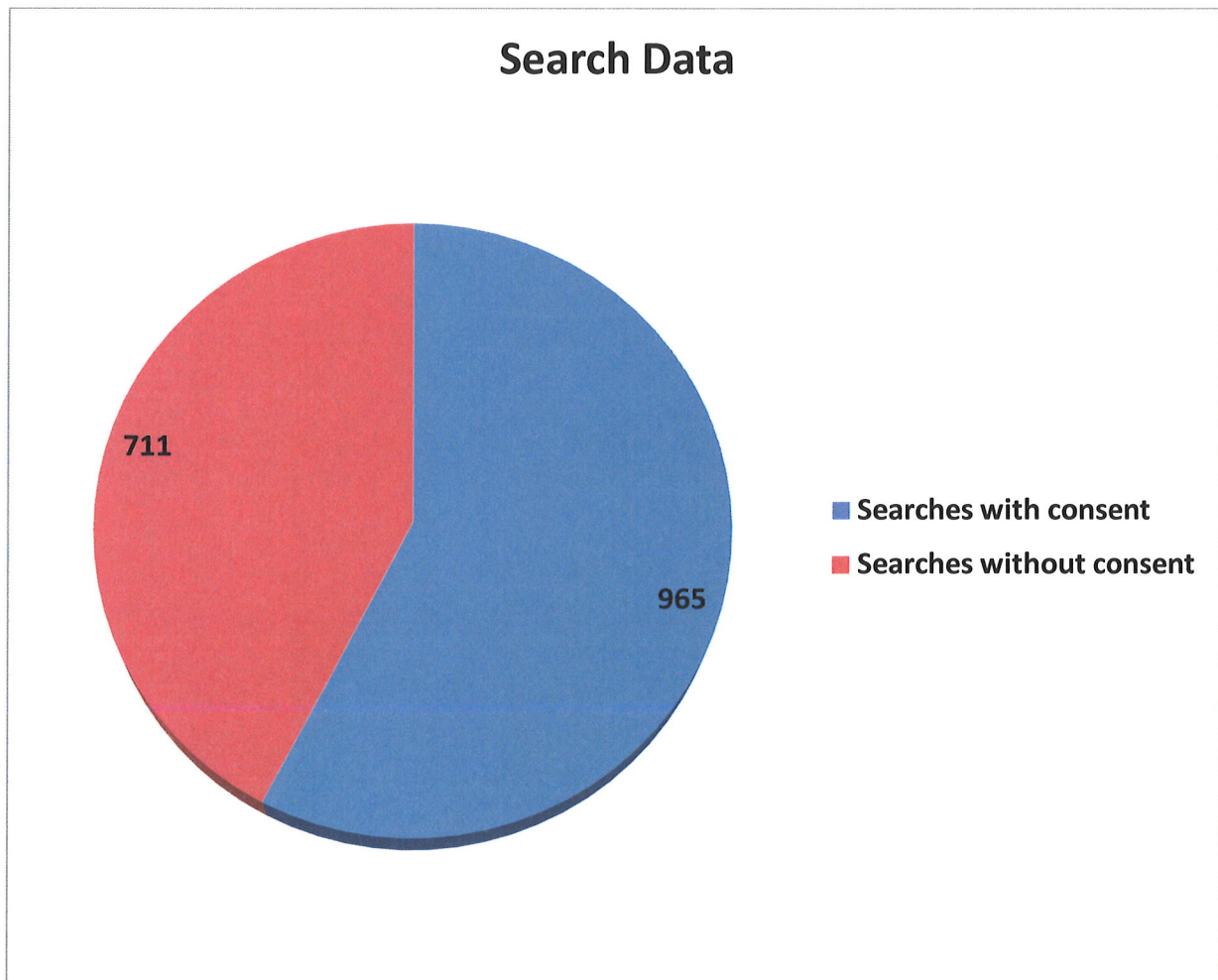
2016 Race or ethnicity known before stop

Total Stops	36,320	
Race not known before stop	34,569	95.18%
Race known before stop	1,751	4.82%



2016 Search Data

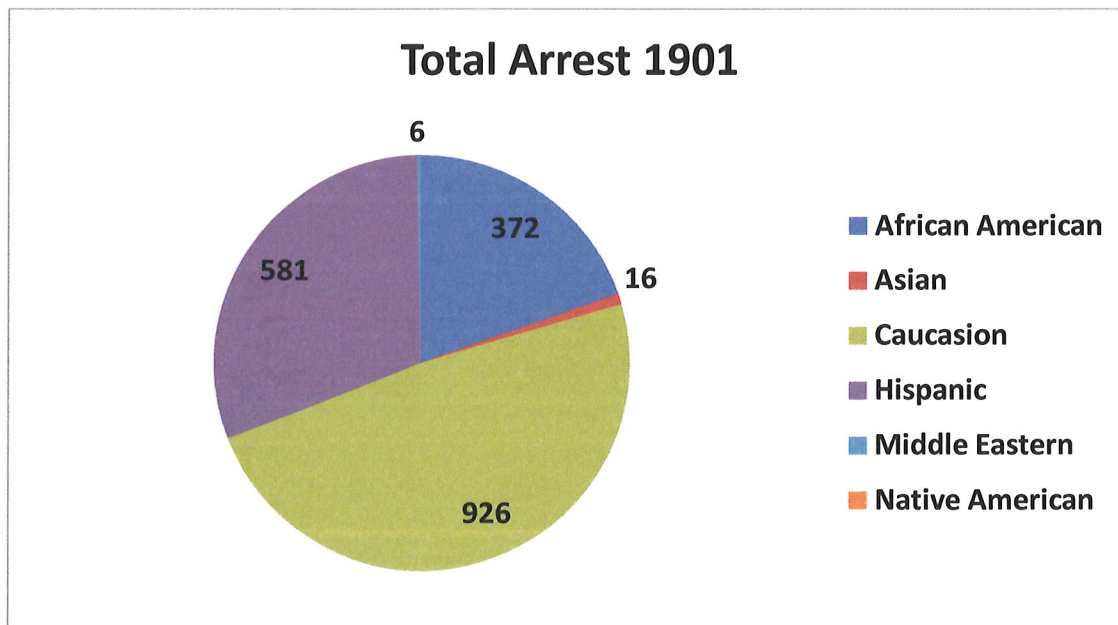
Total Stops	36,320	
Total searches	1676	4.17% of stops
Searches with consent	965	63.12% of searches
Searches without consent	711	46.87% of searches



Non-consensual searches may result from probable cause developed by officers, furtive movements of the occupants, or contraband/evidence in plain view.

