

Amarillo Police Department



Racial Profiling Report 2019

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Appendix AAPD General Orders 3.25 Bias Based Profiling

Appendix B..... Racial Profile Reporting

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, (d) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by section 1.07, Penal Code, during the stop; (e) the location of the stop; (f) the reason for the stop; 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 or ethnicity" means the following categories: Alaska Native or American Indian; Asian or Pacific Islander; Black; White; and Hispanic or Latino.

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 two 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, agencies who routinely perform traffic stops or motor vehicle traffic stops must file a report with the Texas Commission on Law Enforcement (TCOLE).

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 (ACS Demographic and Housing as of July 1, 2019) 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 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 attracts 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

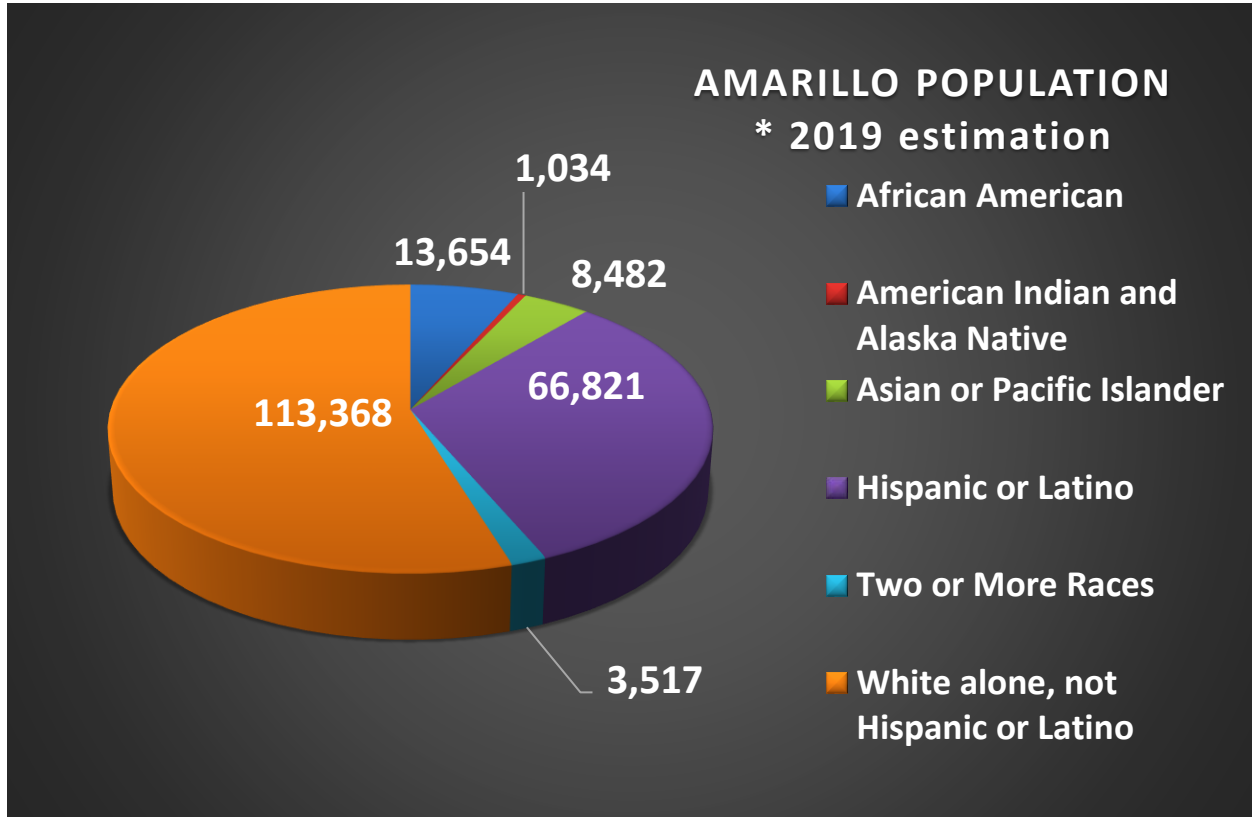
two Interstate highways coming through the heart of town. There are many people on our streets and highways that are part of our “driving population” but have no other connection to Amarillo. It is important to keep in mind that the racial profiling data is collected from the “driving population” but 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 (ACS Demographic and Housing as of July 1, 2019) estimates the total population of Amarillo at 204,828. The population by race is listed as.

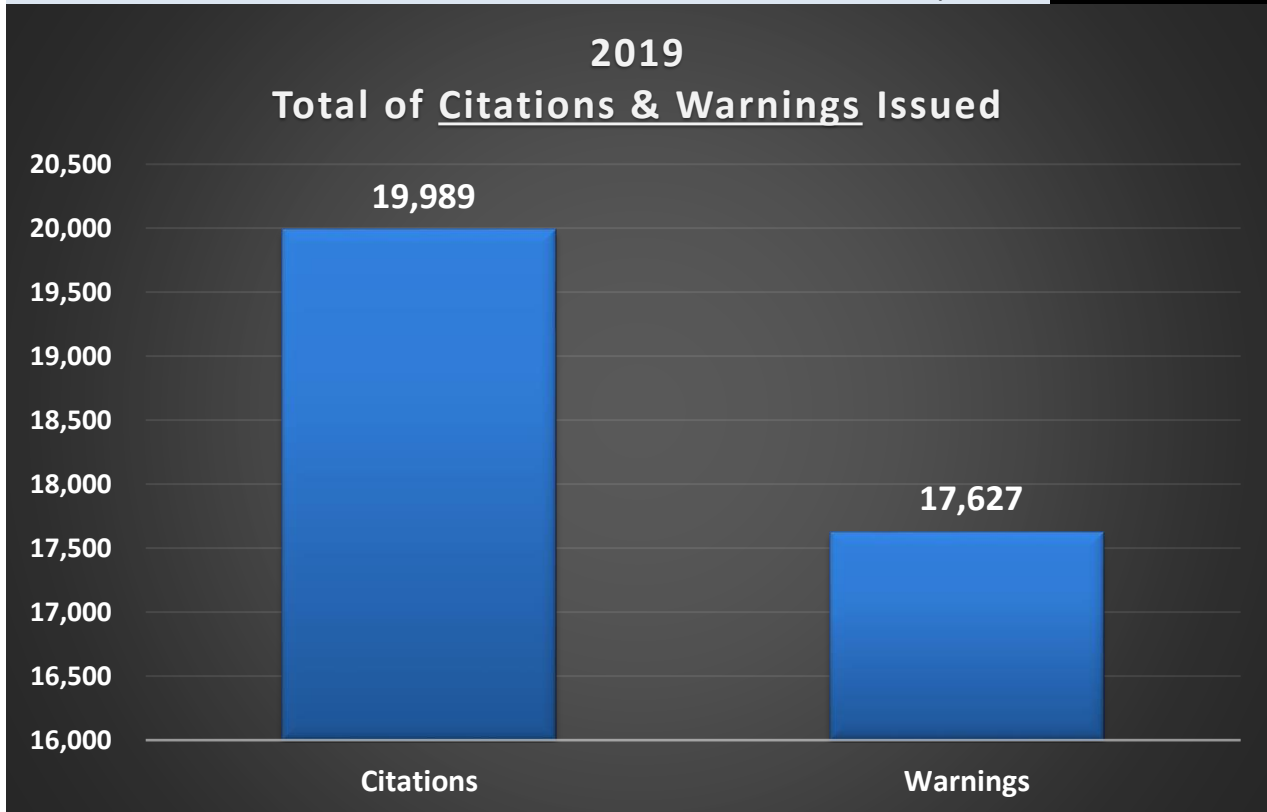
Amarillo Population *2019 Estimation		
RACE OR ETHNICITY	Population	% of Population
African American	13,654	6.60%
American Indian and Alaska Native	1,034	0.50%
Asian or Pacific Islander	8,482	4.10%
Hispanic or Latino	66,821	32.30%
Two or More Races	3,517	1.70%
White alone, not Hispanic or Latino	113,368	54.80%
Grand Total	206,876	



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 or citations, issue either in conjunction of an arrest, or make an arrest without issuing either form. The following data is from the combination of citations issued and arrests made resulting from motor vehicle traffic stops, whether the person receiving the citation and or being arrested is a driver or a passenger in the motor vehicle

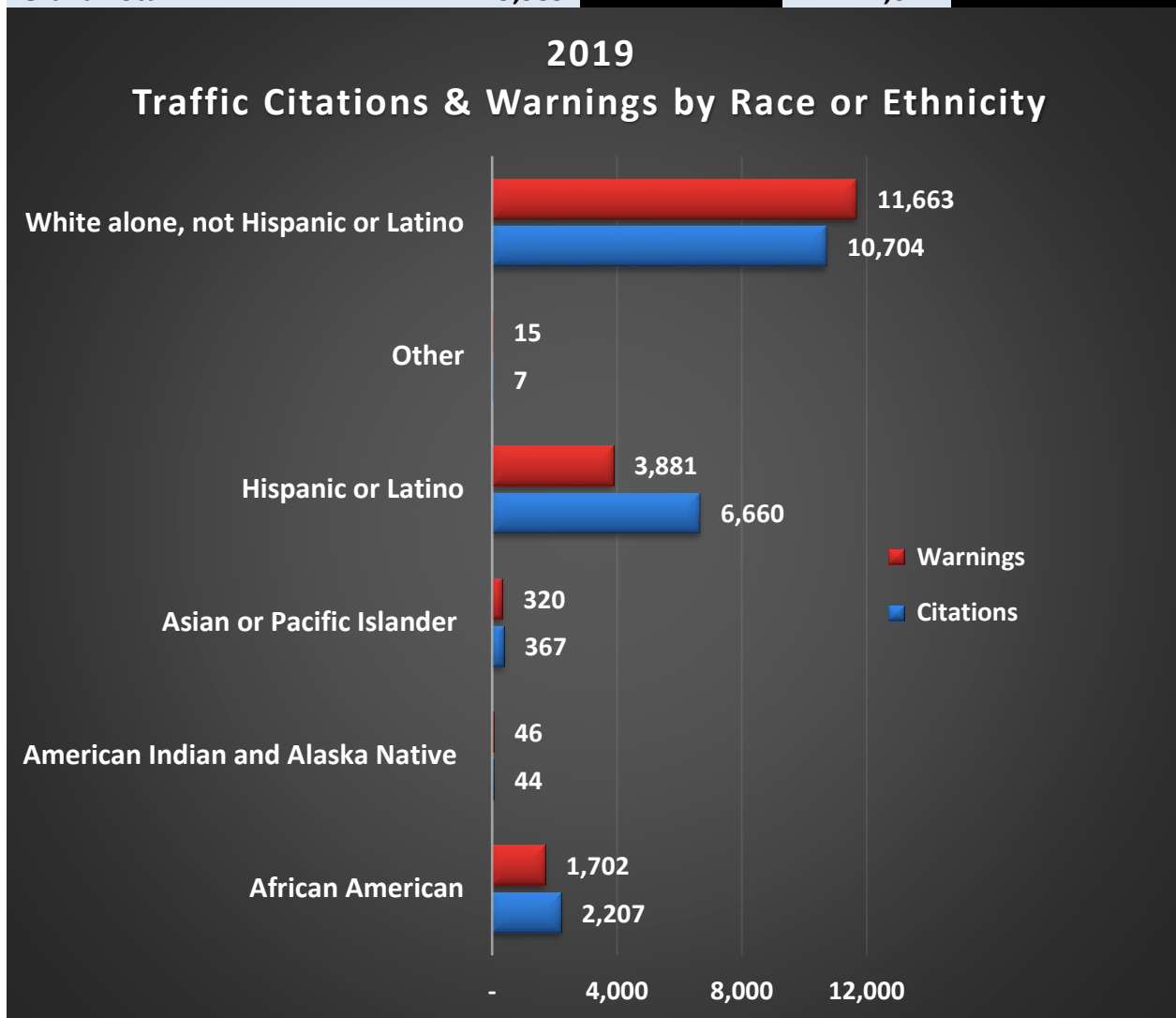
A traffic citation is a summons issued by a law enforcement officer to a person violating a traffic law. A traffic citation is commonly known as a traffic ticket. A warning citation has no consequences. During the issuance of these citations, racial profiling information is collected and is shown below.

2019 Total of Citations & Warnings Issued		
Traffic Citations	Total	% of Total
Citations	19,989	53.14%
Warnings	17,627	46.86%
Grand Total	37,616	

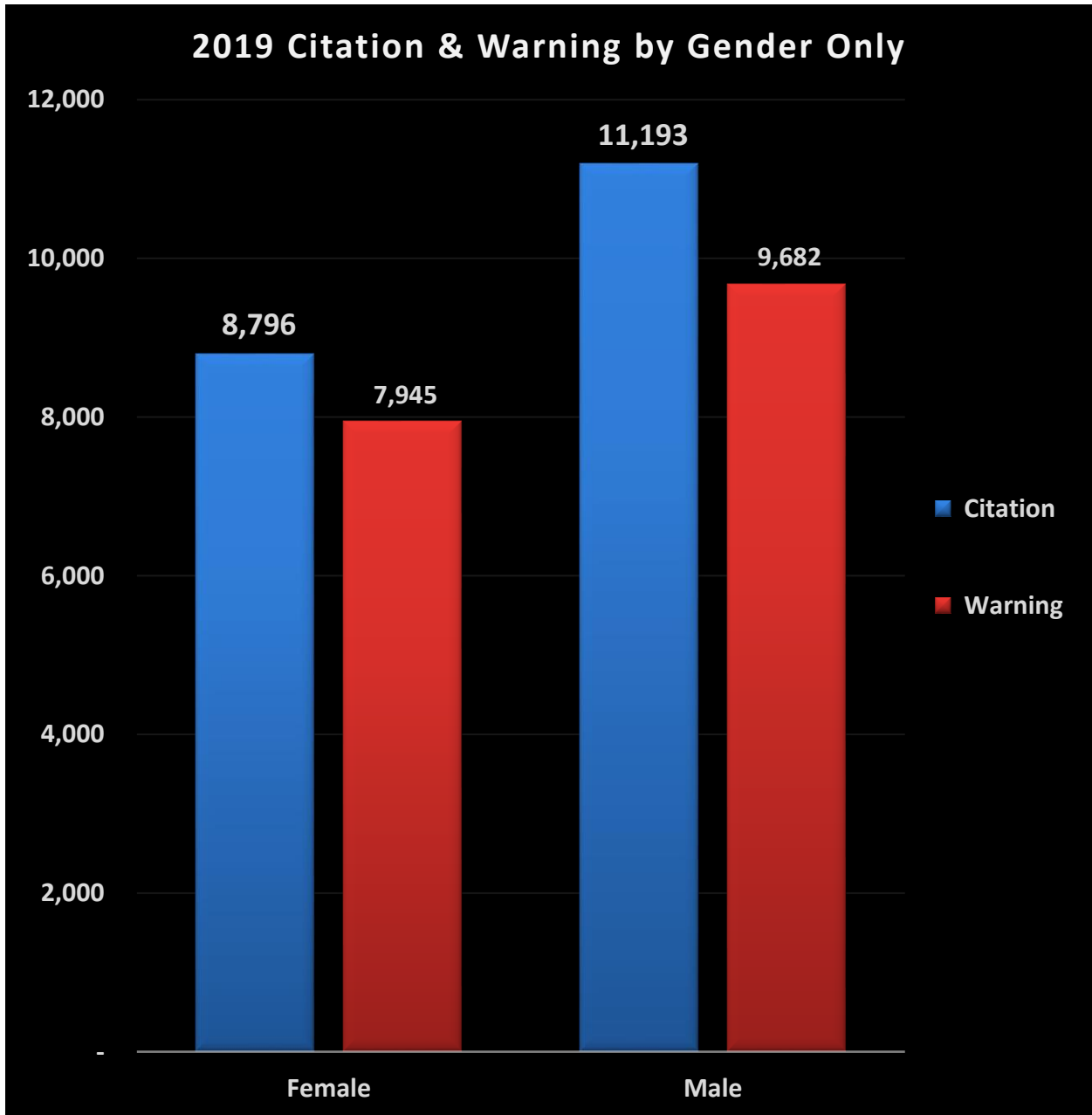


The results of these contacts are further divided into race or ethnicity, as defined by the State of Texas, and warning citations and citations.

