

# HARKER HEIGHTS POLICE DEPARTMENT

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REPORT ON RACIAL  
PROFILING DATA

2022



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## **Executive Summary**

Racial profiling is recognized as one of the primary issues facing American law enforcement today. How often it occurs still remains a point of argument, but the fact that it has occurred is without question. As a result of growing citizen concerns over the issue, a number of states have moved to pass legislation that prohibits such conduct by the police. On September 1, 2001, Senate Bill 1074 became effective after passing both Houses of the Texas Legislature during the 76<sup>th</sup> legislative session and being signed into law by the Governor. This report is written for presentation to the Harker Heights City Council as a condition of that law now codified as a part of the Texas Code of Criminal Procedure.

This report provides a history and review of the laws prohibiting racial profiling in Texas. It also documents the HHPD's response to passage of the law and its performance during this reporting period. In regard to this report, the law requires that it be presented to the local governing body which oversees the law enforcement agency. It requires no action on the part of the council under law; however, this department welcomes any input desired.

The HHPD implemented a sound policy prohibiting racial profiling and has quality supervisory procedures in place to insure compliance. Out of 3572 traffic stops, 1973 citations and 1551 warnings, no informal or formal complaint of racial profiling or racially biased enforcement was fielded by the HHPD during this reporting period.

The laws prohibiting racial profiling require the collection and reporting of traffic enforcement data relating to those stops wherein citations or warnings are issued, arrests made and/or vehicle searches executed. The law provides for two "tiers" of data. "Tier One" data requires that a record of the race/ethnicity of motorists be recorded on traffic stops wherein citations or warnings are issued. It also requires the capture and reporting of data concerning whether an arrest was made, whether a vehicle search was executed and whether or not that search was consensual or based on probable cause. With the passing of S.B. 1849, commonly referred to as the "Sandra Bland Act", the "Tier Two" data is more detailed and as such cumbersome and difficult to analyze by comparison. To capture this data, officers of the HHPD are required to provide greater input during and after traffic stops.

It is the philosophy of the HHPD that any conduct of racial profiling is an individual employee competence issue and therefore sees it as paramount that an accurate and complete record of the actual stop and associated events be secured in order to determine if misconduct actually occurred.



**Executive Summary – Page 2**

An analysis of the statistics contained in the report show a percentage consistency between racial and ethnic groups and enforcement performance similar to the previous years' report. When reviewing these statistics, the most difficult aspect is determining the proper baseline for comparison. This issue is of concern statewide and likely nationwide. There are various options for baseline data, but the baseline chosen for the purpose of this racial profiling report is the “Community Demographic Profile” provided by The Retail Coach.

Finally, it is the intent of this report to provide the Harker Heights City Council with quality information as well as to meet the requirements of law. If questions should arise, the Chief of Police and his staff stand ready to provide whatever additional information might be required.



## **Section 1: A History of the Laws Prohibiting Racial Profiling**

In the late 1990s, new media stories began covering incidents and reports of racial profiling by the police. National surveys have confirmed that most Americans, regardless of race, believe that racial profiling by the police is a significant social problem.

A Gallup poll released on December 9, 1999 stated that more than half of Americans polled believed that police actively engage in the practice of racial profiling. More significantly, 81% of them said they disapprove of the practice. The Gallup survey also asked respondents how often they perceived having been stopped by the police based on their race alone. 6% of whites thought they had been stopped because of their race while 42% of blacks who responded felt that to be the case. Of black men between the ages of 18 and 34, 72% felt they had been stopped because of their race.

There was no significant improvement in 2004. According to a Gallup poll 53% of the individuals surveyed still believed racial profiling during traffic stops to be widespread. This same survey broke down this viewpoint by race and identified 50% of non-Hispanic whites, 67% of blacks, and 63% of Hispanics sharing this belief.

Likewise, a 12-city survey conducted by the U.S. Department of Justice in 1998 demonstrated that, although most people in black communities felt satisfied with police services in their neighborhoods, their level of dissatisfaction was approximately twice that of white communities. This trend continued into 2021 when only about half of the surveyed black adults in comparison to white adults expressed confidence in police services according to a Gallup poll.

In 1999, a series of accusations of racial profiling and civil actions resulted in the issuance of a joint consent decree in the U.S. District Court for the District of New Jersey against the State of New Jersey, Division of State Police. In this consent decree, the Federal government required the New Jersey State Police to improve its management and supervisory practices by the implementation of various systems to insure appropriate supervisory monitoring and shaping of trooper behavior. Additionally, the consent decree provided that state troopers *"may not rely to any degree on the race or national origin of motorists in selecting vehicles for traffic stops and in deciding upon the scope and substance of post-stop actions, except where state troopers are on the look-out for a specific suspect who has been identified in part by his or her race or national origin"*. The consent decree also required the New Jersey State Police to document all traffic stops including the race, ethnicity, and gender of the person stopped as well as the reason for the stop and all post-stop actions, including searches and arrests.