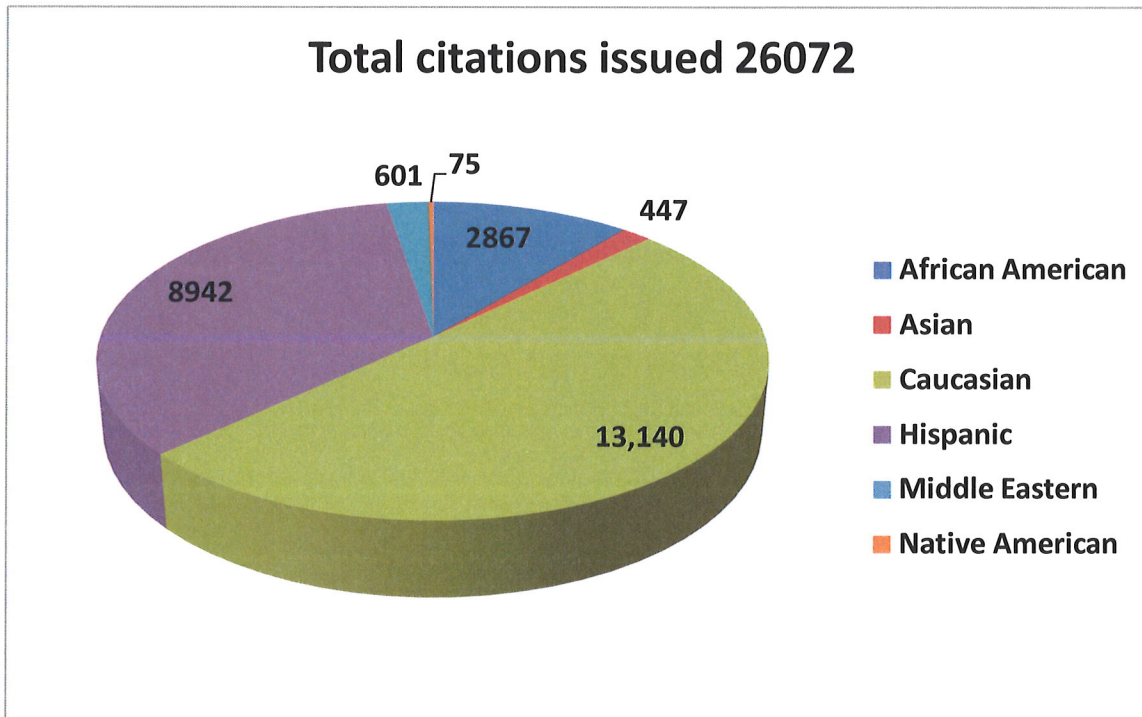
During the course completing a traffic stop officers will check the driving and wanted status of the driver and at times, for various reasons, the driving and wanted status of passengers. As result of this check the driver and or passenger maybe found to be wanted or present an on-view violation of the law. When the occupant(s) are found to be wanted for warrants, the officer is compelled to arrest the wanted individual. When the occupant(s) are presenting an on-view offense, the officer may arrest. Below are the statistics for **ALL** arrests resulting from a traffic stop, both driver and passenger. This was obtained from review of all arrest made in 2016.

<u>2016 Total Arrest</u>	1901	
African American	372	19.6%
Asian	16	.1%
Caucasian	926	48.7%
Hispanic	581	30.6%
Middle Eastern	6	.03%
Native American	0	



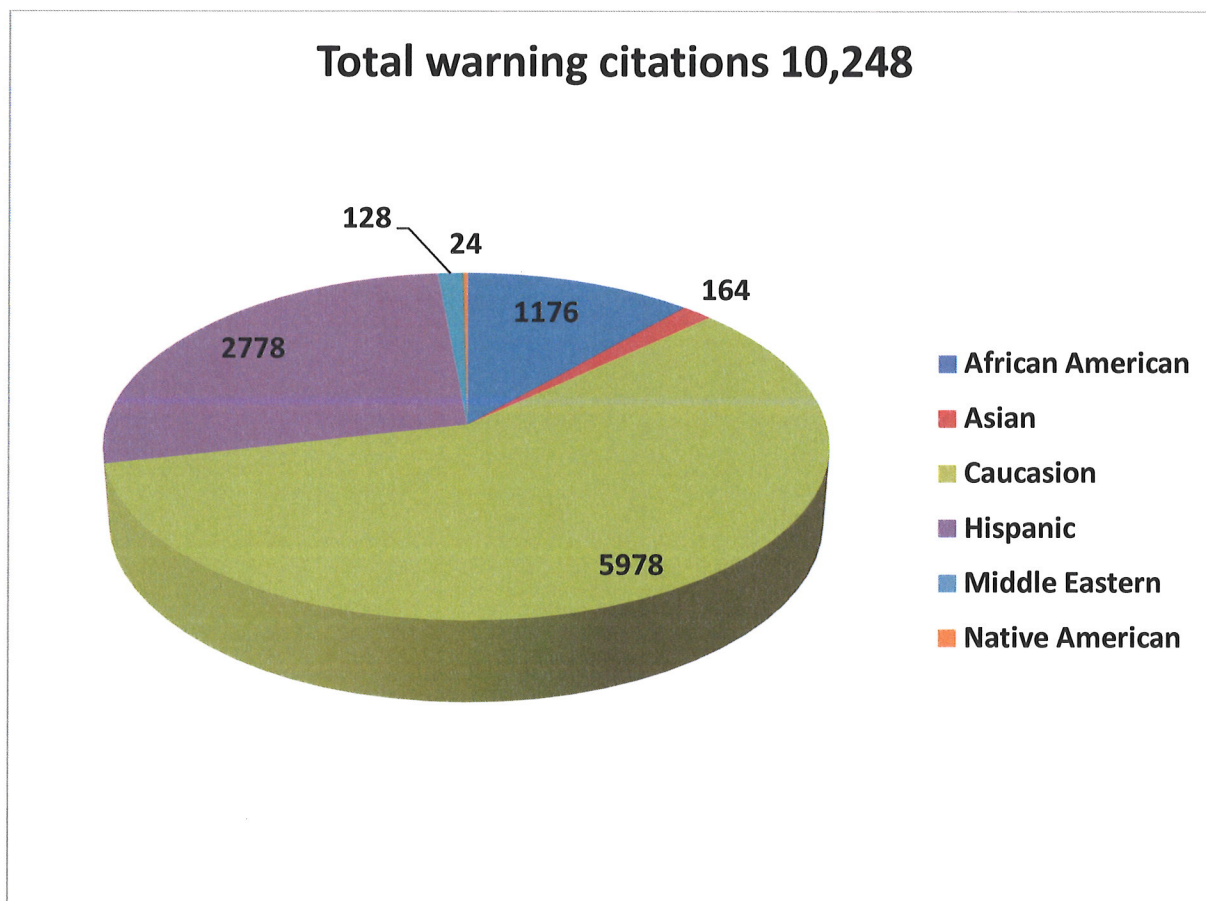
A traffic citation is a summons issued by a law enforcement officer to a person violating a traffic law. A traffic citation is commonly known as a traffic ticket. During the issuance of these citations, racial profiling information is collected and is shown below.