2019 Citations & Warnings by Race or Ethnicity				
Race or Ethnicity	Citations	% of Citations	Warnings	% of Warnings
African American	2,207	11.04%	1,702	9.66%
American Indian/Alaska Native	44	0.22%	46	0.26%
Asian or Pacific Islander	367	1.84%	320	1.81%
Hispanic or Latino	6,660	33.32%	3,881	22.02%
Other	7	0.03%	15	0.09%
White alone, not Hispanic	10,704	53.55%	11,663	66.16%
Grand Total	19,989		17,627	

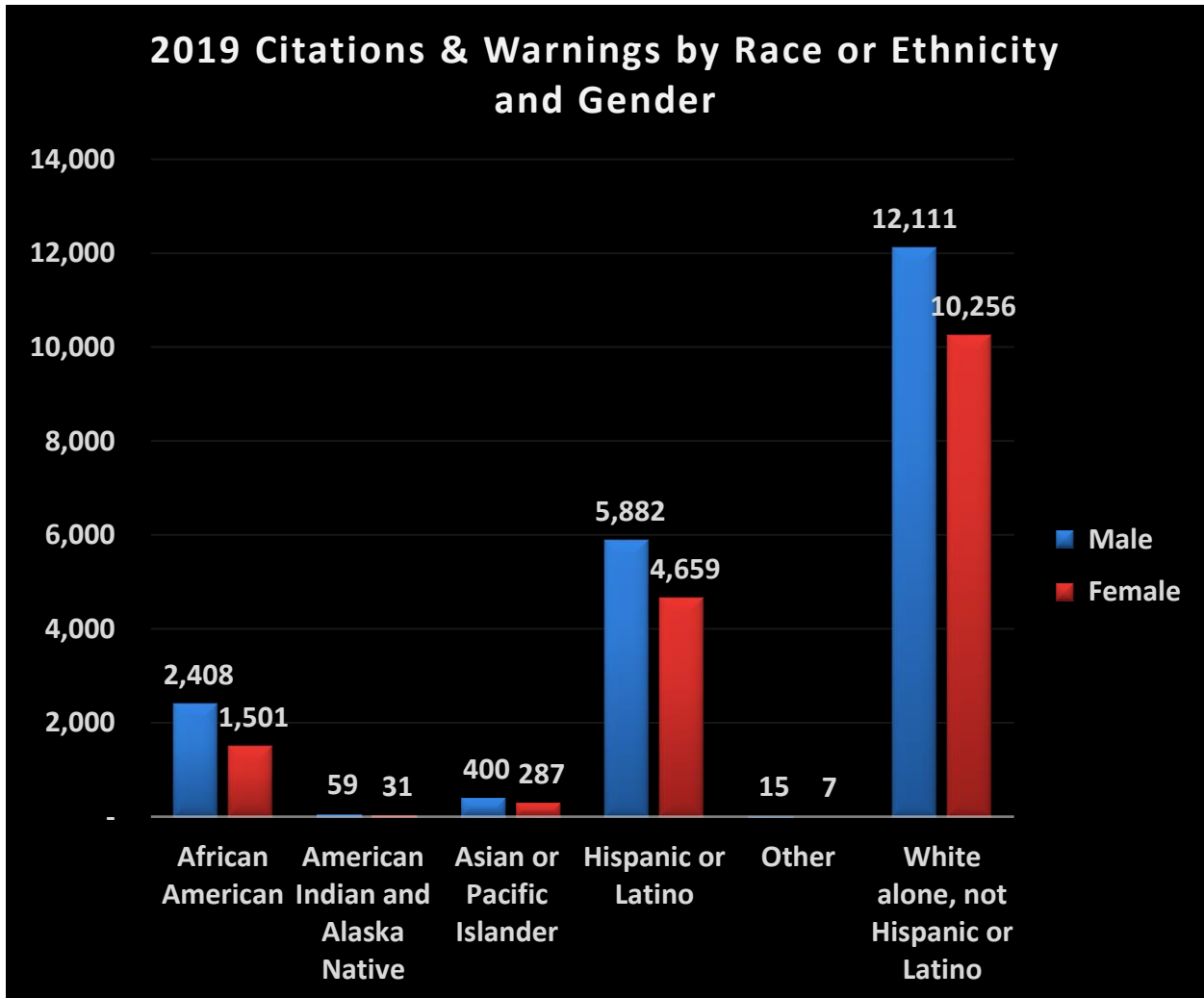


2019 Citations & Warnings by Gender only		
Gender	Citation	Warning
Female	8,796	7,945
Male	11,193	9,682
Grand Total	19,989	17,627

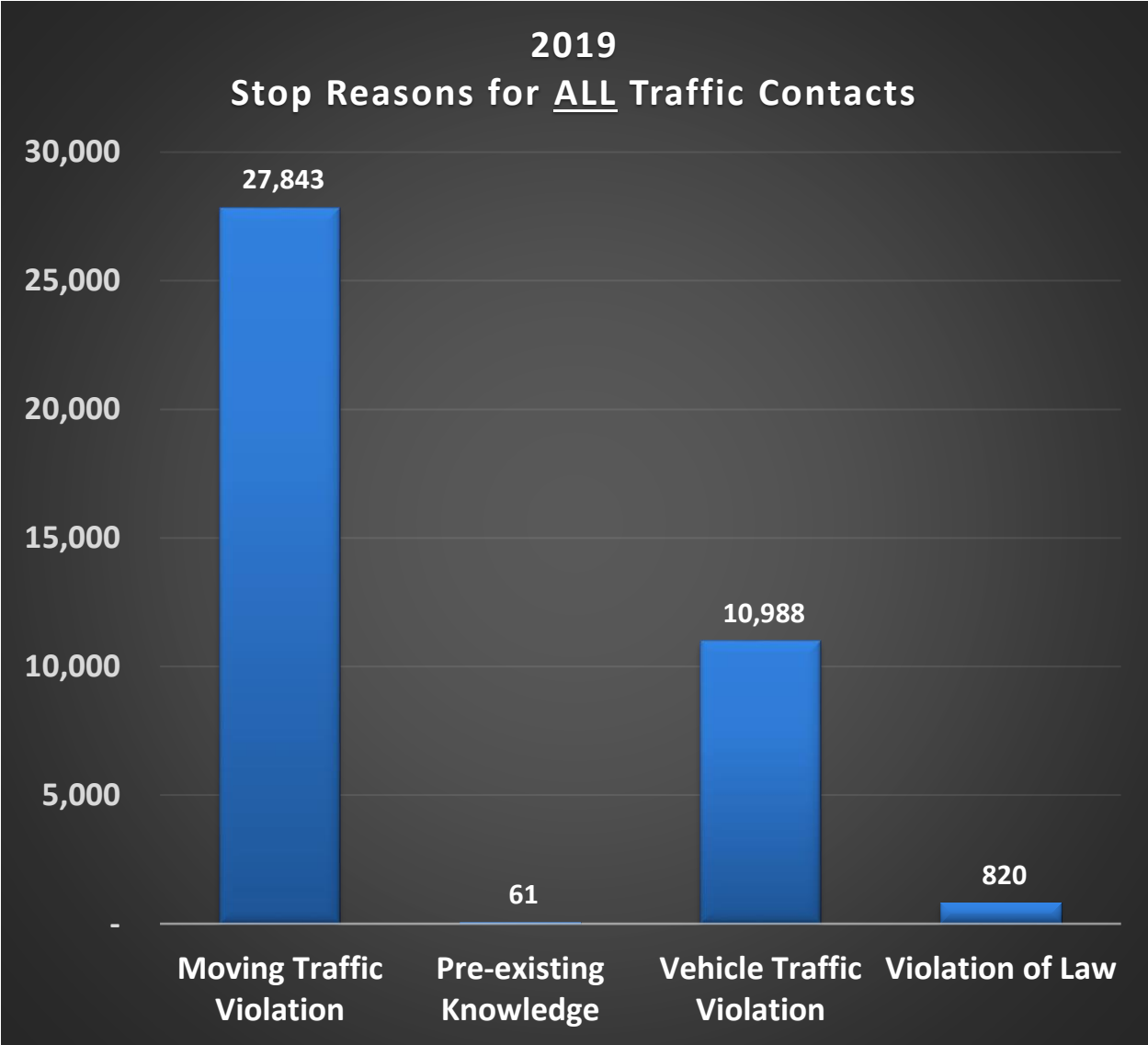


The citations are divided by race or ethnicity and by gender.

2019 Citations & Warnings by Gender and Race or Ethnicity		
Race or Ethnicity	Male	Female
African American	2,408	1,501
American Indian and Alaska Native	59	31
Asian or Pacific Islander	400	287
Hispanic or Latino	5,882	4,659
Other	15	7
White alone, not Hispanic or Latino	12,111	10,256
Grand Total	20,875	16,741



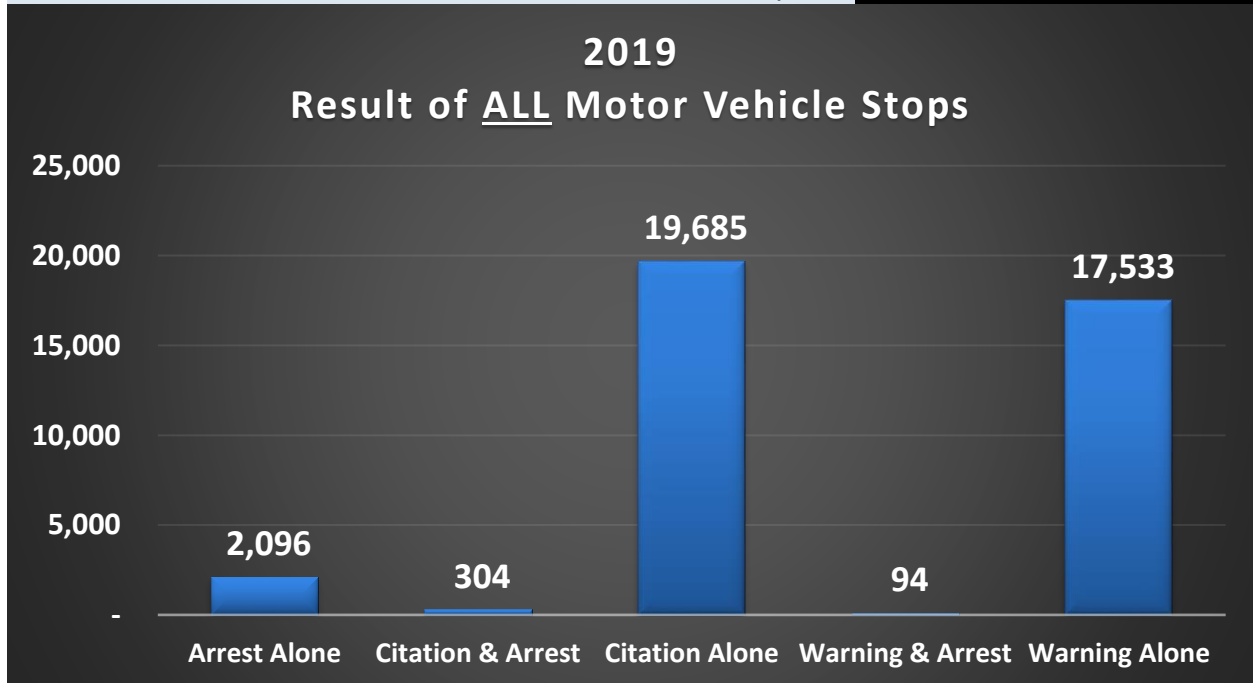
2019 Stop Reasons for ALL Traffic Stops		
Stop Reason	Number of Stops	% of Total Stops
Moving Traffic Violation	27,843	70.12%
Pre-existing Knowledge	61	0.15%
Vehicle Traffic Violation	10,988	27.67%
Violation of Law	820	2.06%
Grand Total	39,712	



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 may be 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.

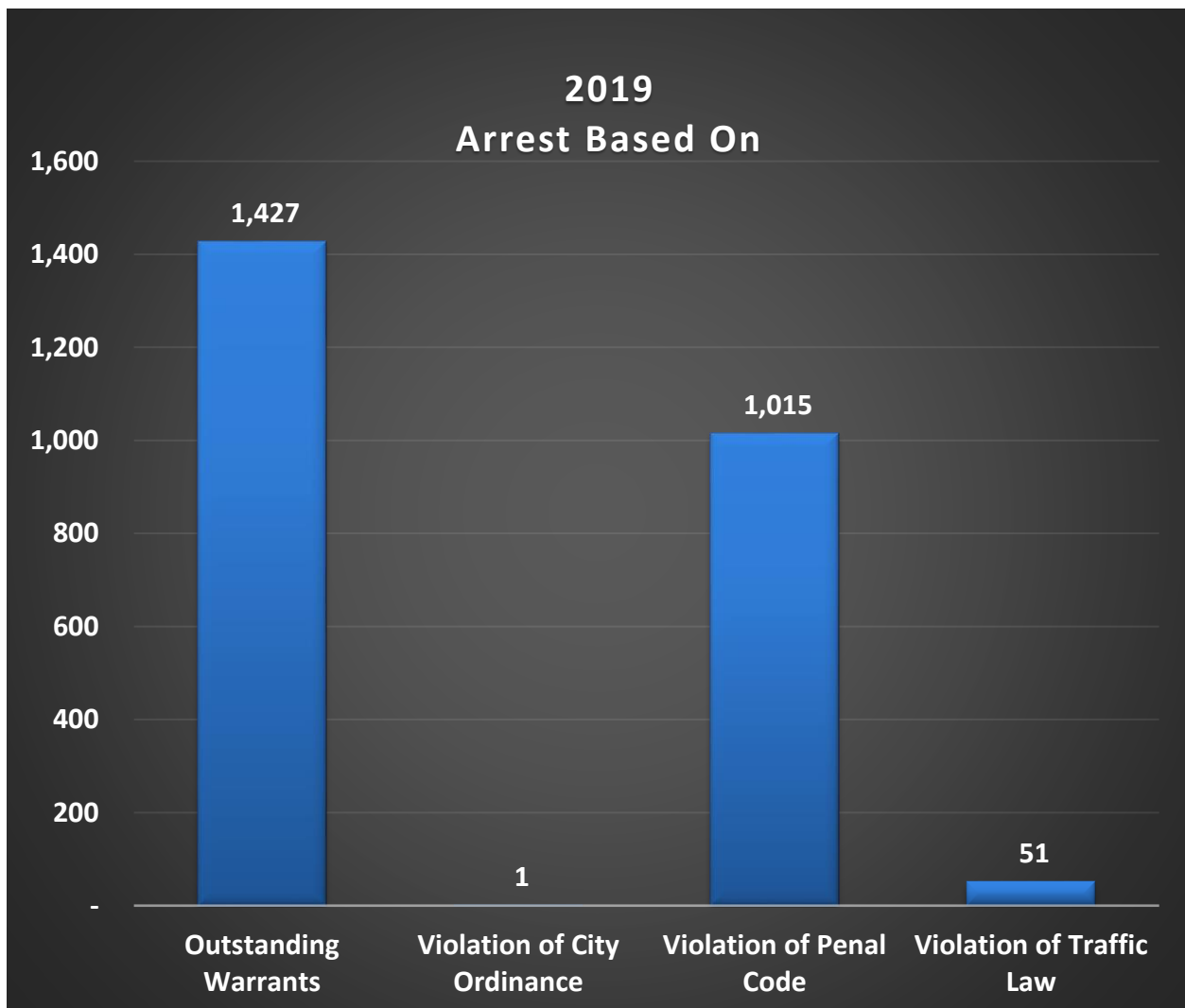
The previous information detailed only motor vehicle traffic stops in which a citation was issued. The following will include that information plus information regarding an arrest.

2019 Result of <u>ALL</u> Motor Vehicle Traffic Stops		
Result of Stop	# of Stops	% of Stop
Arrest Alone	2,096	5.28%
Citation & Arrest	304	0.77%
Citation Alone	19,685	49.57%
Warning & Arrest	94	0.23%
Warning Alone	17,533	44.15%
Grand Total	39,712	



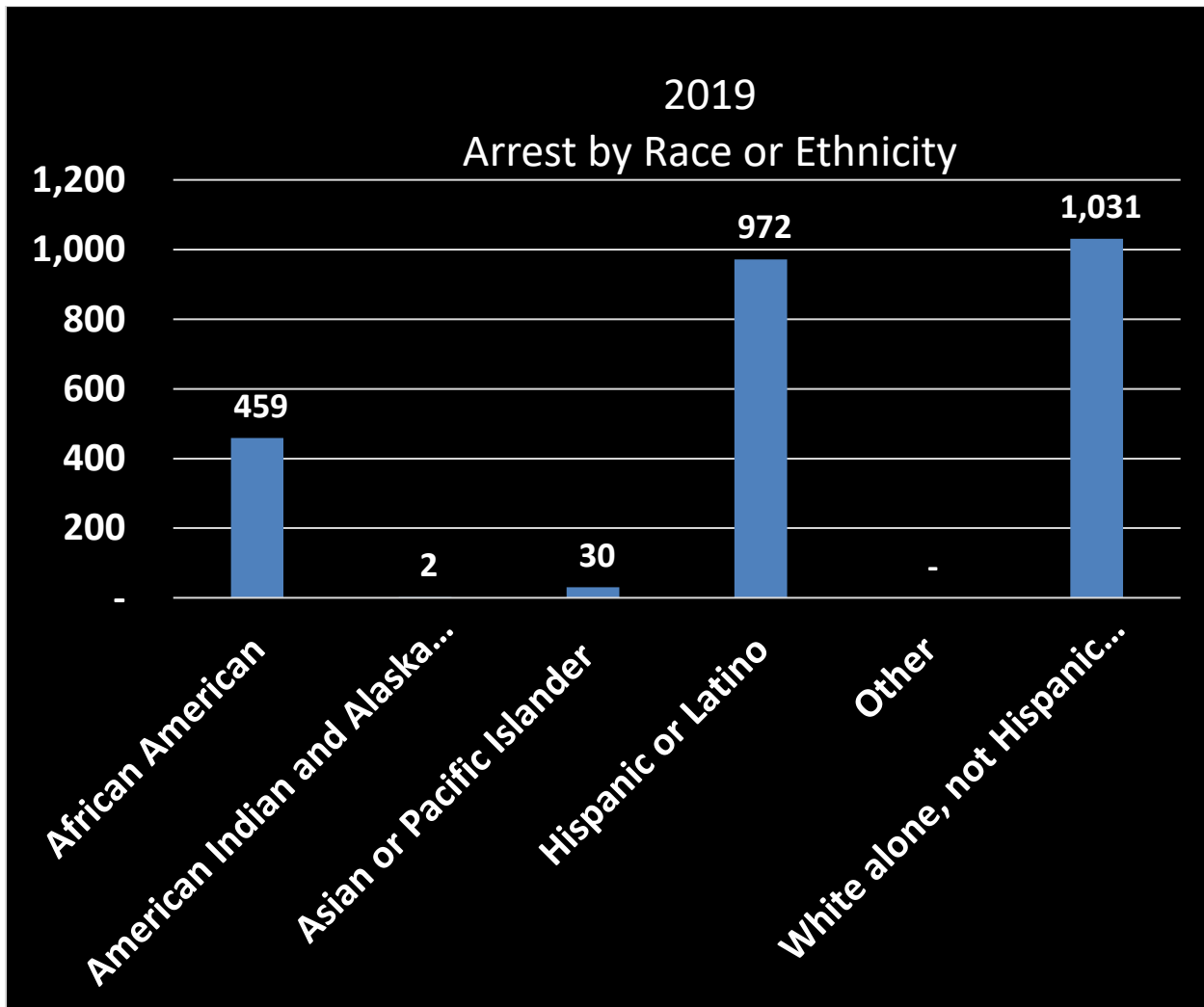
The table below shows the four categories of arrest resulting from motor vehicle traffic stops.