On April 21, 2000, the governor of the State of North Carolina signed into law a bill requiring data collection on all traffic stops after that bill had been passed overwhelmingly by both houses of the state legislature. This became the first law anywhere in the nation to require the effort that would yield a detailed statistical portrait of the use of traffic stops.

In Texas, the 76<sup>th</sup> legislative session considered Senate Bill 1074 introduced by Senator Royce West of Dallas. The bill passed and became effective on September 1, 2001. By January of 2003, similar laws had been introduced in more than 25 states with at least 18 of them taking significant action. Federal laws have been considered as well though at the time of this writing, no such law has passed.

However, the shooting of Michael Brown and the unrests that followed in Ferguson, Missouri, prompted then President Barack Obama in December of 2014 to sign an executive order that mandated the creation of the “President’s Task Force on 21<sup>st</sup> Century Policing”. This Task Force consisted of members of academia, law enforcement officials, and civil rights activists whose directive was to identify “best policing practices and offer recommendations on how those practices can promote effective crime reduction while building public trust”. The final report only offered recommendations that addressed six topics related to policing, but did not stimulate the passing of any laws in the federal system.

Here in Texas racial profiling is defined as 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.

There are two corollary principles that follow from adopting this definition of racial profiling. These are:

- 1) police may not use racial or ethnic stereotypes as factors in selecting whom to stop, and
- 2) police may use race or ethnicity to determine whether a person matches a specific description of a particular suspect.

Therefore, the stopping of an individual because they match suspect descriptions does not constitute racial profiling as prohibited by law.

It is clear that the issue of racial profiling has developed into one of the primary ones facing the criminal justice system in America today. Disagreements continue as to the existence or severity of the problem, but it cannot be disputed that the perception is strong among many sections of society that law enforcement officers have been guilty of racial profiling.



As a result of the inappropriate actions of some officers, coupled with the fact that many individuals who are stopped are never aware of all the legitimate reasons and factors considered by the officer, it is understandable that many members of minority groups may suspect that they have been racially profiled.

This suspicion, whether rooted in reality or perception is detrimental to society as a whole and law enforcement agency effectiveness. When law enforcement practices are perceived as unfair or biased, community cooperation and support are eroded and police effectiveness in the deterrence, interdiction and investigation of crime is degraded. The law in Texas and other States has arisen as a result of these historical issues. The Harker Heights Police Department views the law, associated data collection and reporting as opportunity to review practices and performance as well as publicly illustrate the professional level of the Department.



## **Section 2: A Review of the Texas Law**

Senate Bill 1074 was passed with the purpose of preventing illegal racial profiling by peace officers in Texas. The following is a review of the applicable sections of the Code of Criminal Procedure and other Codes. See Appendix 1 for the statutes.

### **CCP Art. 3.05**

This section provides the definition of racial profiling. It states:  
*In this code, "racial profiling" means 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.*

### **CCP Art. 2.131**

This section prohibits the act of racial profiling. It states:  
*A peace officer may not engage in racial profiling.*

### **CCP Art. 2.132**

This section defines "law enforcement agency" as *an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.* It also defines "race or ethnicity" and requires each law enforcement agency to adopt and implement a detailed written policy on racial profiling.

This article includes the requirements for data collection as well as certain policy elements. These elements are:

1. a definition of acts that constitute racial profiling
2. a strict prohibition against racial profiling
3. a complaint process
4. a public education process
5. a requirement that appropriate corrective action be taken against officers who violate the policy
6. a requirement that specific data be collected for motor vehicle stops
7. a requirement that annual reporting to the governing body (city council) as well as the Law Enforcement Commission be accomplished

This article also specifically restricts the annual report from including specific identifying information regarding individual peace officers or persons who were stopped.



Additionally, video or audio recordings of stops wherein investigations into allegations of racial profiling are initiated must be provided to the effected peace officer when requested. This section specifically provides that the data collection and reporting requirement applies to only traffic stops wherein citations or warnings are issued or an arrest arises.

**CCP Art. 2.133**

This section provides for a definition of “motor vehicle stops” and defines the “Tier Two” data.

**CCP Art. 2.134**

This section defines the reporting requirements for "Tier Two" data including an analysis of the contents of the annual report and deadlines.

**CCP Art. 2.136**

States a peace officer is not liable for damages arising from an act relating to the collection or reporting of the information as required by this law.

**CCP Art. 2.137 and 2.138**

The Texas Department of Public Safety is required to adopt rules for providing funding for video/audio recording equipment and for implementation as a result of these sections.