<u>2016 Citations</u>	Total citations issued 26072	
African American	2867	11% of total
Asian	447	1.7% of total
Caucasian	13,140	50.4% of total
Hispanic	8942	34.3% of total
Middle Eastern	601	2.3% of total
Native American	75	.3% of total



A warning citation has no consequences, however, when these are completed racial profiling information is collected and is shown below.

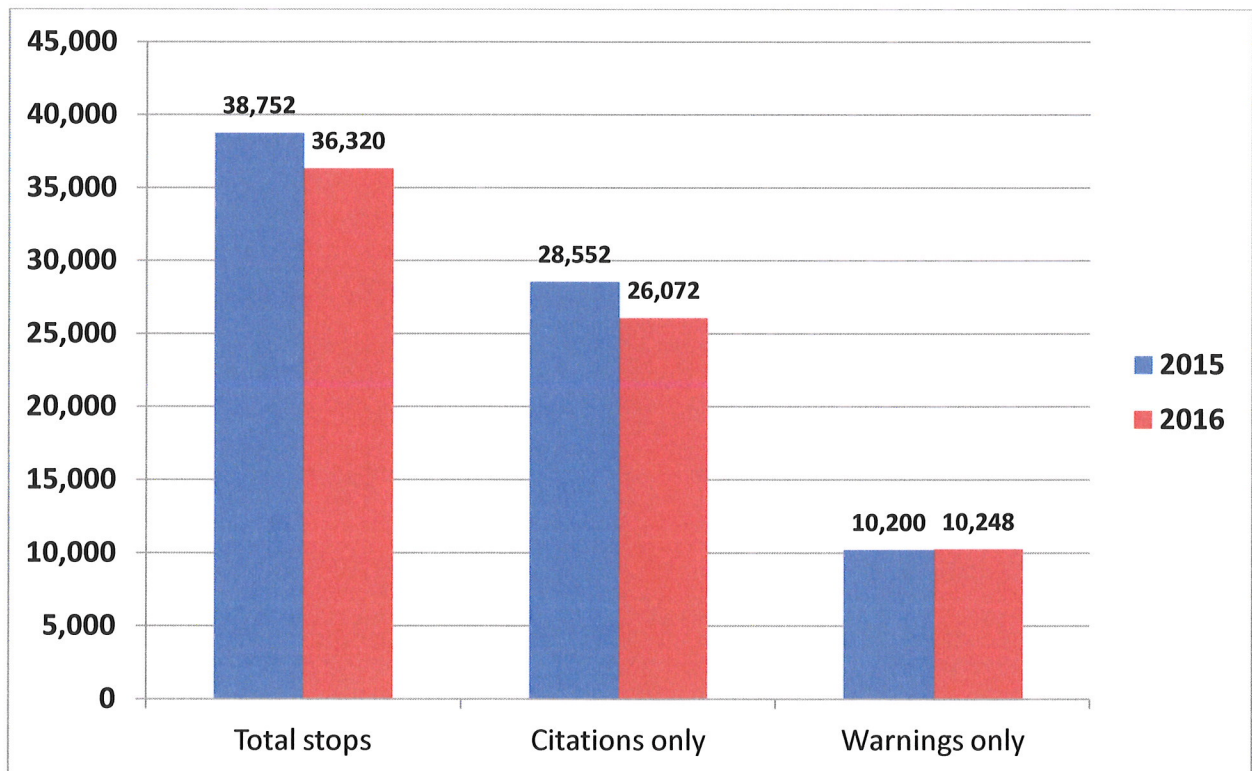
<u>2016 Warning Citations</u>	Total warning citations issued 10,248	
African American	1176	11.48% of total
Asian	164	1.6% of total
Caucasian	5978	58.33% of total
Hispanic	2778	27.11% of total
Middle Eastern	128	1.25% of total
Native American	24	.23% of total



The Amarillo Police Department is required only to report **Tier 1 data** and did so during the 2015 reporting year. For the 2016 reporting year, the department has chosen to exceed the reporting requirements in an effort to be more responsive to the community. To this end, we will be using the additional information from 2015 as opposed to what was reported pursuant to the minimum requirements for Tier 1 reporting for the comparisons.