2019 Arrest Resulting from Motor Vehicle Traffic Stops	
Arrest Based On	Number of Arrest
Outstanding Warrants	1,427
Violation of City Ordinance	1
Violation of Penal Code	1,015
Violation of Traffic Law	51
Grand Total	2,494

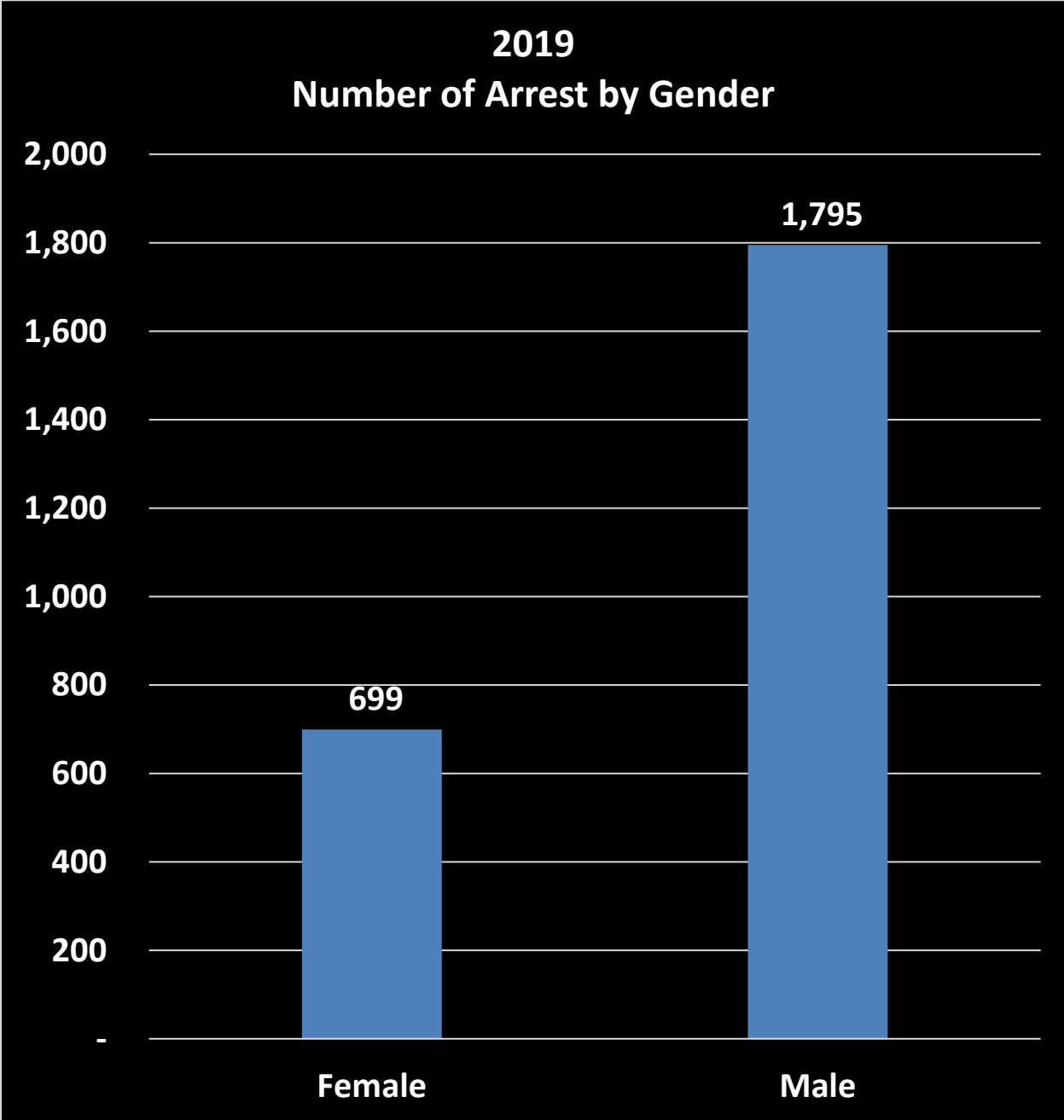


The following tables identify arrests resulting from motor vehicle traffic stops by race or ethnicity, by gender, and lastly by both.

2019 Motor Vehicle Traffic Stop Arrest by Race or Ethnicity	
Race or Ethnicity	Number of Arrest
African American	459
American Indian and Alaska Native	2
Asian or Pacific Islander	30
Hispanic or Latino	972
Other	0
White alone, not Hispanic or Latino	1,031
Grand Total	2,494

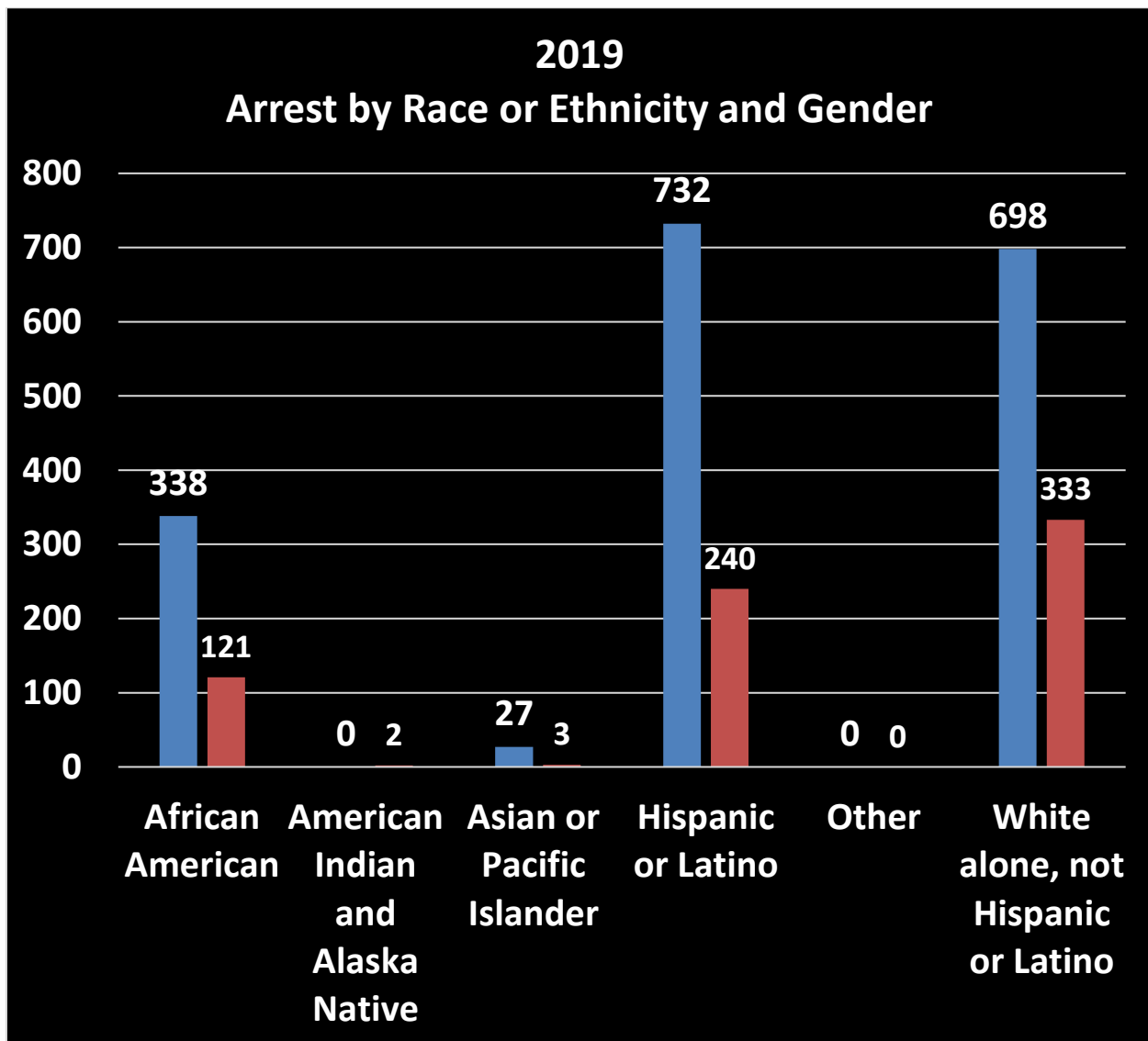


2019 Number of Arrest by Gender	
Gender	Number of Arrest
Female	699
Male	1,795
Grand Total	2,494



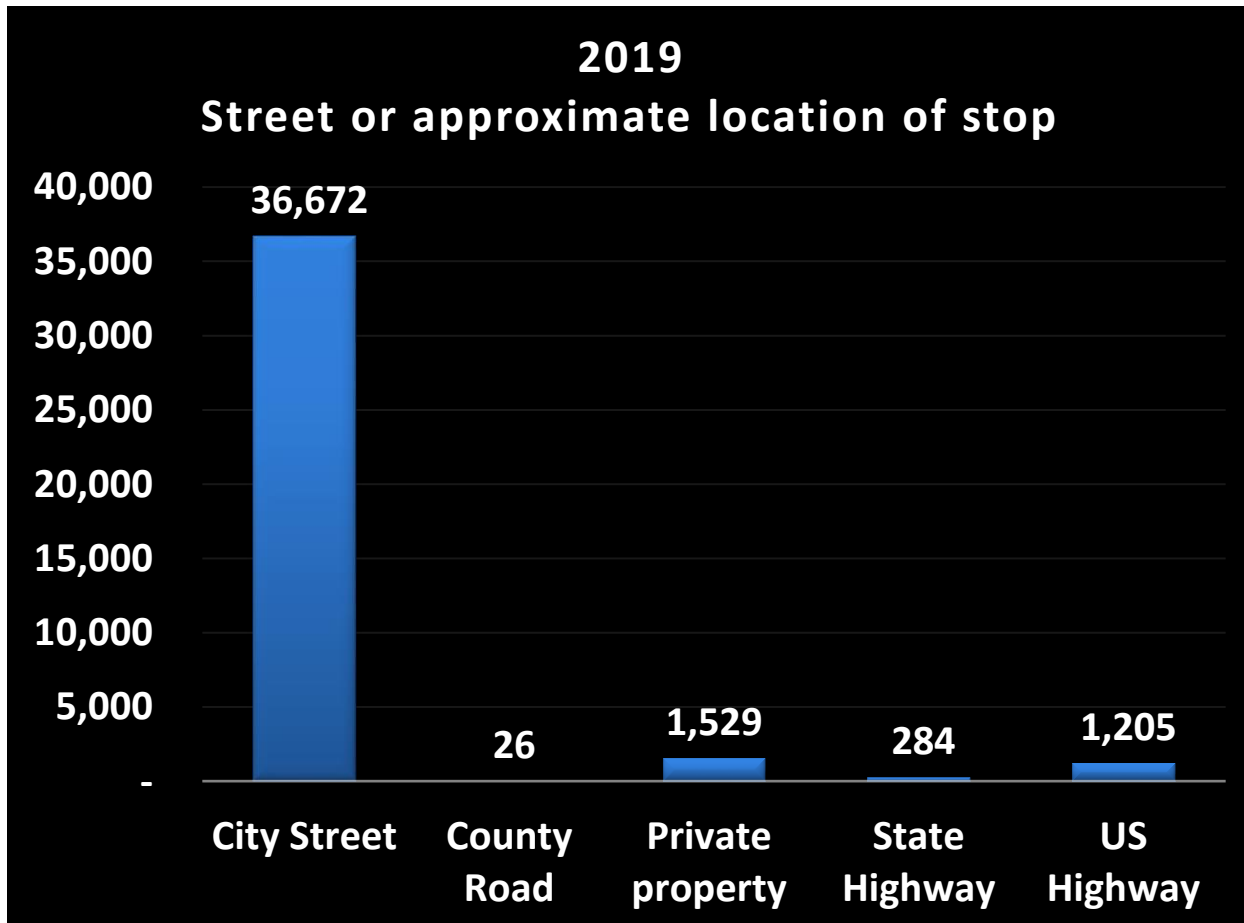
2019 Arrest resulting from motor vehicle traffic stops by gender and Race or Ethnicity

Race or Ethnicity	Male	Female
African American	338	121
American Indian and Alaska Native	0	2
Asian or Pacific Islander	27	3
Hispanic or Latino	732	240
Other	0	0
White alone, not Hispanic or Latino	698	333
Grand Total	1,795	699

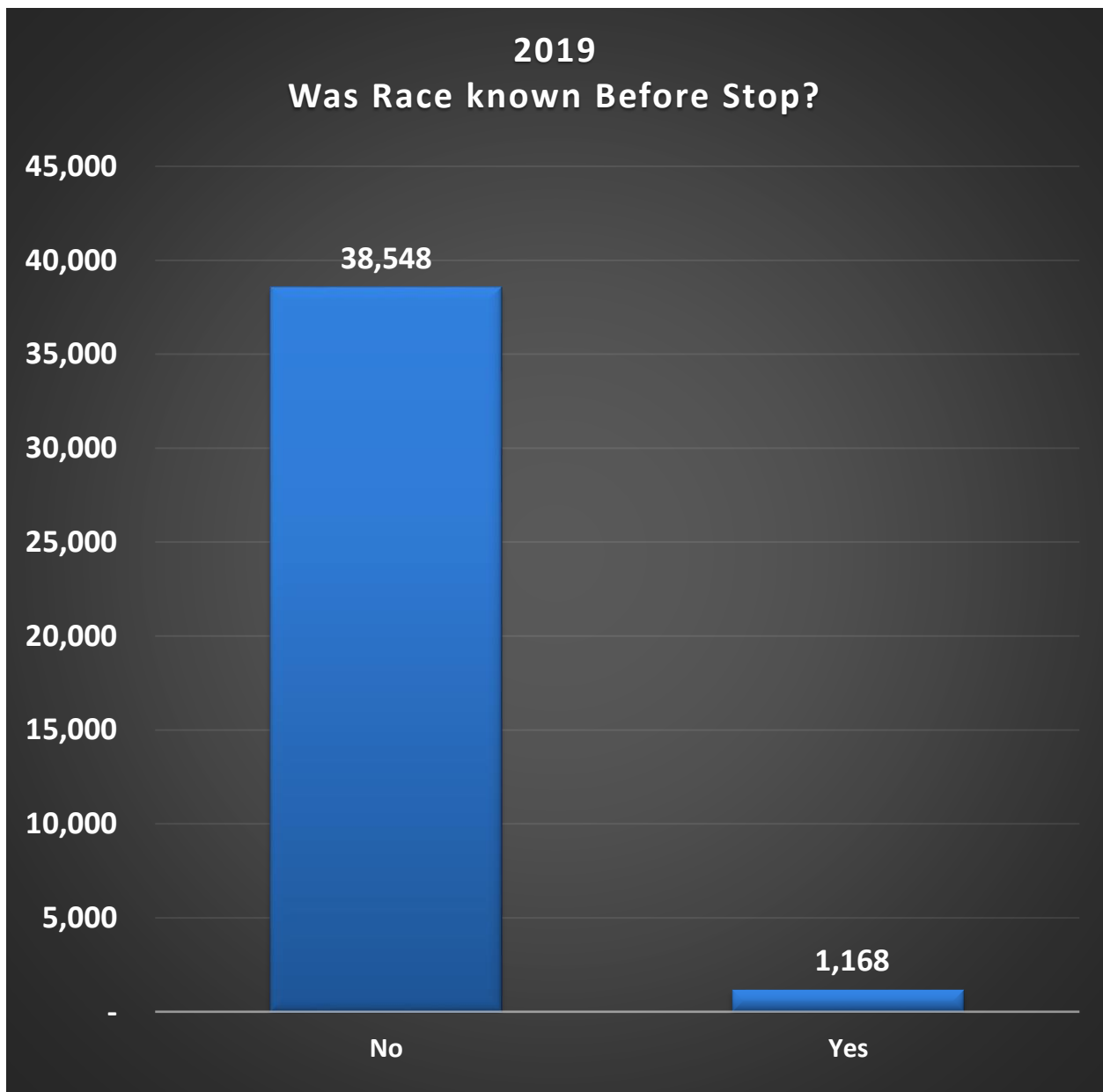


2019 Was Physical Force Resulting in Bodily injury used During the Stop?		
	Contacts	% of contacts
No	39,714	99.99%
Yes	2	0.01%
Grand Total	39,716	

2019 Street or approximate location of stop	
	Number of stops
City Street	36,672
County Road	26
Private property	1,529
State Highway	284
US Highway	1,205
Grand Total	39,716

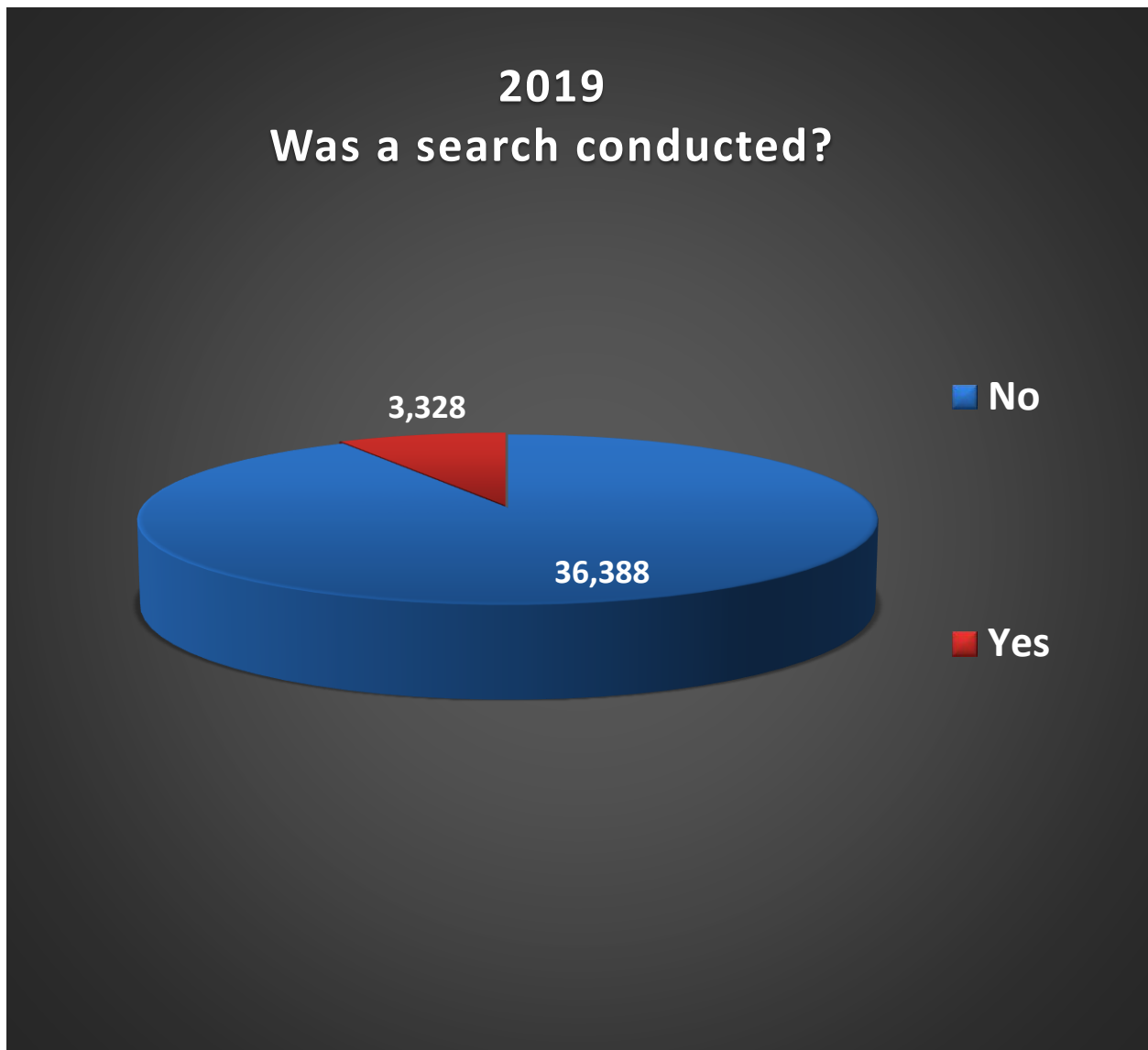


2019 Was race known before stop?		
	Number of stops	% of stops
No	38,548	97.06%
Yes	1,168	2.94%
Grand Total	39,716	

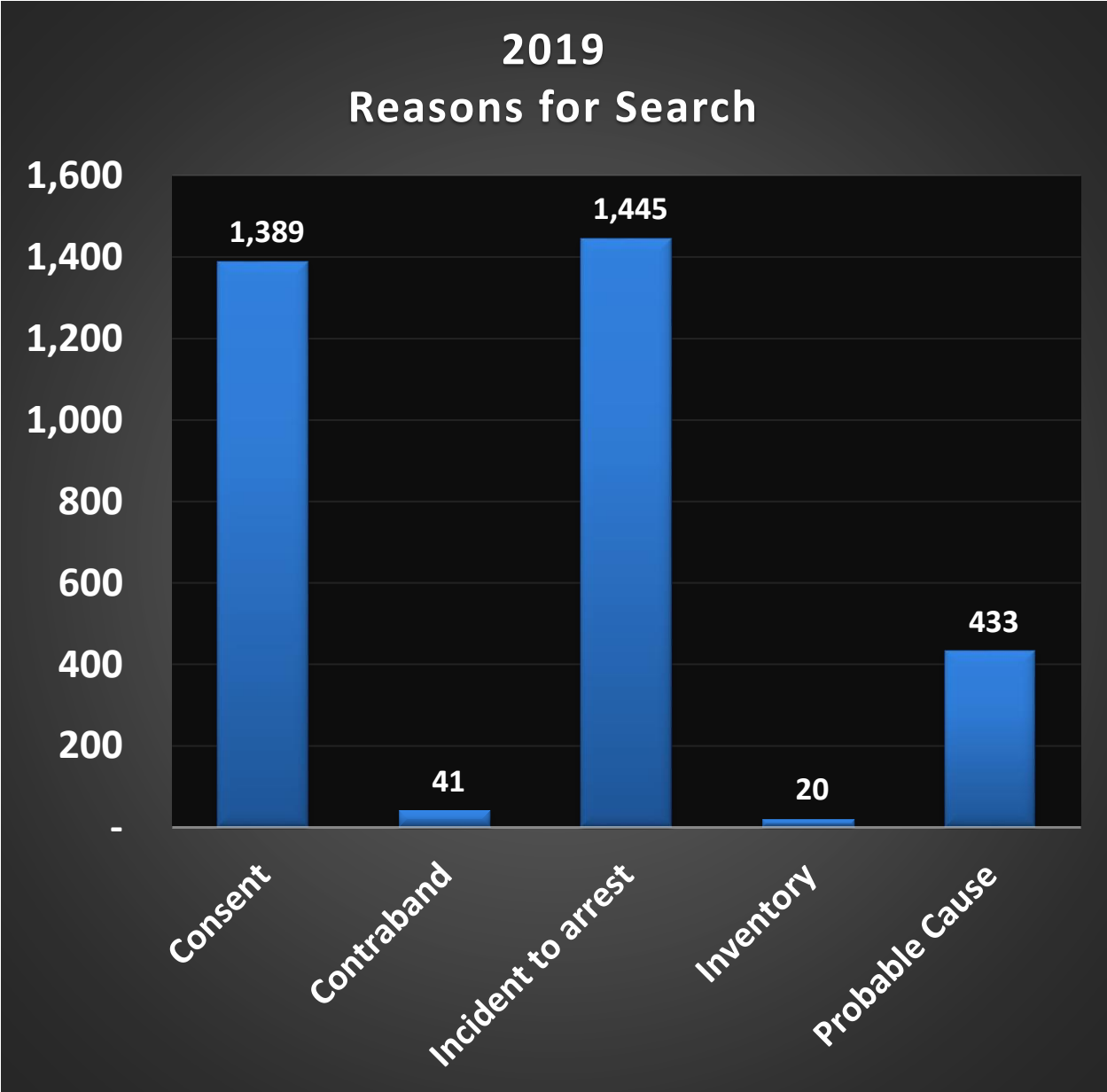


During the course of a motor vehicle traffic stop, officers may conduct searches of the motor vehicle and or the occupants of the vehicle. The tables below speak to these searches, whether contraband was located, and the description of the contraband.

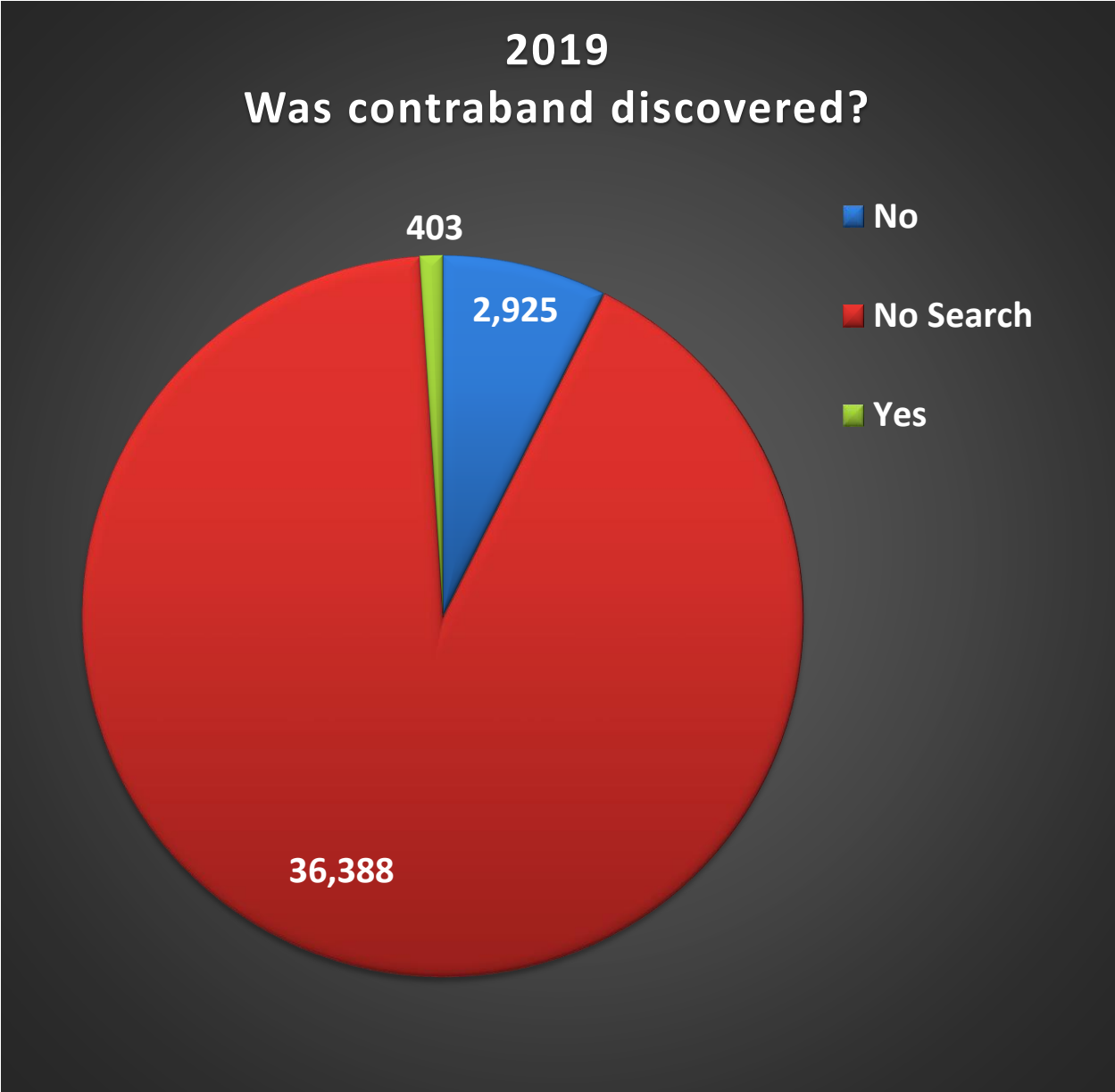
2019 Was Search Conducted?		
	Number of stops	% of stops
No	36,388	91.62%
Yes	3,328	8.38%
Grand Total	39,716	



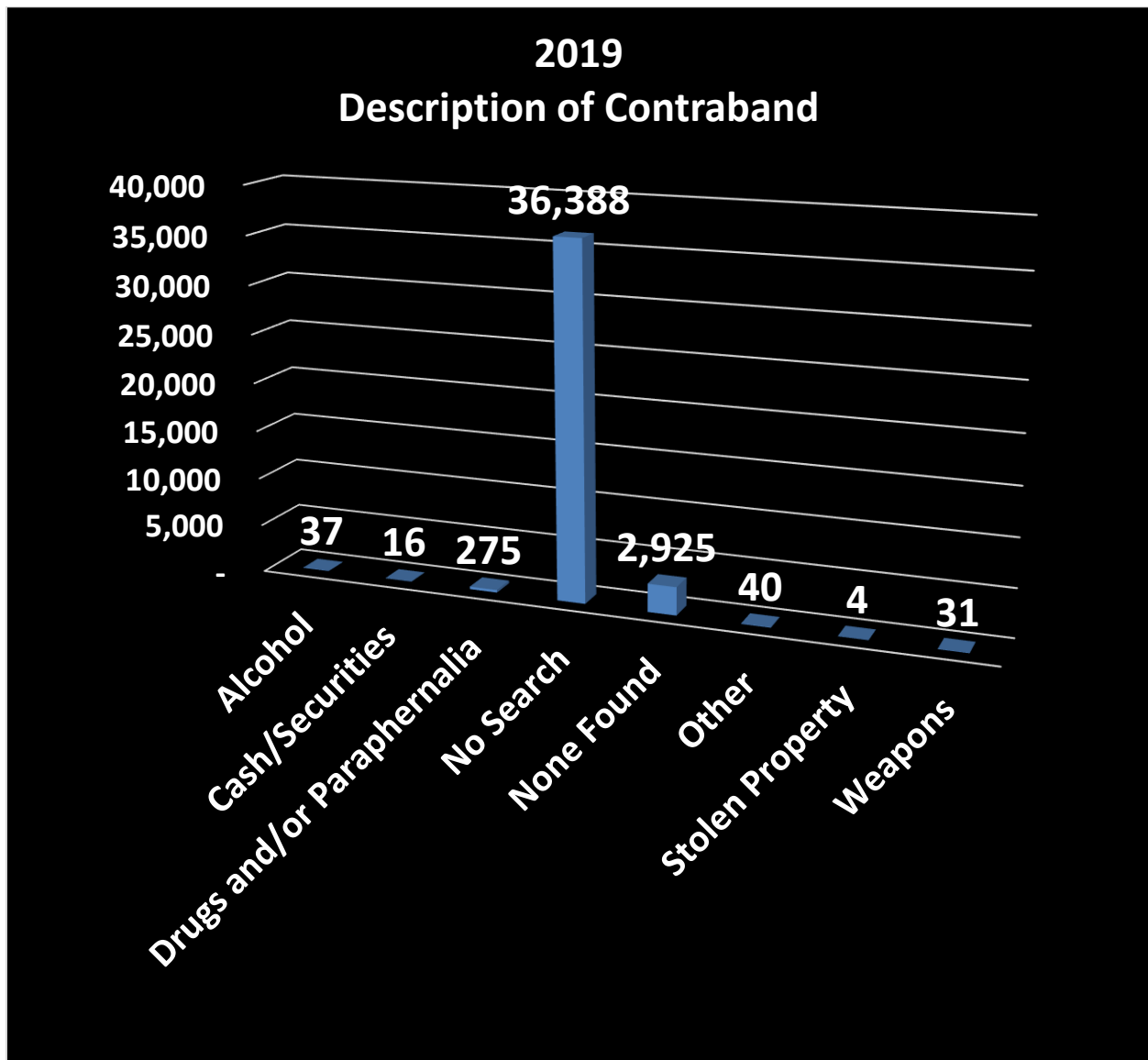
2019 Reason for Search		
	Number	% of Searches
Consent	1,389	41.74%
Contraband	41	1.23%
Incident to arrest	1,445	43.42%
Inventory	20	0.60%
Probable Cause	433	13.01%
Grand Total	3,328	



2019 Was Contraband Discovered?		
	Number of stops	% of stops
No	2,925	7.37%
No Search	36,388	91.62%
Yes	403	1.01%
Grand Total	39,712	



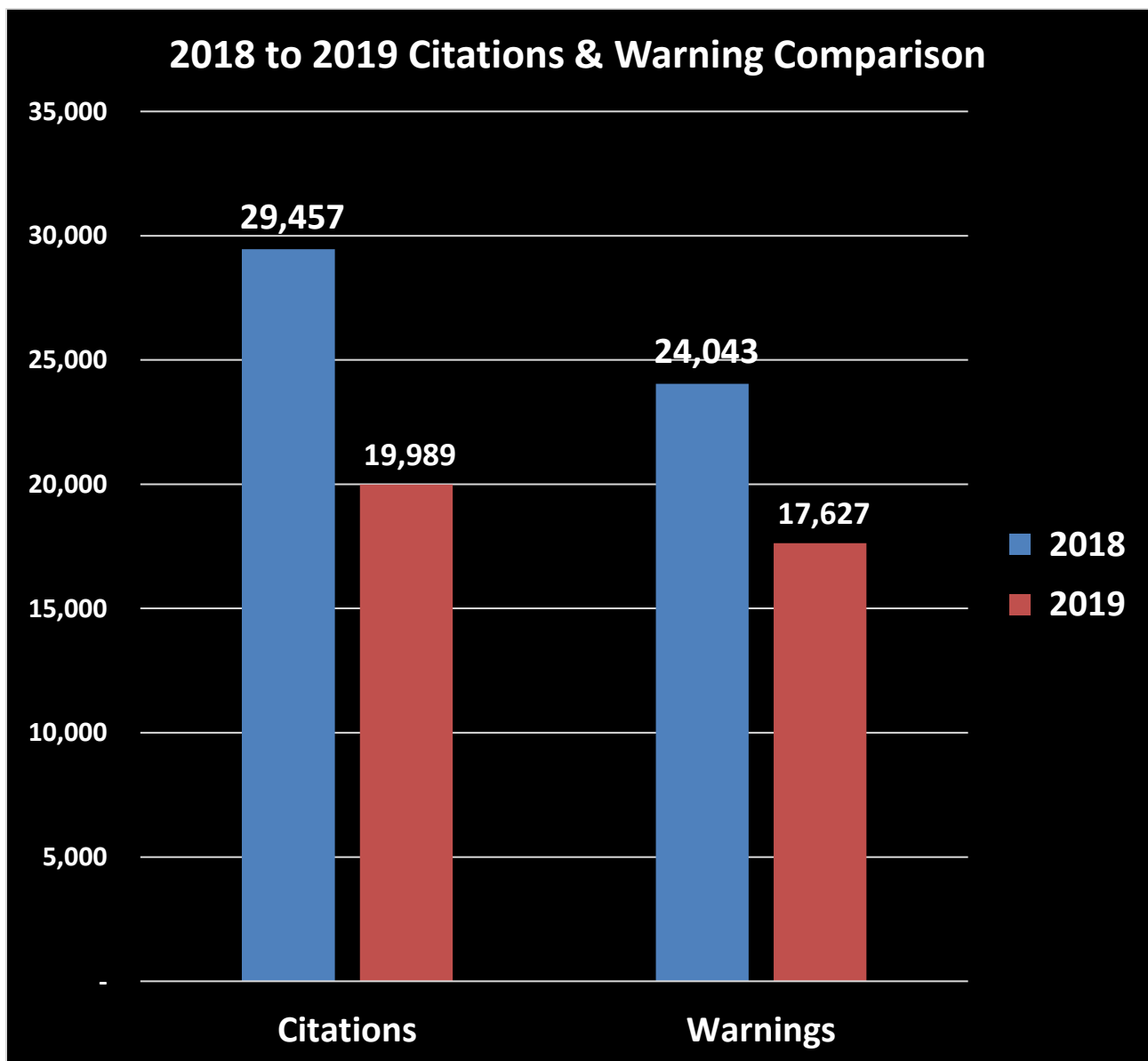
2019 Description of Contraband		
	Number of Stops	% of stops
Alcohol	37	0.09%
Cash/Securities	16	0.04%
Drugs and/or Paraphernalia	275	0.69%
No Search	36,388	91.62%
None Found	2,925	7.37%
Other	40	0.10%
Stolen Property	4	0.01%
Weapons	31	0.08%
Grand Total	39,716	