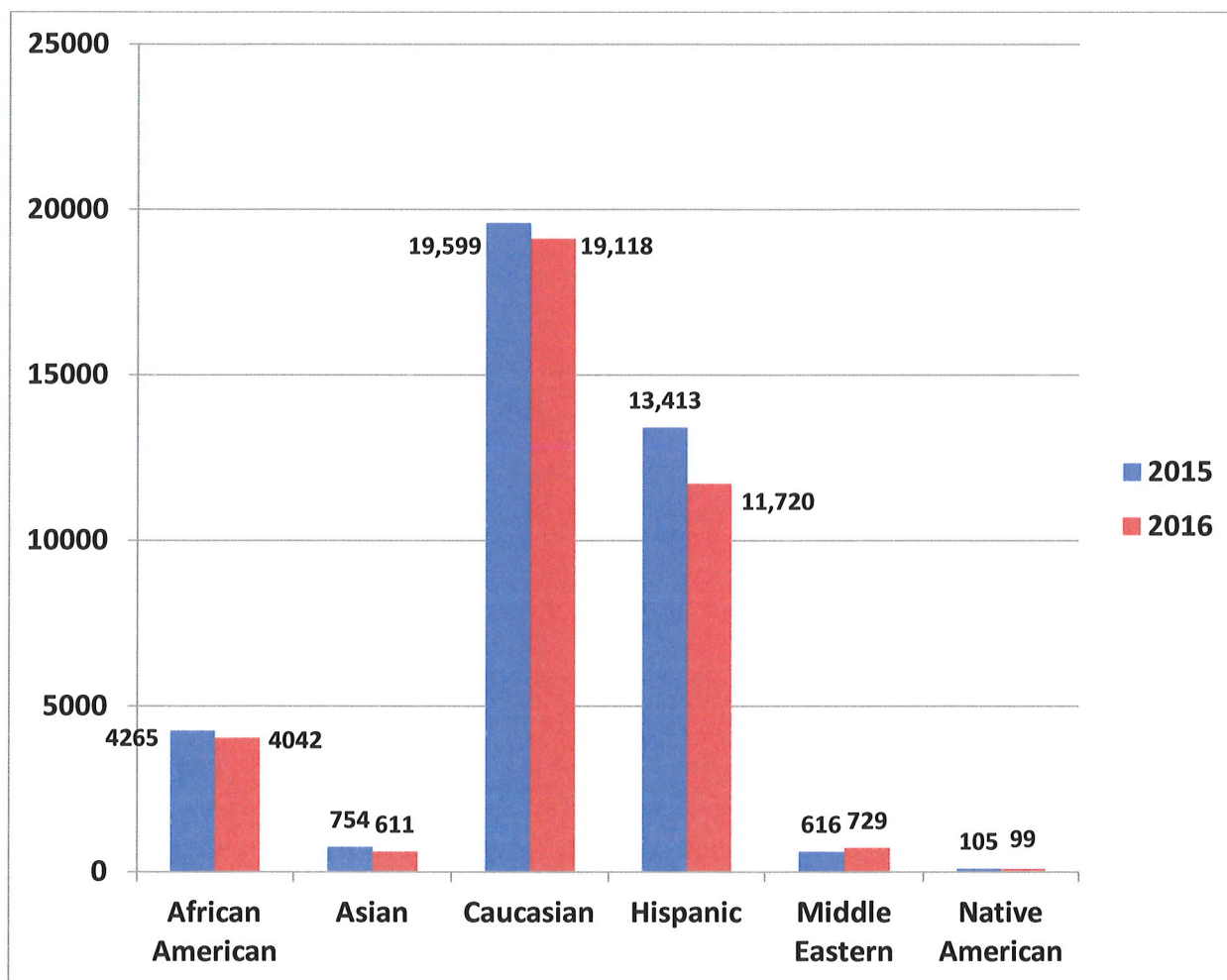
Traffic Contacts

<u>2015/2016 Comparison</u>	2015	2016
Total stops	38,752	36,320
Citations only	28,552	26,072
Warnings	10,200	10,248



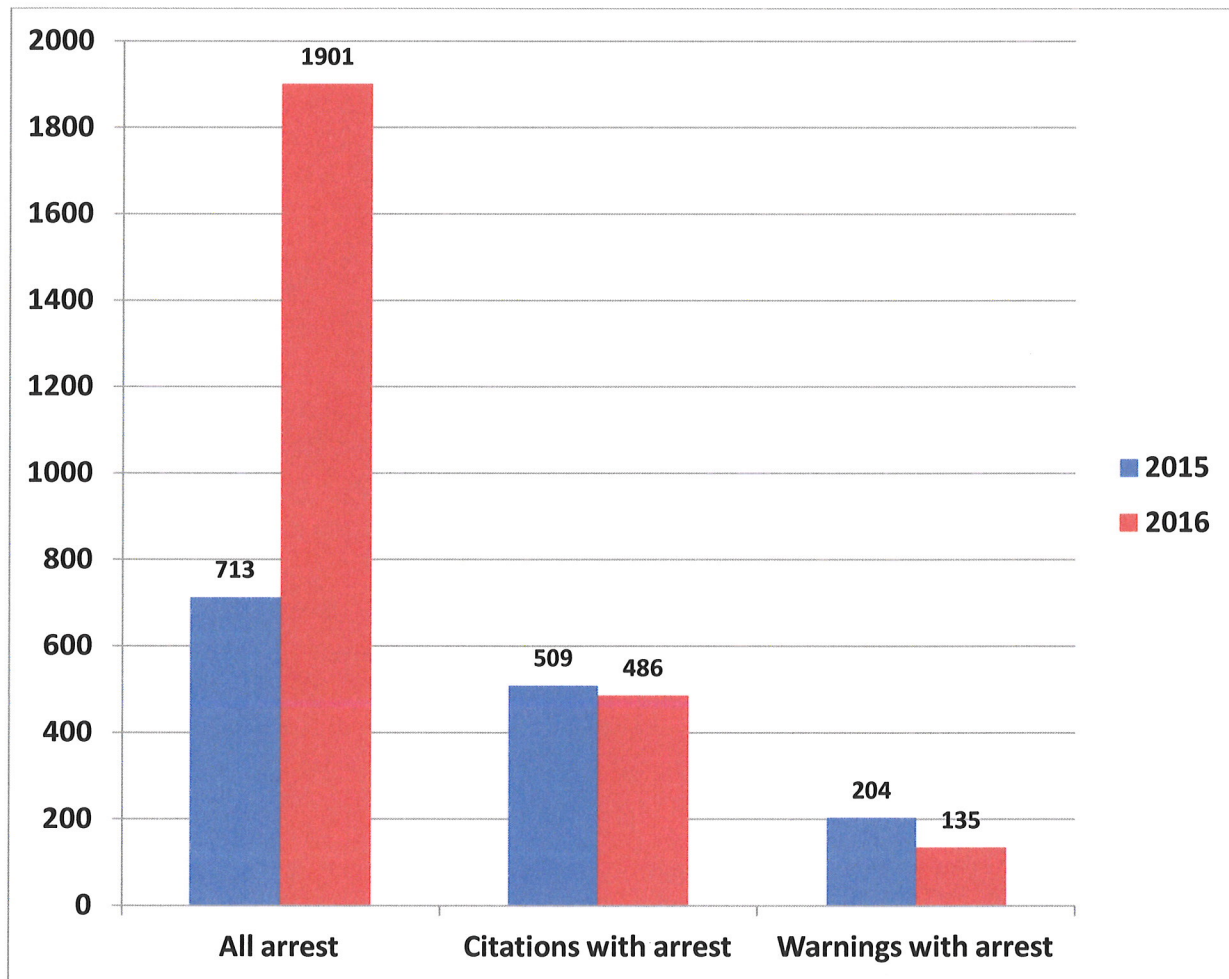
Traffic contacts by race or ethnicity

<u>2015/2016 Comparison</u>	2015	2016
African American	4265	4042
Asian	754	611
Caucasian	19,599	19,118
Hispanic	13,413	11,720
Middle Eastern	616	729
Native American	105	99