2018 to 2019 Comparisons

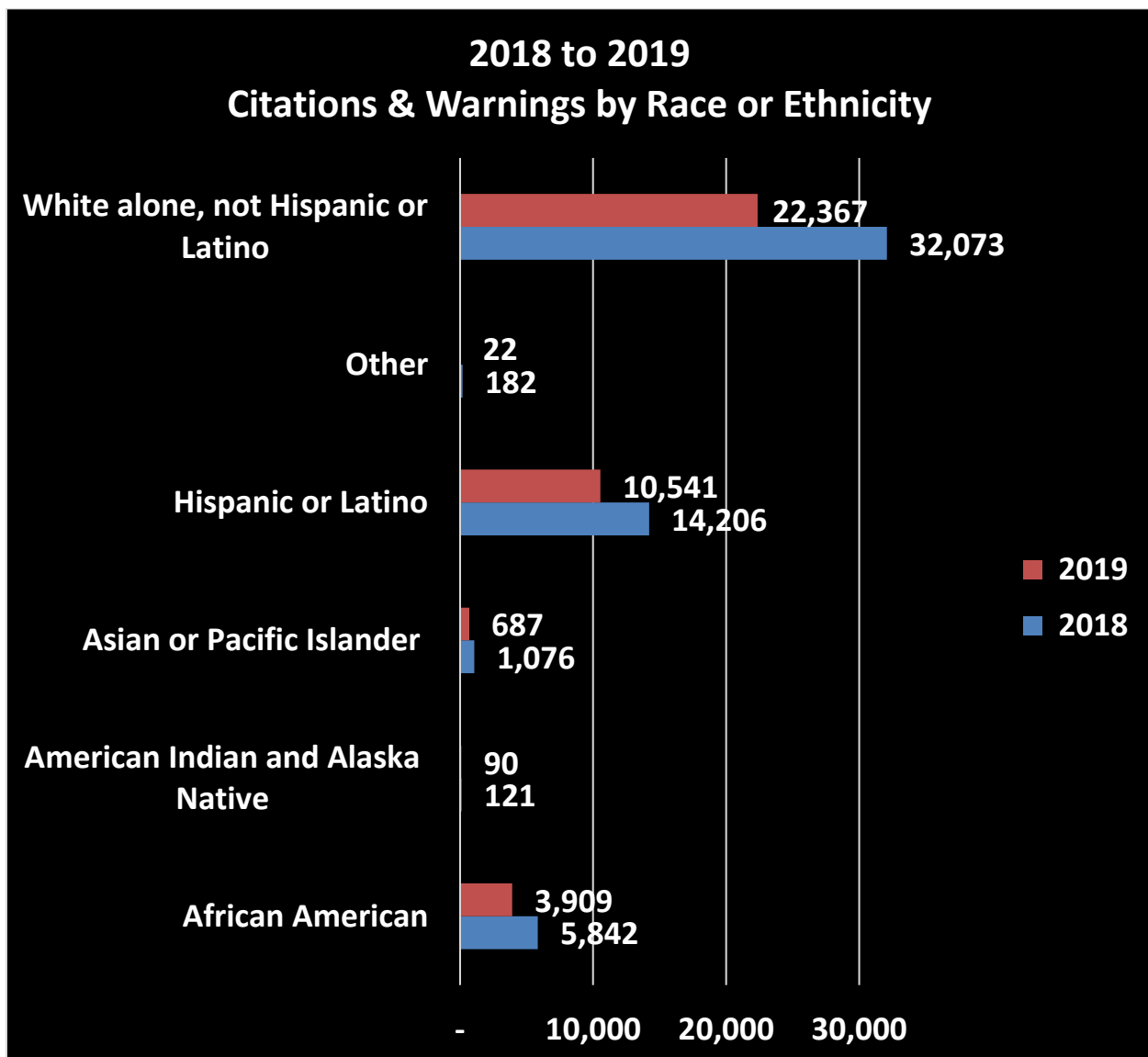
Traffic Contacts

2018 to 2019 Citation & Warning Comparison			
Results	2018	2019	% of change
Citations	29,457	19,989	-32.14%
Warnings	24,043	17,627	-26.69%
Grand Total	53,500	37,616	



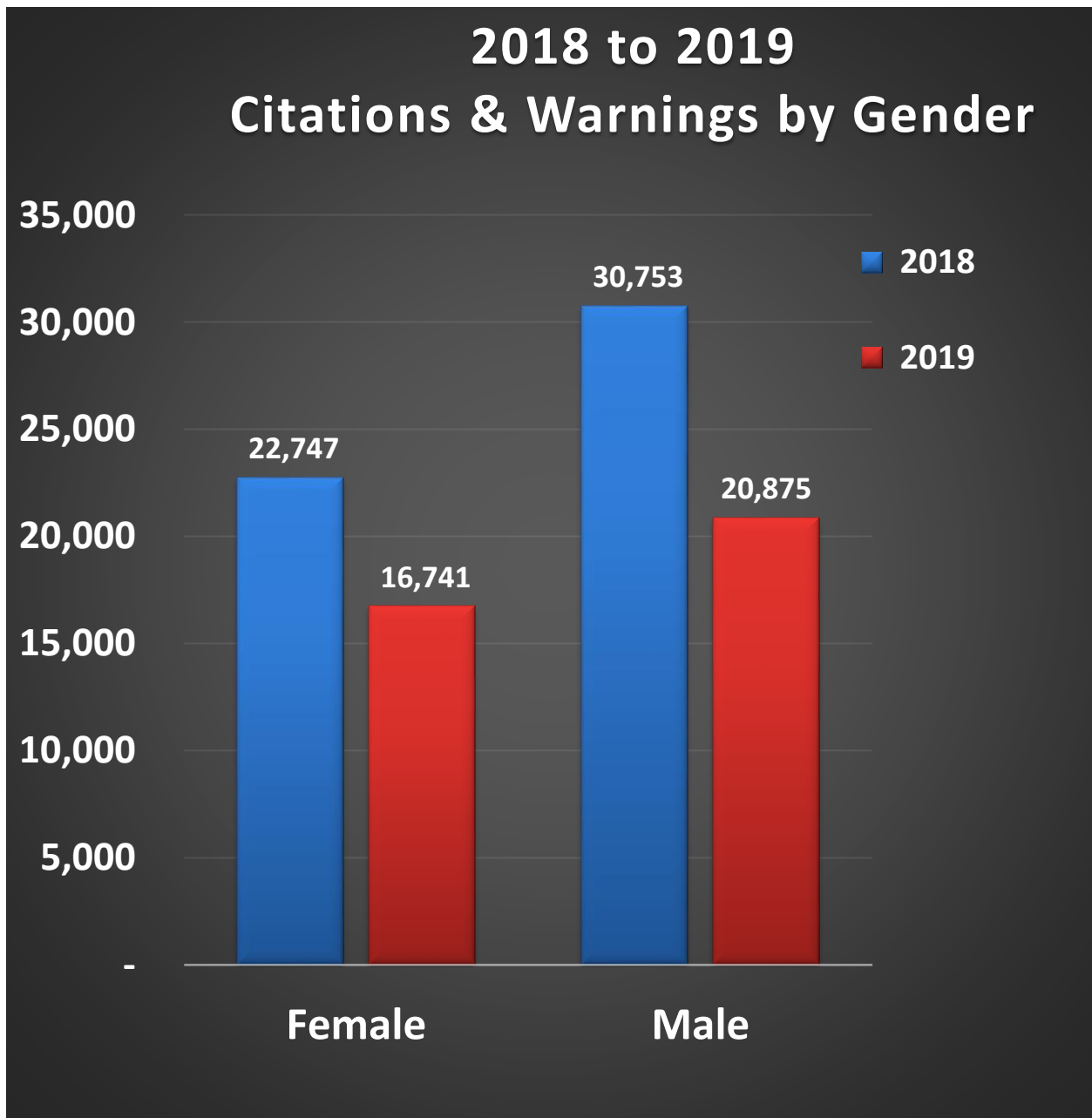
Traffic contacts by race or ethnicity

2018 to 2019 Citation & Warning Comparison by Race or Ethnicity			
Race or Ethnicity	2018	2019	% of Change
African American	5,842	3,909	-33.09%
American Indian and Alaska Native	121	90	-25.62%
Asian or Pacific Islander	1,076	687	-36.15%
Hispanic or Latino	14,206	10,541	-25.79%
Other	182	22	-87.91%
White alone, not Hispanic or Latino	32,073	22,367	-30.26%
Grand Total	53,500	37,616	



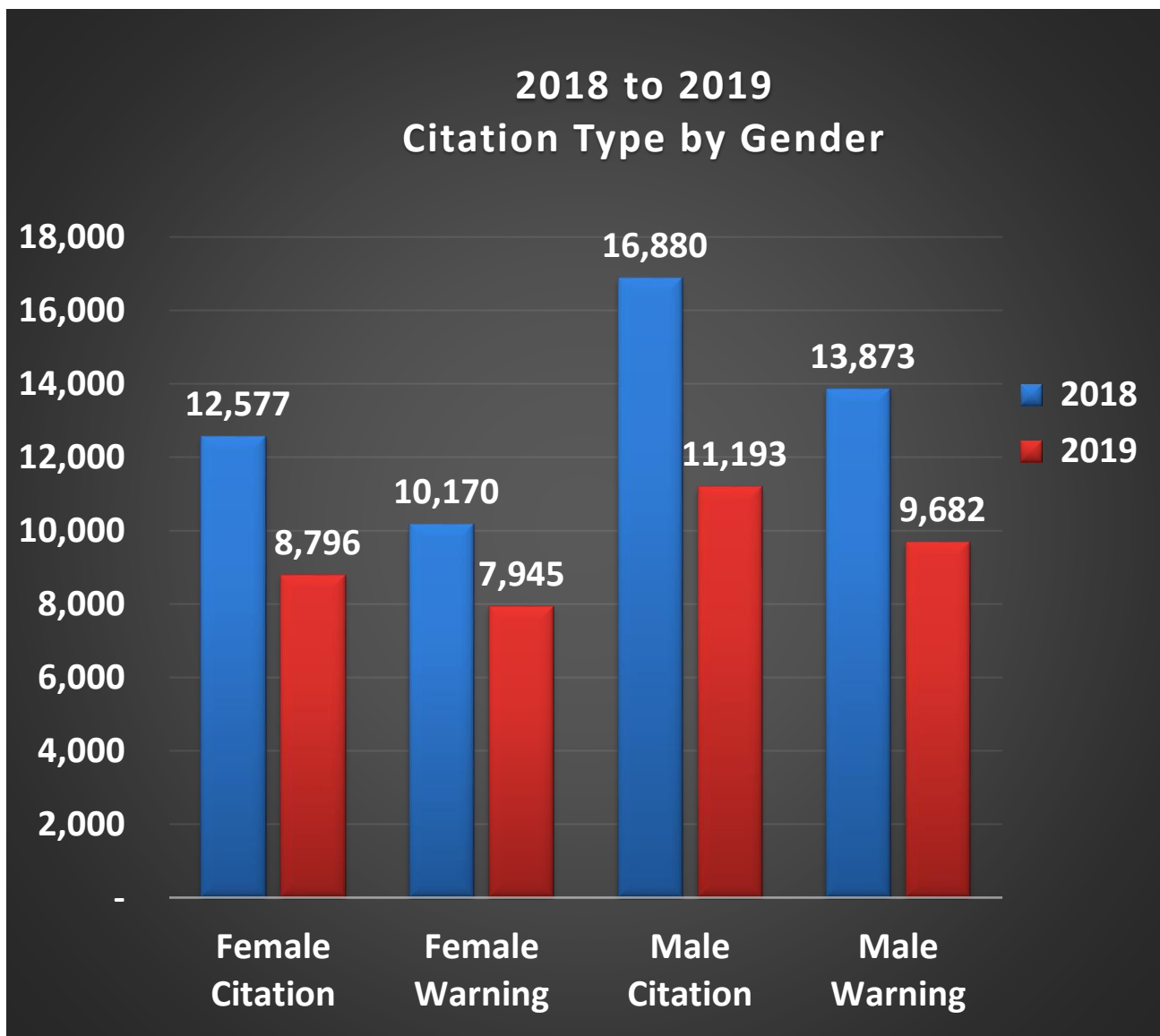
Gender Comparisons

2018 to 2019 Citation & Warning by Gender			
Gender	2018	2019	% of Change
Female	22,747	16,741	-26.40%
Male	30,753	20,875	-32.11%
Grand Total	53,500	37,616	



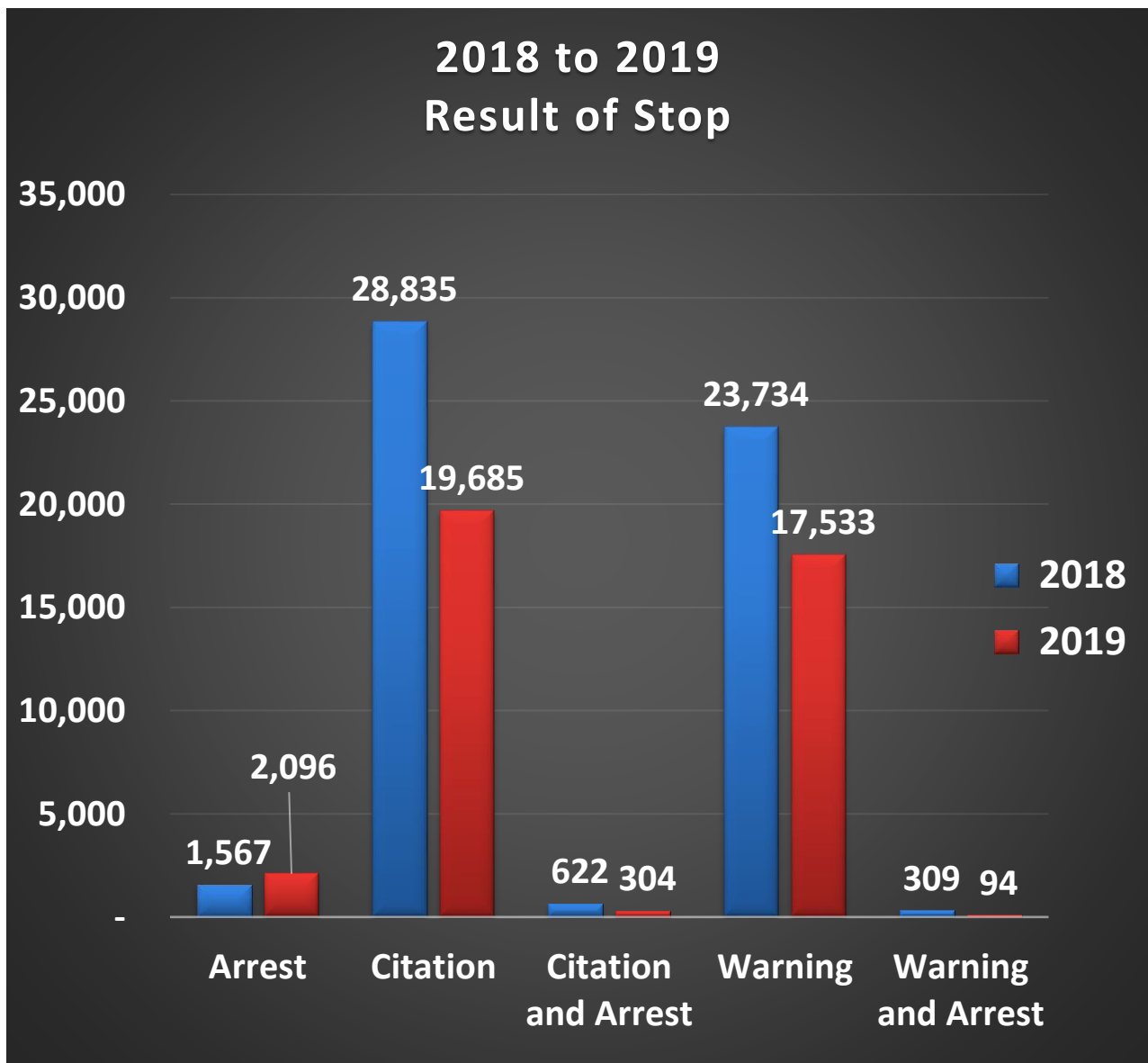
Citation type by Gender

2018 to 2019 Comparison Citation Type by Gender			
Gender & Citation Type	2018	2019	% of Change
Female Citation	12,577	8,796	-30.06%
Female Warning	10,170	7,945	-21.88%
Male Citation	16,880	11,193	-33.69%
Male Warning	13,873	9,682	-30.21%
Grand Total	53,500	37,616	



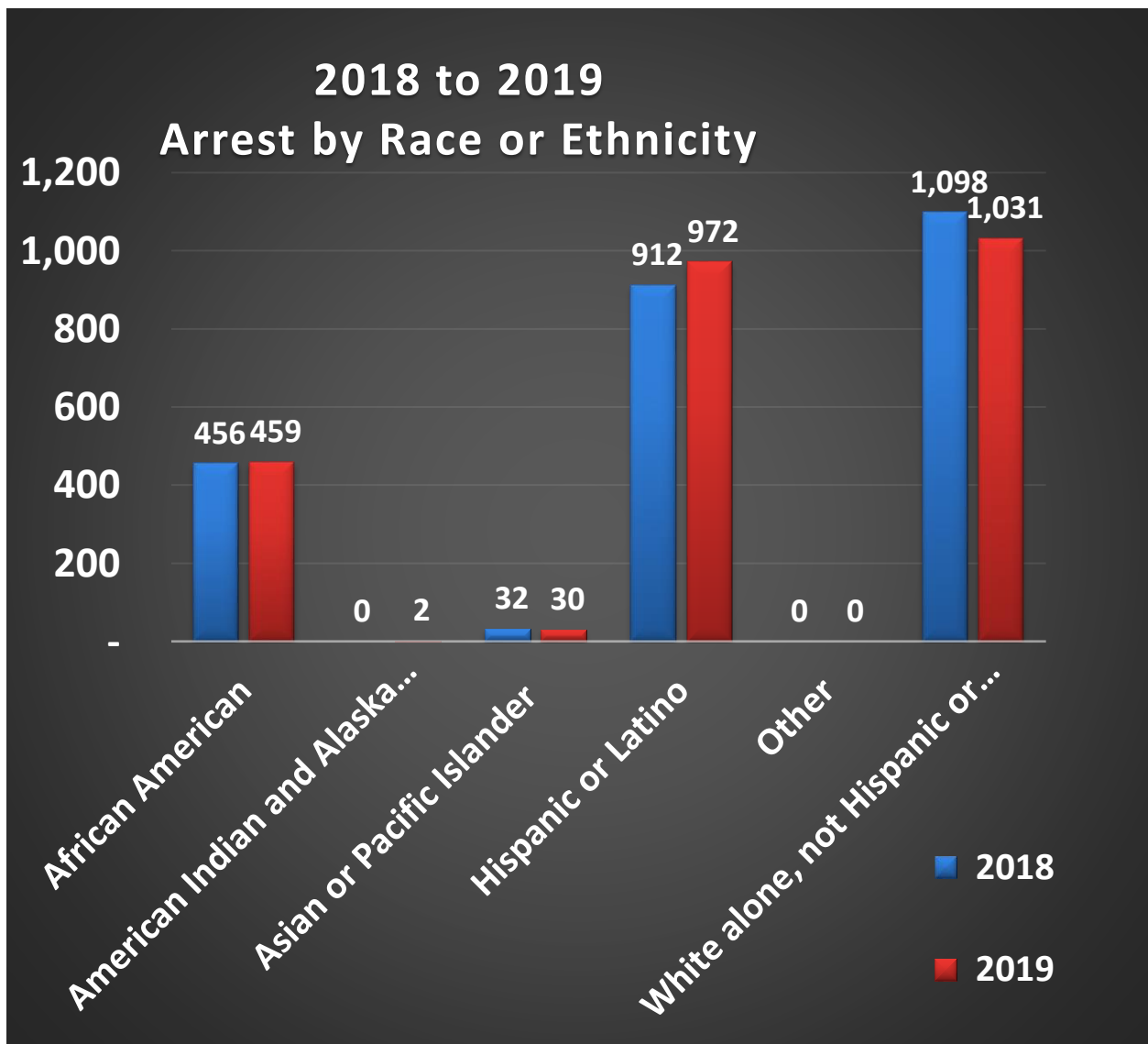
Total Stops

2018 to 2019 Comparison of Result of Stop			
Result of Stop	2018	2019	% of Change
Arrest	1,567	2,096	33.76%
Citation	28,835	19,685	-31.73%
Citation and Arrest	622	304	-51.13%
Warning	23,734	17,533	-26.13%
Warning and Arrest	309	94	-69.58%
Grand Total	55,067	39,712	



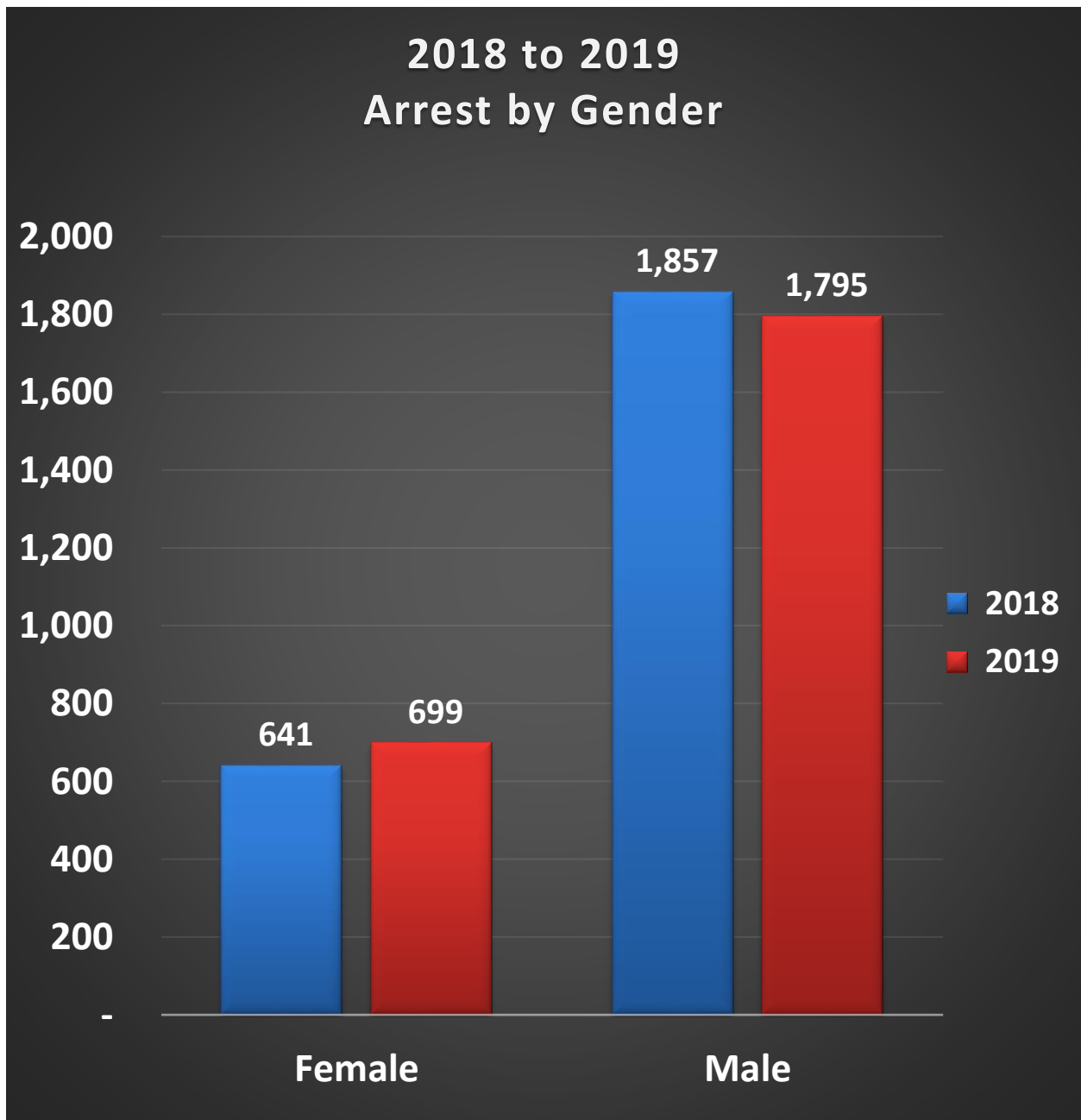
Arrest by race or ethnicity

2018 to 2019 Comparison of Arrest by Race or Ethnicity			
Race or Ethnicity	2018	2019	% of Change
African American	456	459	0.66%
American Indian and Alaska Native	0	2	0.00%
Asian or Pacific Islander	32	30	-6.25%
Hispanic or Latino	912	972	-6.58%
Other	0	0	0.00%
White alone, not Hispanic or Latino	1,098	1,031	-6.10%
Grand Total	2,498	2,494	



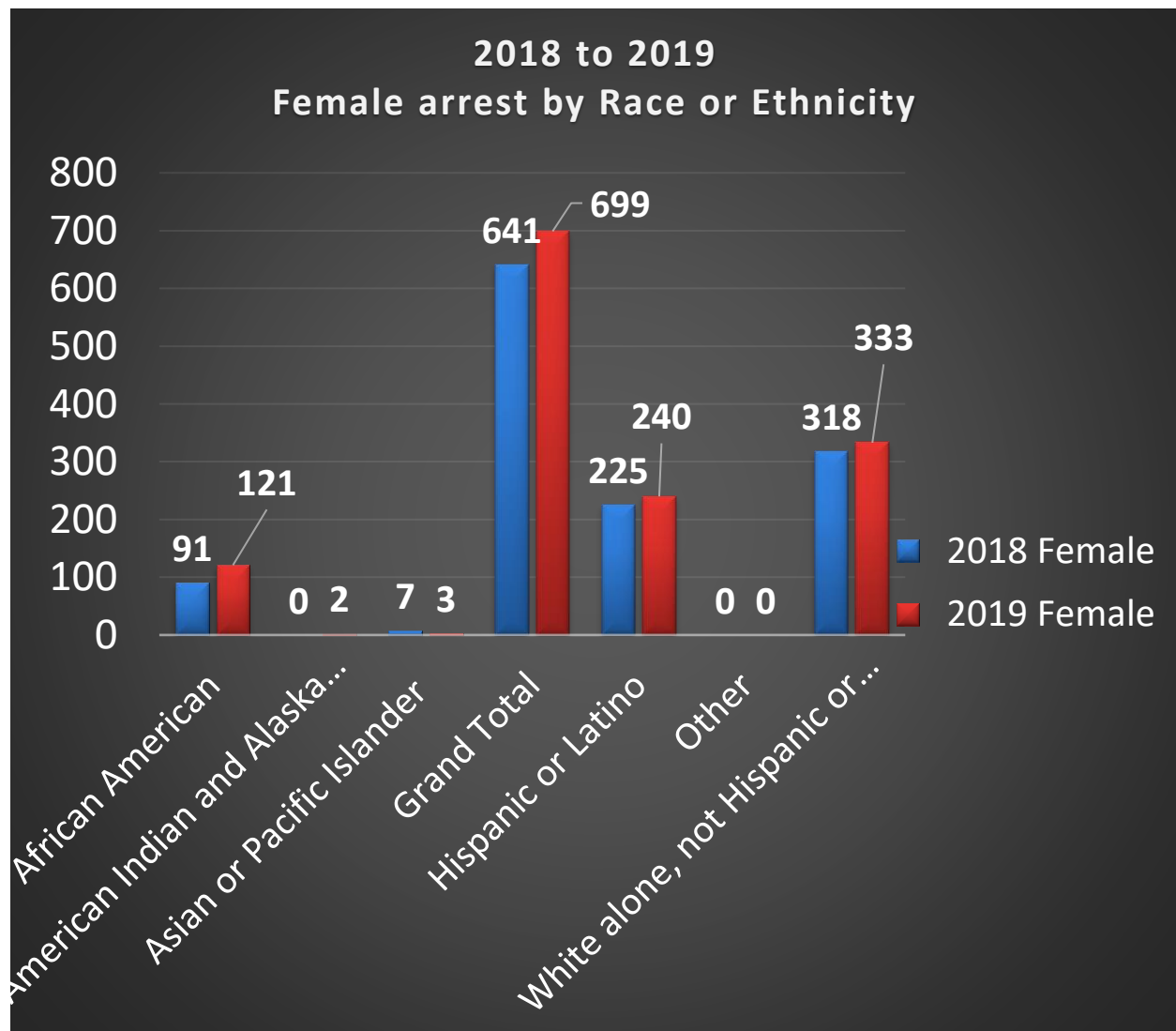
Arrest by gender

2018 to 2019 Comparison of Arrest by Gender			
Arrest by Gender	2018	2019	% of Change
Female	641	699	9.05%
Male	1,857	1,795	-3.34%
Grand Total	2,498	2,494	

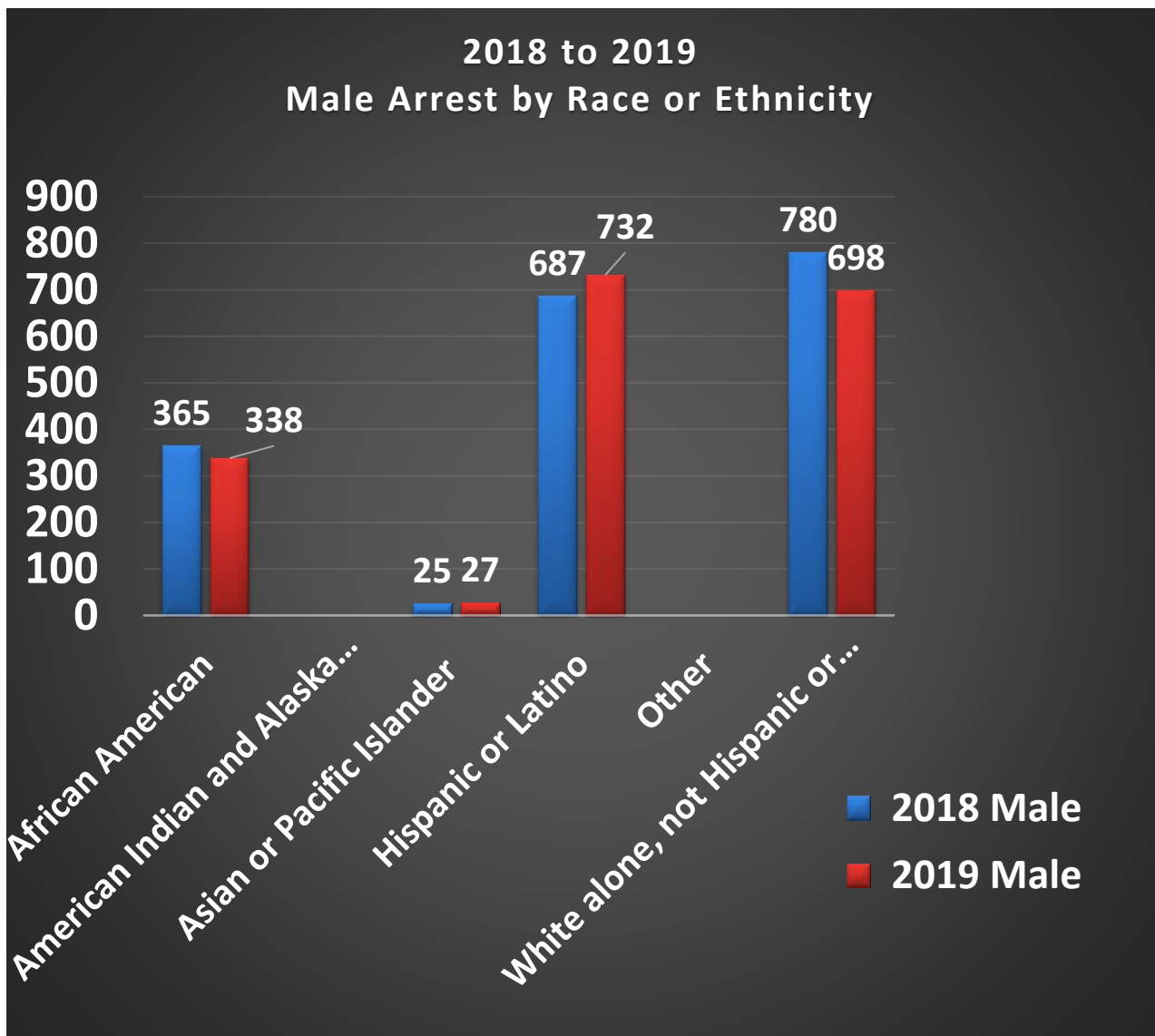


Arrest by Race or Ethnicity and by Gender

2018 to 2019 Comparison of Arrest by Race or Ethnicity and by Gender			
Race or Ethnicity	2018 Female	2019 Female	Female % of Change
African American	91	121	32.97%
American Indian and Alaska Native	0	2	0.00%
Asian or Pacific Islander	7	3	-57.14%
Hispanic or Latino	225	240	6.67%
Other	0	0	0.00%
White alone, not Hispanic or Latino	318	333	4.72%
Grand Total	641	699	