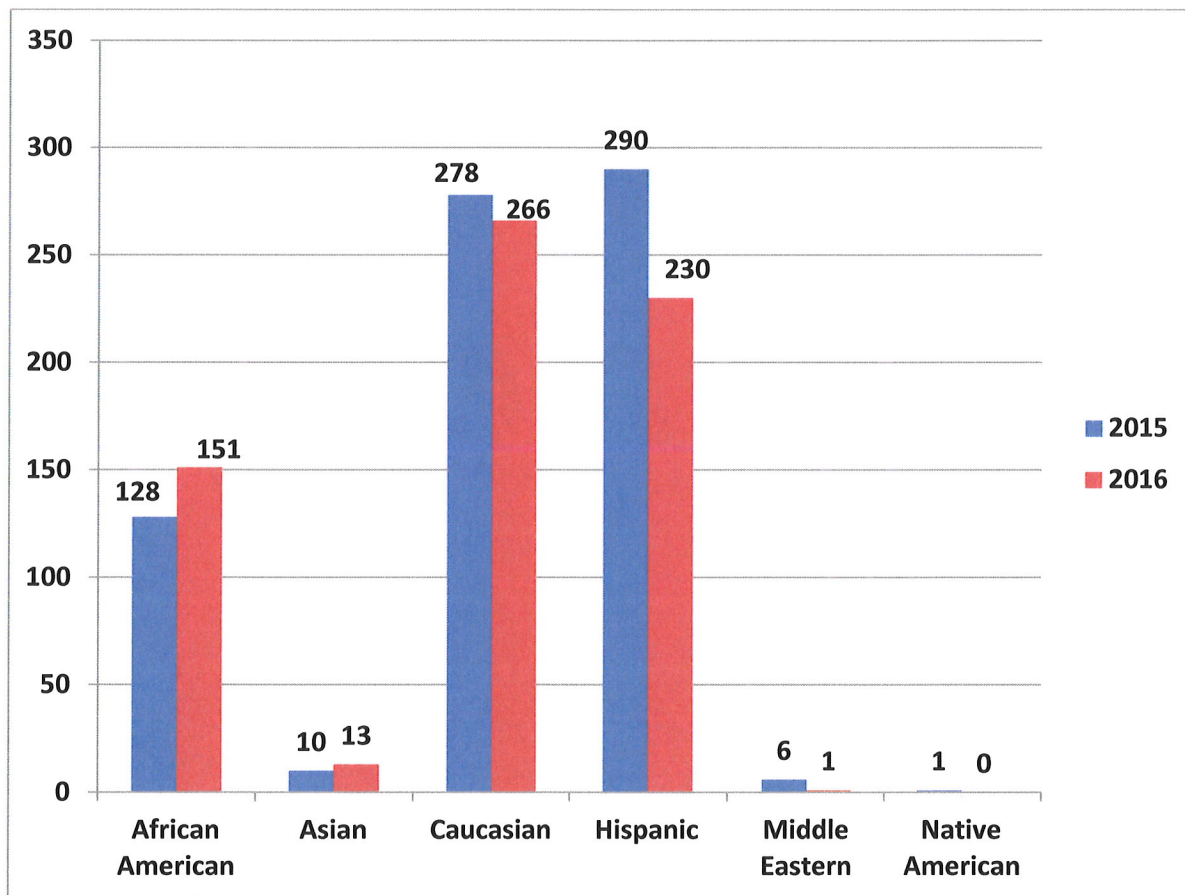
Arrest related to traffic contacts

<u>2015/2016 Comparison</u>	2015	Total 2016*
All Arrest	713	1901
Citations with arrest	509	486
Warnings with arrest	204	135



*These arrest numbers are based on arrest of any occupant in a motor vehicle that was stopped by an Amarillo Police Officer in 2016.

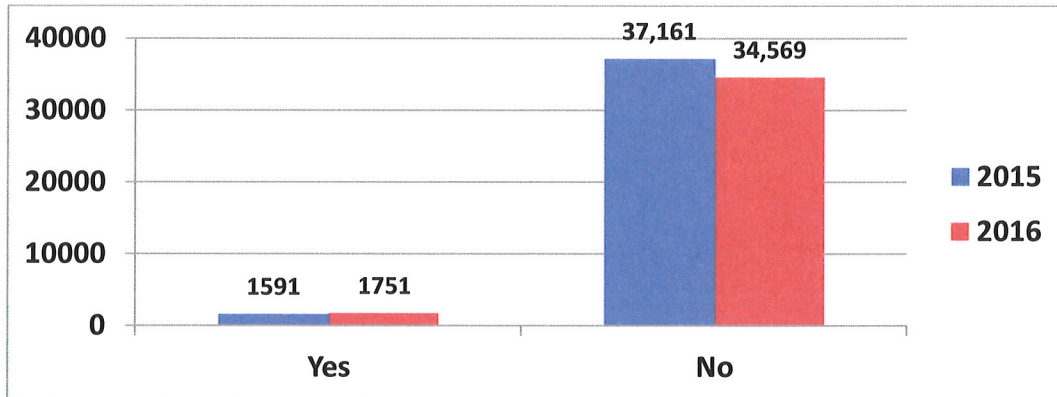
<u>Arrest by race or ethnicity</u> (driver only)	(driver only)	(driver only)	<u>Total</u>
<u>2015/2016 Comparison</u>	2015	2016	2016*
African American	128	151	372
Asian	10	13	16
Caucasian	278	265	926
Hispanic	290	230	581
Middle Eastern	6	1	6
Native American	1	0	0



*These arrest numbers are based on arrest of any occupant in a motor vehicle that was stopped by an Amarillo Police Officer in 2016.