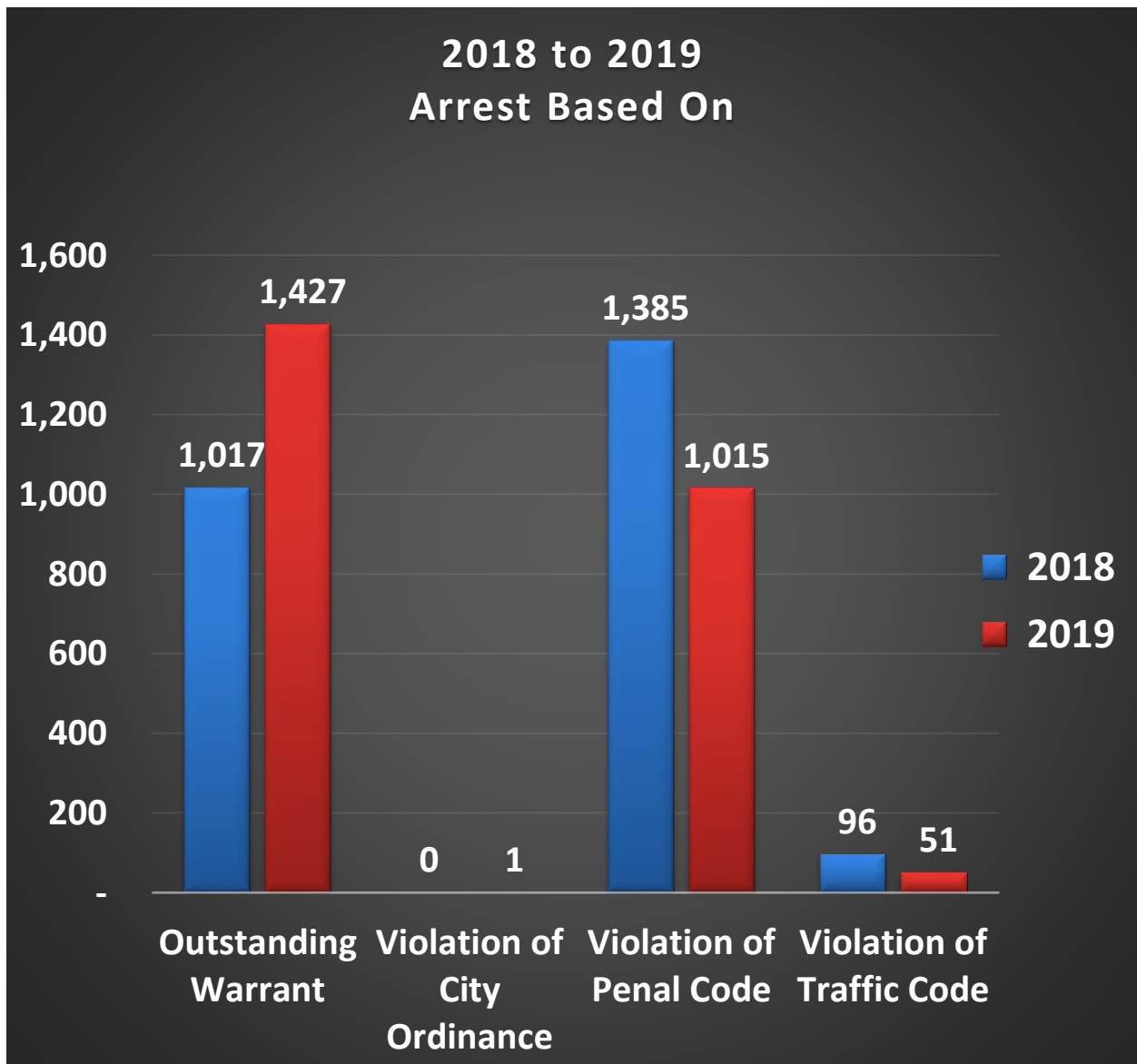


2018 to 2019 Comparison of Arrest by Race or Ethnicity and by Gender			
Race or Ethnicity	2018 Male	2019 Male	Male % of Change
African American	365	338	-7.39%
American Indian and Alaska Native	0	0	0.00%
Asian or Pacific Islander	25	27	8.00%
Hispanic or Latino	687	732	6.55%
Other	0	0	0.00%
White alone, not Hispanic or Latino	780	698	-10.51%
Grand Total	1,857	1,795	



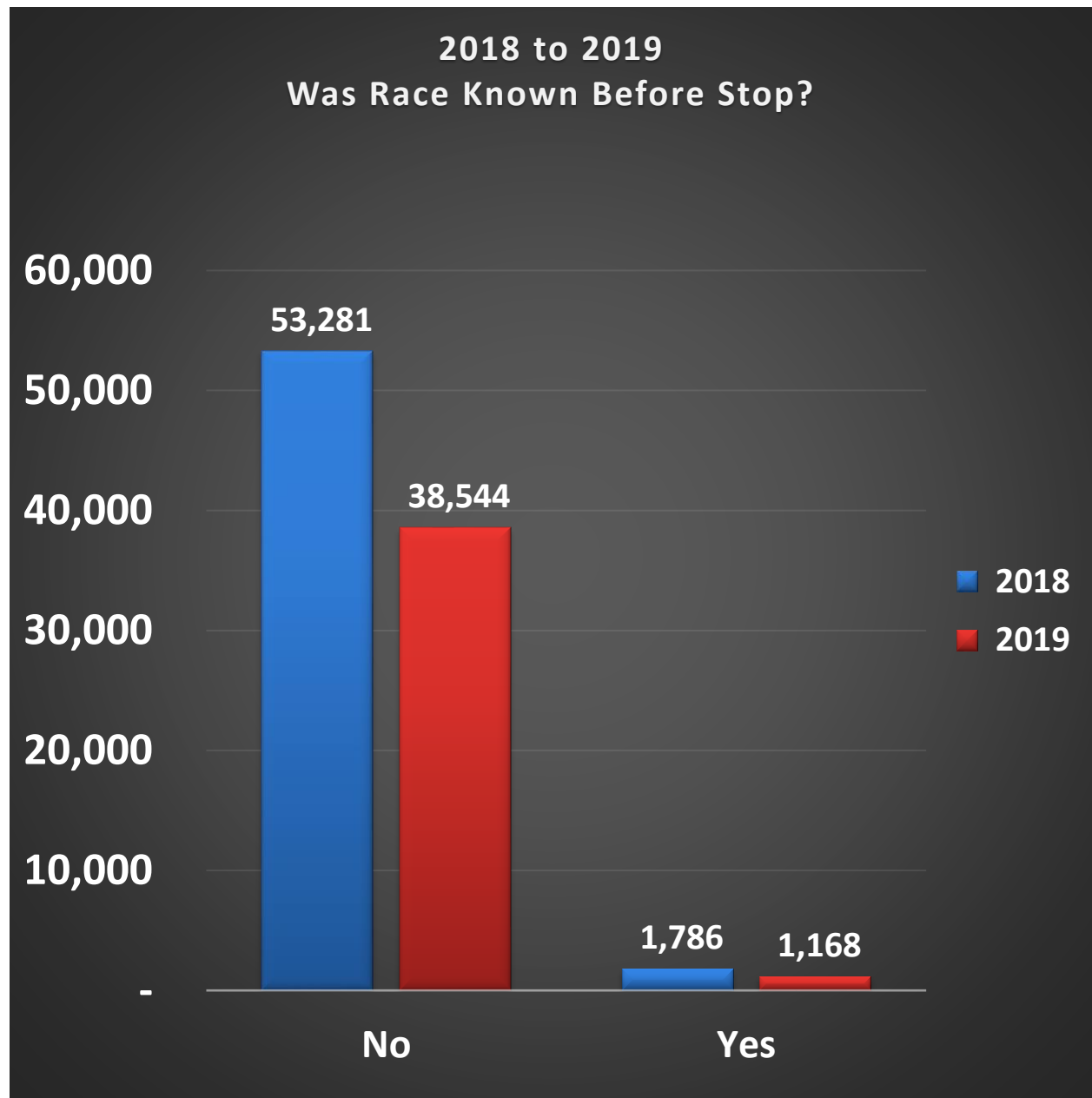
Arrest based on

2018 to 2019 Comparison of Arrest Based On			
Arrest Based On	2018	2019	% of Change
Outstanding Warrant	1,017	1,427	40.31%
Violation of City Ordinance	0	1	0.00%
Violation of Penal Code	1,385	1,015	-26.71%
Violation of Traffic Code	96	51	-46.88%
Grand Total	2,498	2,494	



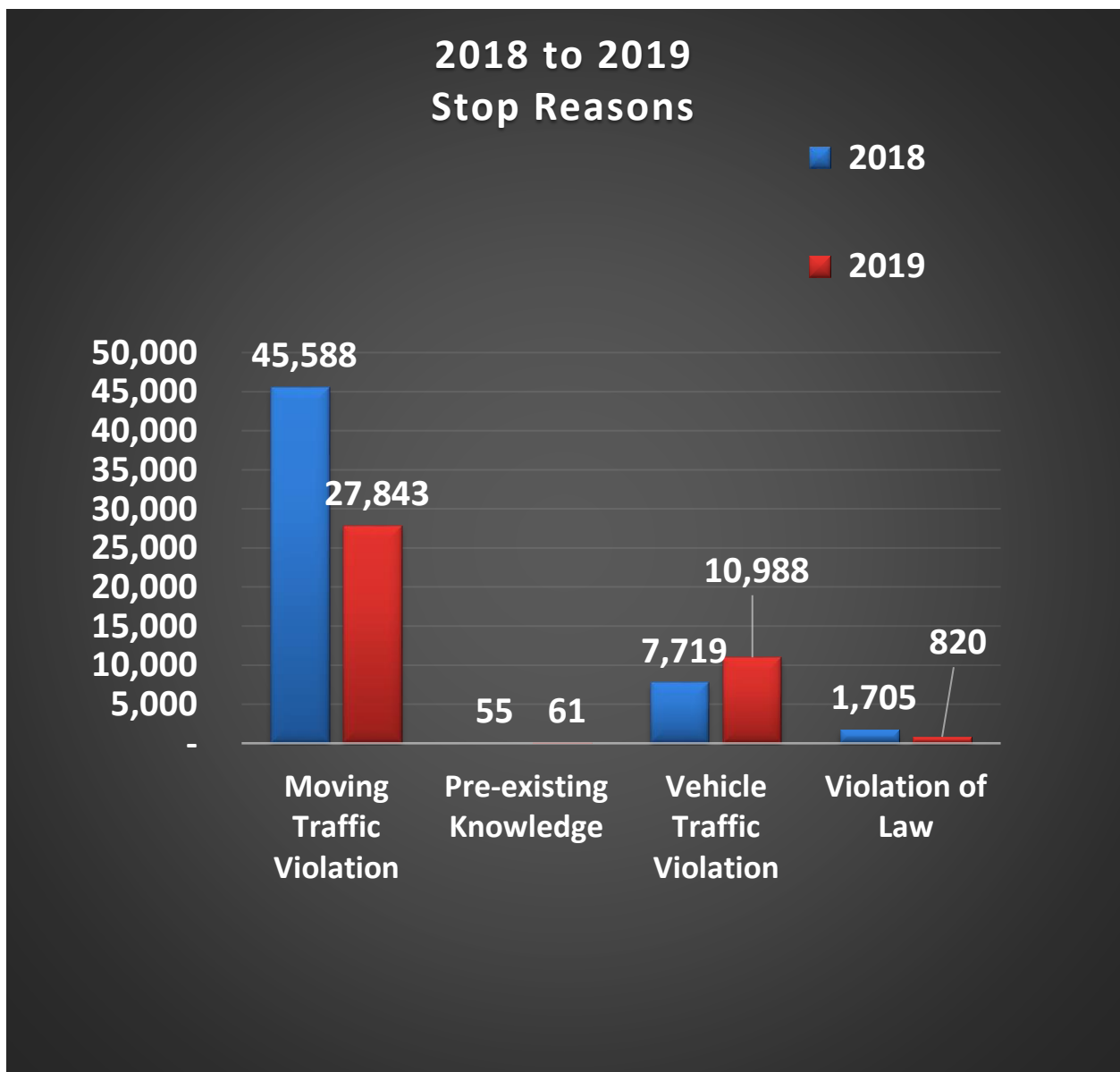
Race Known Before Stop?

2018 to 2019 Comparison—Was Race Known Before Stop?			
Was Race Known Before Stop?	2018	2019	% of Change
No	53,281	38,544	-27.66%
Yes	1,786	1,168	-34.60%
Grand Total	55,067	39,712	



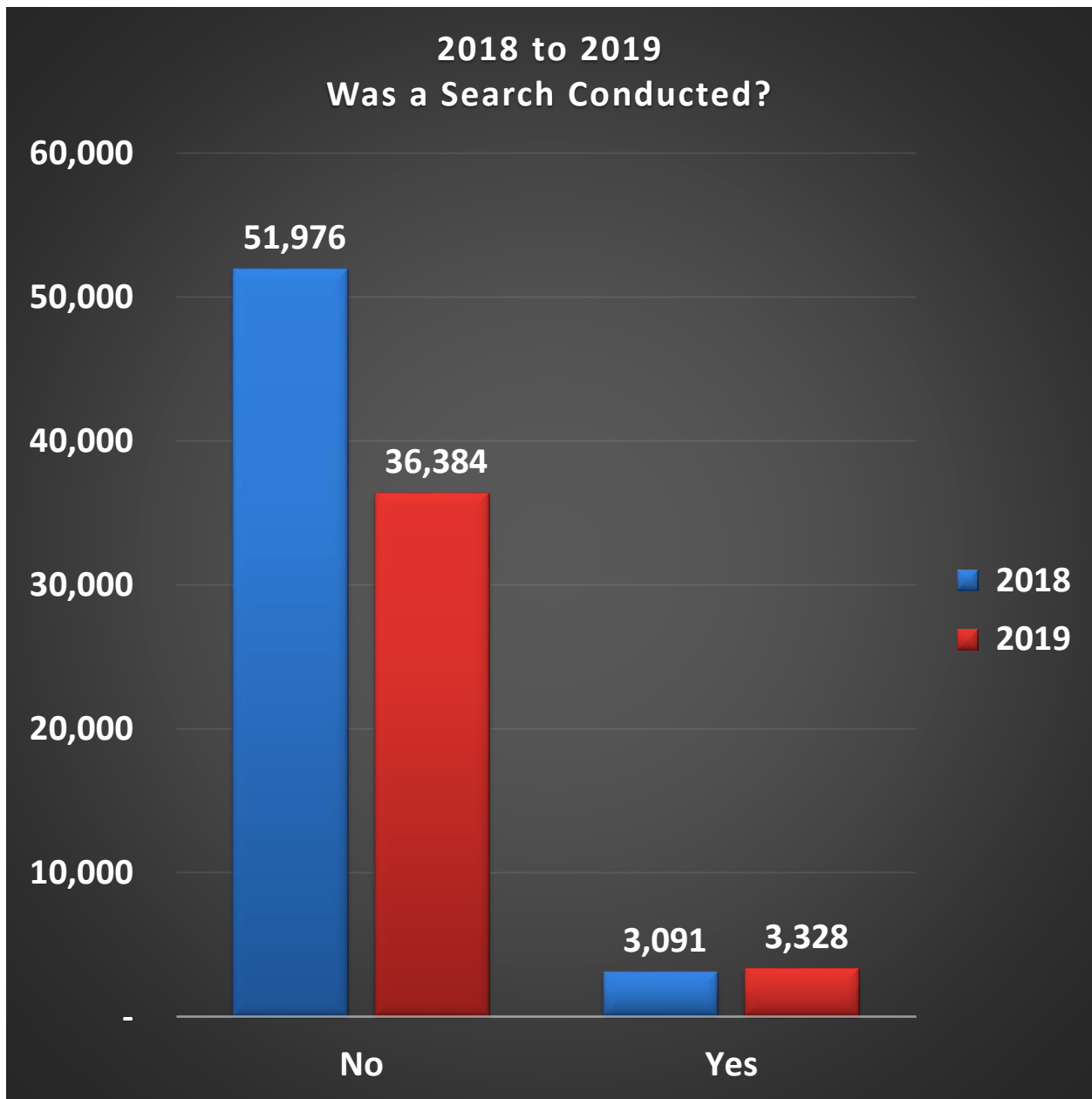
Reason for Stop

2018 to 2019 Comparison Reason for Stop			
Stop Reason	2018	2019	% of Change
Moving Traffic Violation	45,588	27,843	-38.92%
Pre-existing Knowledge	55	61	10.91%
Vehicle Traffic Violation	7,719	10,988	42.35%
Violation of Law	1,705	820	-51.91%
Grand Total	55,067	39,712	



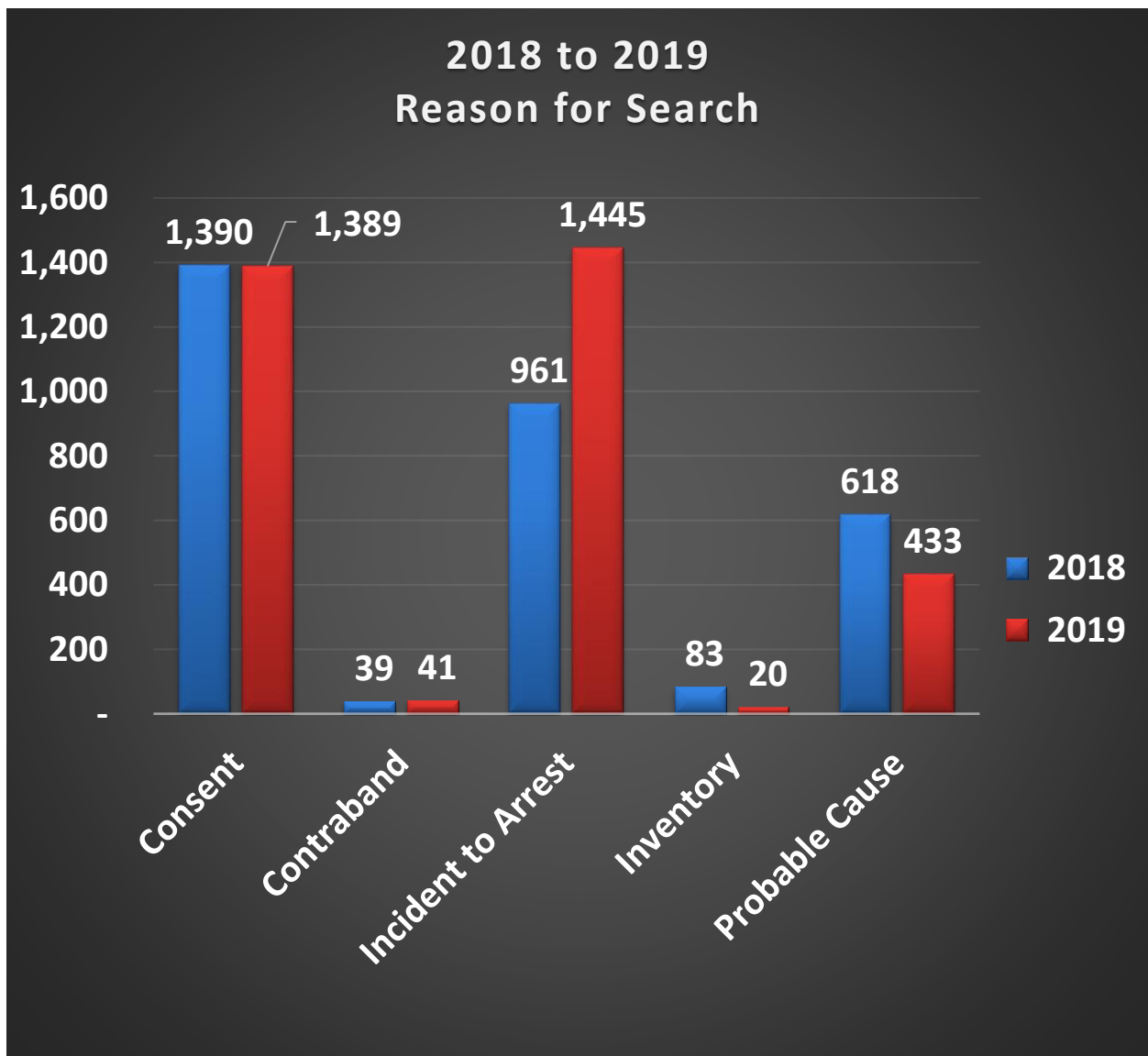
Was a Search Conducted?

2018 to 2019 Comparison of Was a Search Conducted?			
Was a Search Conducted?	2018	2019	% of Change
No	51,976	36,384	-29.99%
Yes	3,091	3,328	7.67%
Grand Total	55,067	39,712	



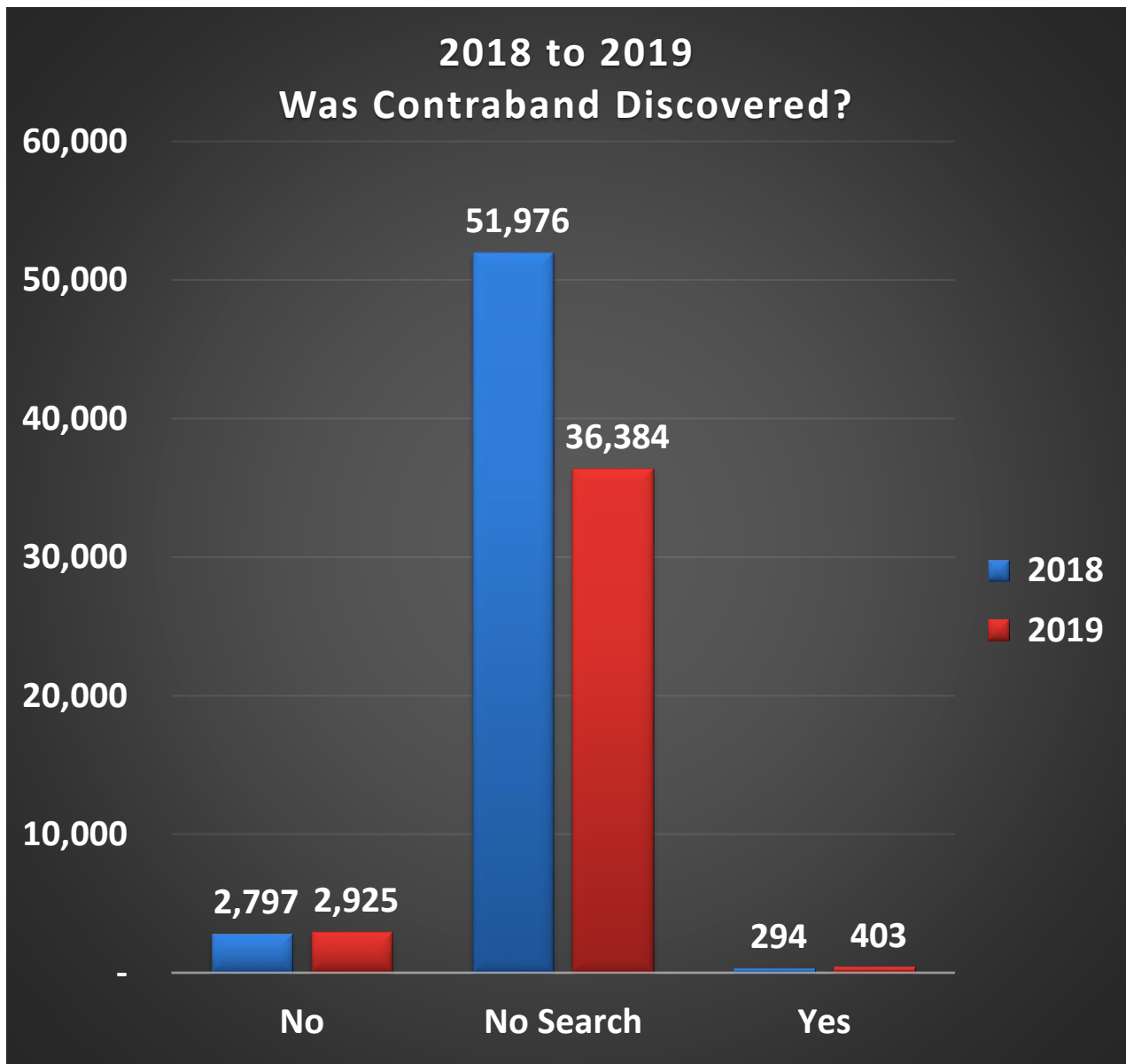
Reason for Search

2018 to 2019 Comparison of Reason for Search			
Reason for Search	2018	2019	% of Change
Consent	1,390	1,389	-0.07%
Contraband	39	41	5.12%
Incident to Arrest	961	1,445	50.36%
Inventory	83	20	-75.90%
Probable Cause	618	433	-29.94%
Grand Total	3,091	3,328	



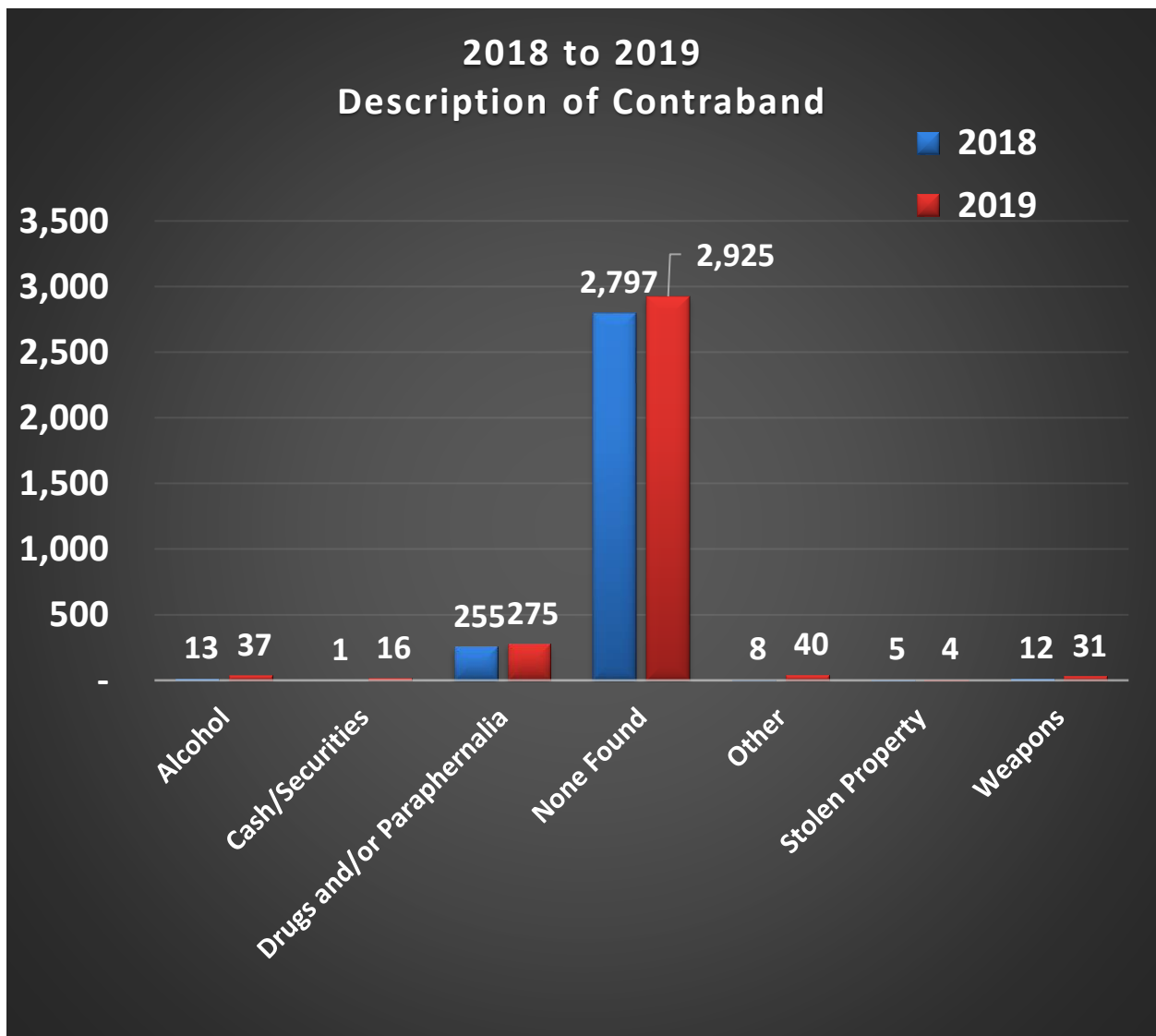
Was Contraband Discovered?

2018 to 2019 Comparison of Was Contraband Discovered?			
Was Contraband Discovered?	2018	2019	% of Change
No	2,797	2,925	4.58%
No Search	51,976	36,384	-29.99%
Yes	294	403	37.07%
Grand Total	55,067	39,712	



Description of Contraband

Description of Contraband	2018	2019	% of Change
Alcohol	13	37	184.62%
Cash/Securities	1	16	15.00%
Drugs and/or Paraphernalia	255	275	7.84%
None Found	2,797	2,925	4.58%
Other	8	40	400.00%
Stolen Property	5	4	-20.00%
Weapons	12	31	158.33%
Grand Total	3,091	3,328	



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 two 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.

2018/2019 Racial Profiling Complaints

2018

On 01/05/18 a Black Male was arrested at the Westgate Mall as he interfered with Westgate Mall Security trying to get some kids to leave the property. The Black Male involved himself in this matter and refused to leave at the request of Security. An Amarillo Police Officer working off-duty at Westgate Mall was called to assist security personnel. The Black Male was arrested for Criminal Trespass as he refused the officer's order to leave the property. The Black Male filed a complaint that the arrest was racially motivated. This complaint was unfounded.

On 03/23/18 two Amarillo Police Officers conducted a traffic stop for a traffic violation on a vehicle they saw leaving a known narcotics location. The Hispanic Male driver filed a racial profiling complaint as he felt he was "profiled". This complaint was unfounded.

On 08/07/18 Amarillo Police Officer saw a Black Female and her young child pulling on doors of locked/closed business during nighttime hours. The Officer approached the Black Female and asked what was going on. The black Female was only walking her dog and committed no criminal offense. The Black Female alleges the officer contacted her because of her race. This complaint was not sustained.

2019

The Amarillo Police Department did not receive a complaint of Racial Profiling during the 2019 year.

Community Outreach

The Amarillo Police Department has several strategies in place to partner with minority communities. During 2019, the department conducted a Corporal Lisa Cherry Summer Camp that primarily served disadvantaged children. The Neighborhood Police Officer (NPO) Unit continues to expand to engage in community policing and problem solving. NPOs are assigned to the North Heights, East Amarillo (Barrio), Southlawn, San Jacinto, the Eastridge neighborhood, and downtown. A new NPO office for the Hamlet neighborhood is in progress and should be operating by May of 2020.

NPOs regularly attend community events and meetings in order to better understand the concerns of residents. NPOs are also tasked with answering calls for service within their neighborhoods and identifying issues where other resources might help improve the quality of life for these residents.

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, St John's Baptist Church Community Block Party, League of United Latin American Citizens (LULAC), Barrio Historical District Project, Catholic Charities of the Texas Panhandle, Refugee Services of Texas, the Amarillo Juneteenth Committee, and the North Side Toy Drive Committee.

The Amarillo Police Department hosts a law enforcement Exploring program known as Amarillo Police Exploring Post 5507. This program is guided by the principles of the Learning for Life organization. Learning for Life offers programs designed to support schools and community-based organizations in their efforts to prepare youth to successfully handle the complexities of contemporary society and to enhance their self-confidence, motivation, and self-esteem.

Exploring is a career education program for young men and women who are 14 through 20 years old. (See www.exploring.org for more information on the national program).

The mission of Amarillo Police Exploring Post 5507 is to develop life skills for youths in Amarillo, with a focus on leadership and public service in law enforcement.

The post is a continuous program where members can progressively learn and become leaders and mentors to newer members. One of the stated goals of law enforcement career Exploring is: *“The program promotes personal growth through character development, respect for the rule of law, physical fitness, good citizenship and patriotism.”* This is not only good for law enforcement, but also good for the community as these young people are developed into potential community leaders. Our objective is to develop future police officers and give them the inspiration and guidance they need to come to work in this profession. Several police officers from various divisions dedicate time to teaching and mentoring these students.

The Explorers participate in various learning programs held at least twice monthly. These programs cover topics that expose the students to the variety of things that a law enforcement officer is expected to do. They are also given demonstrations from special teams such as the Dive Team or the Bomb Team.

In the past two years, Explorers have volunteered to help with community events such as the “Barrio Bash”, the St. John Baptist Church Block Party, The Downtown Independence Day Celebration, the Tri-State Fair Parade, and the Veteran’s Day Parade.

The Amarillo Police Department continues to support Exploring to connect to young people in our community, building good citizen relationships and recruiting law enforcement officers for the future.

Recruitment & Training

In 2019 APD continued using advertising in movie theaters, television, social media, internet job boards and began radio campaigns to reach demographics of all kinds. We also began using billboard advertising to broaden the number of people we reach daily.

Recruiters went to Dumas High school for a career fair to begin to peek interest in law enforcement recruiting teams went to Houston, Tulsa, Denton, Stephenville, San Marcos and

Canyon for college job fairs Teams met with college students of both genders from a multitude of racial and ethnic backgrounds. Recruiting teams went to Detroit, MI, Cleveland, OH, and Pittsburgh PA. Teams spoke with people of different genders and races at these job fairs

Recruitment flyers were sent out to churches in the 79103, 79104, and 79107 neighborhoods for pastors to read or post for their congregations. These neighborhoods are historically minority populated neighborhoods and most of the churches have a minority-based congregation.

Recruiting teams to Ft. Hood on two different occasions for recruiting of military personnel that are transitioning from the military to civilian life as well as a veteran’s hiring event in Dallas

Recruiting for the September test focused on the Lubbock area. Along with a static billboard in Amarillo at 45th & Western that was later moved to I-27 & Georgia, a billboard was also placed along S Loop 289 in Lubbock. A relationship was begun with KCBD and KAMC which are the NBC and ABC affiliates respectively. This includes television spots as well as ads and banners on their digital platforms.

The Amarillo Police Department Police Department is authorized 370 sworn officers. The department’s demographic profile for sworn officers at the end of 2019 is as follows:

2019 APD Sworn Strength		
Race or Ethnicity	APD Sworn	% of Sworn
African American	7	2.10%
American Indian and Alaska Native	1	0.30%
Hispanic or Latino	50	14.97%
White alone, not Hispanic or Latino	276	82.63%
Grand Total	334	

2018 to 2019 Comparison of Sworn Strength by Race or Ethnicity			
Race or Ethnicity	2018 APD Sworn	2019 APD Sworn	% of Change
African American	6	7	16.67%
American Indian and Alaska Native	2	1	-50.00%
Hispanic or Latino	48	50	4.17%
White alone, not Hispanic or Latino	289	276	-4.49%
Grand Total	345	334	

2019 APD Sworn Strength by Gender		
Gender	APD Sworn	% of Sworn
Female	31	9.28%
Male	303	90.72%
Grand Total	334	

2018 to 2019 Comparison of Sworn Strength by Gender			
Gender	2018 APD Sworn	2019 APD Sworn	% of Change
Female	33	31	-6.06%
Male	312	303	-2.88%
Grand Total	345	334	

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 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). Incumbent officers received training in Implicit Bias and De-escalation Techniques as well as Community Policing and Procedural Justice.

Appendices

Appendix A

AMARILLO POLICE DEPARTMENT

Manual: RULES AND REGULATIONS

Effective Date: December 1, 2001

Reference: GENERAL ORDERS 3.25

Revision Number: 8 Date: 05-30-16

Subject: Bias Based Profiling

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.

Appendix A

AMARILLO POLICE DEPARTMENT

Manual: RULES AND REGULATIONS

Effective Date: December 1, 2001

Reference: GENERAL ORDERS 3.25

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Subject: Bias Based Profiling

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- C. Traffic stop – an officer stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

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.

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AMARILLO POLICE DEPARTMENT

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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 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.

Appendix A

AMARILLO POLICE DEPARTMENT

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- 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;
 - c) The number of searches that were consensual; and
 - e) 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

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Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 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 the following categories:

(A) Alaska native or American Indian;

(B) Asian or Pacific Islander;

(C) black;

(D) white; and

(E) Hispanic or Latino.

(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 compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(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;

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(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning 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;
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
- (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
- (E) the location of the stop; and
- (F) the reason for the stop; 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 Texas 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.

(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. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

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(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 written request by the officer.

(g) On a finding by the Texas Commission on Law Enforcement 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.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 25, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.05, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 173 (H.B. 3051), Sec. 1, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.01, eff. September 1, 2017.

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;

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- (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;
 - (8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and
 - (9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.
- (c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b) to ensure that the race or ethnicity of the person operating the motor vehicle is being reported. Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 26, eff. September 1, 2009.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.02, eff. September 1, 2017.

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

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enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Texas Commission on Law Enforcement 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;

(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

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; 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 Texas Commission on Law Enforcement, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as 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 Texas Commission on Law Enforcement that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the

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commission shall begin disciplinary procedures against the chief administrator. Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. 686), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.03, eff. September 1, 2017