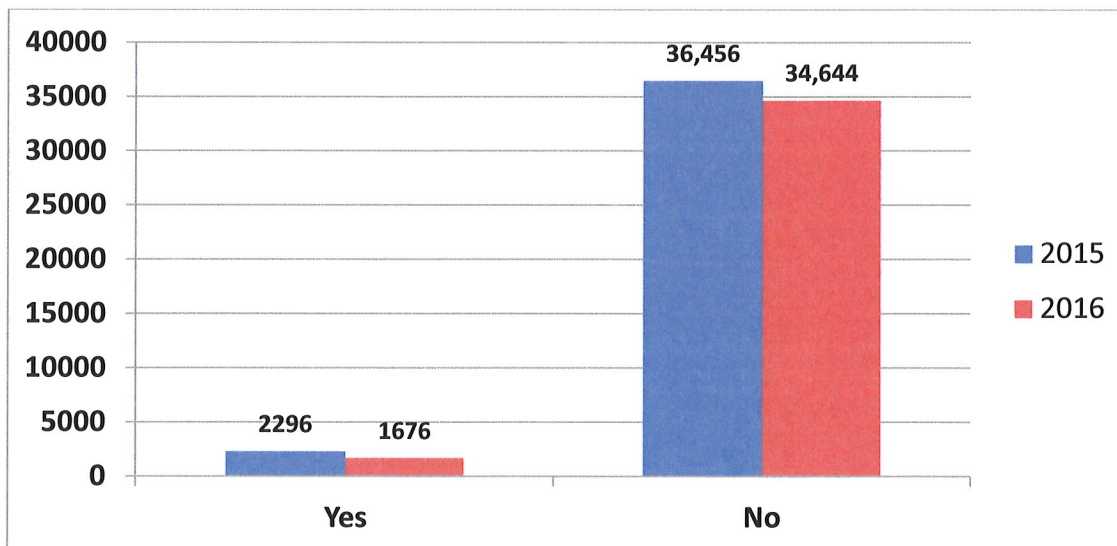
Race or ethnicity known prior to stop

<u>2015/2016 Comparison</u>	2015	2016
Yes	1591	1751
No	37,161	34,569



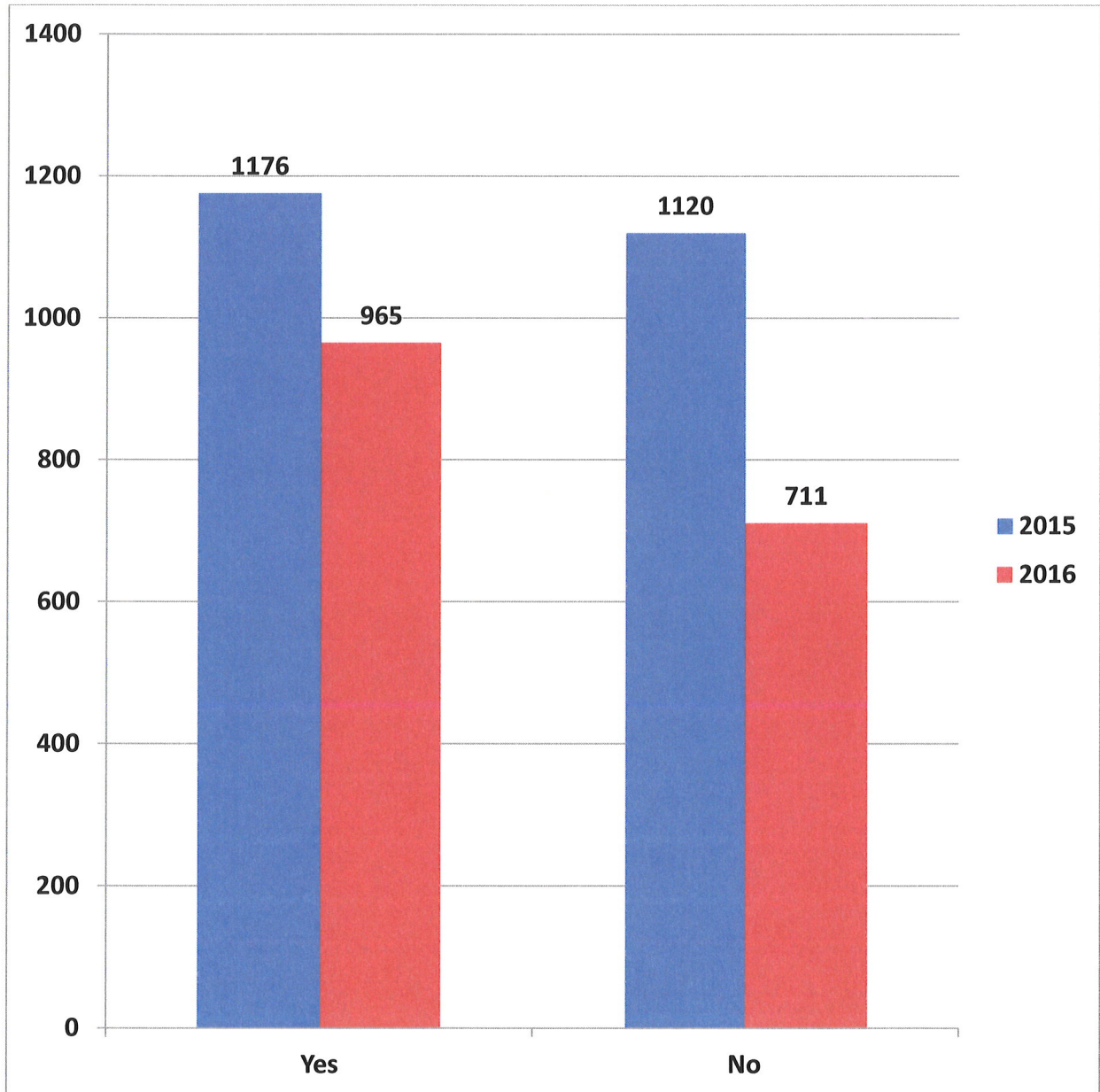
Search Conducted

<u>2015/2016 Comparison</u>	2015	2016
Yes	2296	1676
No	36,456	34,644



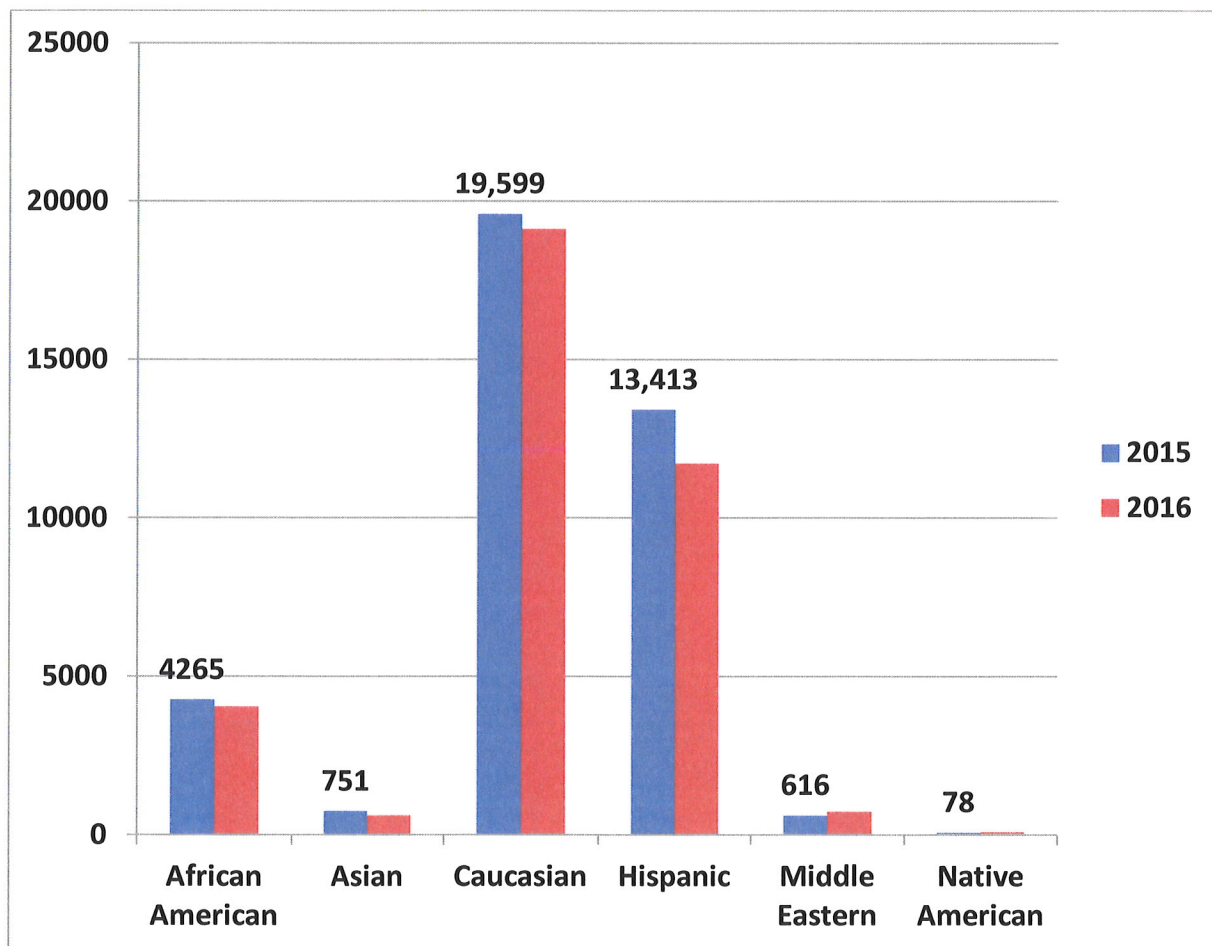
Was search consented?

<u>2015/2016 Comparison</u>	2015	2016
Yes	1176	965
No	1120	711



Citation and warning comparison

<u>2015/2016 Comparison</u>	2015	2016
African American	4265	4042
Asian	754	611
Caucasian	19,599	19,118
Hispanic	13,413	11,720
Middle Eastern	616	729
Native American	78	99



The Amarillo Police Department is committed to fair and equitable treatment of all persons. We investigate all complaints and allegations, and strive to maintain a professional and well-trained staff of employees.

If you have a complaint concerning Police services, including a complaint alleging racial profiling, you may let us know about your complaint in one of three ways:

- You may contact the officer's supervisor by phone. Call 806-378-4231 to speak with a uniform division supervisor.
- You may make a complaint to the Amarillo Police Department Internal Affairs Investigator in person, by mail, or by phone. The Internal Affairs office is on the 4th floor of the Police Department, 200 SE 3rd, Amarillo, Texas 79101. Telephone 806-378-5251.

2015/2016 Racial Profiling Complaints

In 2015, the Amarillo Police Department Internal Affairs Division received three complaints related to racial or bias profiling. A thorough investigation was conducted in all three complaints. After careful consideration of all the facts and circumstances, the officers were exonerated in all three complaints.

In 2016, the Amarillo Police Department Internal Affairs Division received two complaints related to racial or bias profiling.

In the first complaint, the subject alleged that two officers made contact with them only due to their Hispanic heritage. After examination of the facts, both officers were exonerated.

In the second complaint, the subject made an allegation that a racial slur was uttered towards him by an officer. Witnesses at the scene were interviewed and no evidence was found to substantiate this claim. The complaint is listed as not-sustained.

Community Outreach

The Amarillo Police Department has a number of strategies in place to partner with minority communities. During 2016, the department conducted two Corporal Lisa Cherry Summer Camps that primarily served minority and disadvantaged children. Also in 2016, the department implemented the Neighborhood Police Officer Unit to engage in community policing and problem solving. Two NPOs each are assigned to the North Heights, East Amarillo (Barrio), Southlawn, and San Jacinto neighborhoods. In 2017, the department will expand the program to add two NPOs to the Eastridge neighborhood where a majority of refugees reside.

The Amarillo Police Department has on-going partnerships with several organizations in our minority communities including the Amarillo Branch of the NAACP, the Barrio Breakfast Group, the Urban Project, Community Alliance of Leaders and Law Enforcement (C.A.L.L.), Power Church Barrio Block Party, and St John's Baptist Church Community Block Party.

Recruitment & Training

Amarillo Police has previously restricted hiring new police officers to applicants who have lived within a 500 mile radius of Amarillo, for at least five years. In 2016, we did away with the residency requirements so that we can recruit nationwide. We believe that removing the residency requirement will help us fill more vacant positions and may help improve the diversity of our department. The Amarillo Police Department is authorized 375 sworn officers and was staffed at 351 at the end of 2016. The department's demographic profile for sworn officers at the end of 2016 was as follows:

Race/Ethnicity	Number	Percent
Caucasian	301	86%
Hispanic	43	12%
African American	5	1.4%
Native American	2	.6%

The Amarillo Police Department's Training Advisory Board (TAB) includes prominent minority community leaders. The TAB provides guidance to the department's leadership and staff on training related matters such as course offering, training standards, and curriculum development. During the Basic Police Academy, all new recruit officers receive training on Racial Profiling/Implicit Bias (16 hours), Diversity & Multi-cultural Human Relations (16 hours), and Communication and De-escalation Techniques (16 hours). During 2016 the Police Department provided training recommended by the President's Task Force on Policing in the 21th Century such as Community Policing and Procedural Justice. We will provide officers with additional training recommended by the President's Task Force in 2017.

Appendices

AMARILLO POLICE DEPARTMENT

Appendix A

Manual: RULES AND REGULATIONS
Reference: GENERAL ORDERS 3.25
Subject: Bias Based Profiling

Effective Date: December 1, 2001
Revision Number: 8 Date: 05-30-16
Page 1

- I. The purpose of this policy is to unequivocally state that bias based profiling, including racial or ethnic profiling, is illegal and unacceptable; to provide guidelines for officers to prevent such occurrences; and to protect officers from unwarranted accusations when they act within the dictates of the law.
- II. Officers are prohibited from biased based profiling. Officers may not use biased based stereotypes in selecting whom to stop or search; they can use race, sex, etc., in conjunction with other known descriptions of a suspect. Officers will actively enforce the law and make law enforcement decisions without regard to race, ethnicity, or other strictly personal traits of a particular suspect or person.
- III. Definitions:
 - A. Bias based profiling means a law enforcement-initiated action based on an individual's race, ethnicity, national origin, or other strictly personal characteristics such as gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group, rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
 1. Bias based profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant to witnesses, complainants, or other citizen contacts.
 2. The prohibition against bias based 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 an officer 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 bias based profiling.
 3. Examples of bias based profiling include these activities: Citing a driver who is speeding because of the driver's race, ethnicity, national origin, or other strictly personal characteristics. Detaining the driver of a vehicle based on the assumption that a person of that race, ethnicity, national origin, or other strictly personal characteristics would be unlikely to own or possesses that specific make or model of vehicle. Detaining an individual based upon the assumption that a person of that race, ethnicity, national origin, or other strictly personal characteristics does not belong to a specific part of town or a specific place.
 - B. Race or ethnicity – of a particular decent, including Caucasian, African, Hispanic, Asian, Middle Eastern descent, or Native American.
 - C. Traffic stop – an officer stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

AMARILLO POLICE DEPARTMENT

Appendix A

Manual: RULES AND REGULATIONS
Reference: GENERAL ORDERS 3.25
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Effective Date: December 1, 2001
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IV. Training:

- A. Officers will receive training on bias based profiling prohibitions as set forth in TCOLE mandated guidelines.

V. Complaints Concerning Bias Based Profiling:

- A. Complaints alleging bias based profiling will be filed and investigated like any other complaint by following the complaint investigation procedure as outlined in this manual.
- B. If there is a recording of the events upon which the complaint is based, upon commencement of an investigation by the Department into the complaint and written request from the officer made the subject of complaint, the agency will promptly provide a copy of the audio or video recording to that officer.
- C. If a bias based profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action.
- D. The Department will provide public education about the process of filing a complaint for bias based profiling and other complaints. This public education will include notices posted in the Department and public speaking opportunities.

VI. Supervisory Responsibilities:

Supervisors are required to review portions of at least three random videos (in-car or body worn camera) each quarter per officer to ensure compliance with this directive. If any issues are discovered during review, the reviewing supervisor will handle the incident like any other complaint by following the complaint investigation protocol as outlined in this manual.

VII. Data Collection and Reporting:

- A. Every time an officer stops a motor vehicle for an alleged violation of a law or city ordinance, the officer must complete one of the following documents even if the suspect is subsequently arrested:
 - 1. Traffic warning citation, traffic citation, or misdemeanor citation.
 - 2. One of these forms must be completed in order to accurately collect the following data on traffic stops concerning the suspect(s):
 - a) Race, ethnicity, and gender;
 - b) The traffic law, ordinance, or law alleged to be violated;
 - c) Whether or not a search was conducted and if so, if the search was consented to; whether or not contraband was discovered and if so, the type of contraband discovered; whether probable cause to search

AMARILLO POLICE DEPARTMENT

Appendix A

Manual: RULES AND REGULATIONS
Reference: GENERAL ORDERS 3.25
Subject: Bias Based Profiling

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- existed and the facts supporting the existence of that probable cause;
and
- d) Whether or not an arrest was made as a result of the stop or search, including a statement of the offense charged; the address of the stop; and whether or not a warning or citation was issued as a result of the stop, including a description of the warning or a statement of the violation charged.
- B. In cases where an officer stops a vehicle for a reason other than a traffic violation; the vehicle stop must be documented for racial profiling data. Officers will create a warning citation for the stop. In the charge section they will enter "Document Only". The driver of the vehicle will not sign the warning citation, and a copy of the citation will not be given to the driver. If the warning is a paper copy, both copies of the warning citation will be turned in as is normally done with the original. If the warning citation is electronic, no copy will be printed out. The electronic ticket writer will be docked as usual so the warning citation can be uploaded to the ticketing system.
- C. The Service Division Captain or a designee will be responsible for processing the racial profiling information on a monthly basis to correct any errors made by officers generating the profiling information. Indicators will be sent to officers who provided incorrect or conflicting information.
- D. No later than January 15TH of each year, the Internal Affairs Investigator will submit to the Chief of Police a report containing information compiled from the preceding calendar year regarding each complaint filed with the Department alleging bias based profiling. This report will not include identifying information about an officer who made a stop or arrest.
- E. By February 1ST of each year, the Service Division Captain will submit to the Chief of Police a Tier-1 report containing information compiled from the preceding calendar year that includes a comparative analysis of the information contained in the individual reports in order to:
1. Determine the prevalence of bias based profiling by officers in this Department; and
 2. Examine the disposition of officer initiated contacts made by this Department's officers, including searches resulting from stops.
 3. The breakdown of racial profiling data will include:
 - a) Citations by race or ethnicity;
 - b) The number of citations that resulted in a search;

AMARILLO POLICE DEPARTMENT

Appendix A

Manual: RULES AND REGULATIONS
Reference: GENERAL ORDERS 3.25
Subject: Bias Based Profiling

Effective Date: December 1, 2001
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Page 4

- c) The number of searches that were consensual; and
 - d) The number of citations that resulted in custodial arrests.
- F. The Chief of Police will submit a copy of this report to the City Commission by March 1st of each year.

Ed Drain, Chief of Police

Racial Profiling Report | Tier one

Agency Name:	Amarillo Police Department
Reporting Date:	03/17/2017
TCOLE Agency Number:	375201
Chief Administrator:	Chief Ed Drain
Agency Contact Information:	
Phone:	806 378 3055
Email:	N/A
Mailing Address:	200 SE 3rd Amarillo Texas 79101

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

Amarillo Police Department 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 Amarillo Police Department from engaging in racial profiling;
- 3.) implements a process by which an individual may file a complaint with the Amarillo Police Department if the individual believes that a peace officer employed by the Amarillo Police Department 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 Amarillo Police Department who, after an investigation, is shown to have engaged in racial profiling in violation of the Amarillo Police Department'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;

Racial Profiling Report | Tier one

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.

Executed by: Chief Ed Drain

Chief Administrator

Amarillo Police Department

Date: 03/17/2017

Amarillo Police Department Motor Vehicle Racial Profiling Information

Total stops: 36320

Number of motor vehicle stops

Citation only: 35173

Arrest only: 661

Both: 486

Race or ethnicity

African: 4042

Asian: 611

Caucasian: 19119

Hispanic: 11720

Middle eastern: 729

Native american: 99

Appendix B

Racial Profiling Report | Tier one

Was race known ethnicity known prior to stop?

Yes: 1751

No: 34569

Was a search conducted

Yes: 1901

No: 34419

Was search consented?

Yes: 965

No: 936

Submitted electronically to the



The Texas Commission on Law Enforcement