**Education Code Sec. 96.641**

Sets up initial and continuing education for Police Chiefs and Command Staff on the applicable laws.

**Occupations Code Sec. 1701.402**

Requires continuing education for peace officers on the applicable laws and makes such training a requirement for the intermediate proficiency certificate.

**Transportation Code Sec. 543.202**

Defines reporting requirements for Clerk of a Municipal Court on the race of persons charged and resultant vehicle searches.



### **Section 3: A Historical Overview On The Response of the HHPD To A Newly Implemented State Law**

The Harker Heights Police Department responded by beginning policy development in October of 2001. The Texas Municipal League (TML), the Law Enforcement Management Institute of Texas (LEMIT), and the International Association of Chiefs of Police (IACP) all had developed research or model policies on the issue and those pieces of information were available relatively quickly. Additionally, the HHPD had informally evaluated Department performance regarding the racial make-up of persons cited on traffic stops and arrested since 1998. During those checks and evaluations, no striking anomalies were detected.

The Department evaluated the law as it was passed during the month of October and November to determine the most effective manner of implementation and it was recognized early that the "Tier Two" data defined in the law was much more cumbersome and difficult to analyze than the "Tier One" data. The Department had also been working for several years toward the full implementation of mobile video systems in every vehicle.

The City made funding available to purchase mobile video systems to be installed in all vehicles regularly utilized for traffic stops in December of 2001 and training was completed on the systems in that same month. By January 1, 2002, all mobile video systems were functional and policy requirements were in place to require the video taping of all traffic stops, pedestrian stops and other citizen contacts even if they were not specifically required under law.

A standard for the supervisory review of video tapes was established and implemented as well as addressing a department standard for the retention period for video tapes. It was determined that tapes would be retained for a longer period than the 90 days required by law due to the occasional issue that may arise after that time period had expired. It was also considered that some unscrupulous individuals might tend to file a false report after the legally required 90-day period thinking the tapes would have been destroyed.

Municipal court citations were modified to capture the data required under law including race and ethnicity as well as whether a vehicle search was conducted and whether or not that search was consensual. By the time the January 1, 2002 deadline arrived, the HHPD was in full compliance with the law and data was being captured.

Fast forward to 2023, HHPD is still fully committed to the accurate and detailed capture of "tier one" and "tier two" data to be in compliance with State laws. While technology has progressed and the tedious and space-consuming task of storing VHS tapes has evolved to data storage on computer servers, HHPD has pledged its continued support to be fully committed to its community and its citizens.



#### **Section 4: An Analysis of HHPD Policy**

The Harker Heights Police Department policy against racial profiling is included in this report as Appendix 2. The policy uses the definition of "racial profiling" from the Texas statutes. It also strictly prohibits the conduct of officers and provides that appropriate corrective actions shall be taken if the policy is violated. Additionally, the policy provides for supervisory review of each subordinate officer's traffic stop recordings at least once every three months.

The policy requires a vehicle with a malfunctioning mobile video system to be taken off-line until it is repaired and requires that the mobile video systems be utilized in every pedestrian and traffic stop. Unless a very unusual circumstance occurs, officers of the department utilize the systems on every call answered. Consistent use of the mobile video systems ensures documentation of all traffic stops. Additionally, other policies on such topics such as corruption prevention and internal affairs interface well with the policy prohibiting racial profiling.

#### **Section 5: Baseline Data**

Before statistics can be evaluated, it is necessary to define the baseline for comparison. Several methods for determining a baseline have been proposed throughout the state and none are perfect. There are shortcomings with each proposed method.

According to an article published by AELE (Americans for Effective Law Enforcement), census data for specific jurisdictions such as the racial demographics for Harker Heights does not serve as an effective baseline. The census' purpose is to capture the percentage of citizens residing in a city; however, it does not provide an accurate depiction of the demographics of motorists and traffic violators traveling through our jurisdiction. Nor does the census demonstrate an accurate account of our "daytime" population. As illustrated in table 12, of all the traffic violators stopped by Harker Heights officers only 27% were actually Harker Heights residents.

Additional concerns for baseline comparison arise from the evaluation of mixed race individuals. Officers are instructed to make their best estimate as to the race or ethnicity of a driver if they cannot gather the information from the driver's license.

Many times, individuals are encountered who are Hispanic but have an Anglo last name. A person who is black and Caucasian mixed may appear black but not have been counted as "one-race" black by the census. And finally, a person may be a white Hispanic or a black Hispanic. Black Hispanics would most likely be categorized as black by a police officer but counted as Hispanic in the census. Finally, there is and continues to be a concern regarding the Census undercounting of minorities generally.



Fort Hood, the largest military installation in the free world, is the driving force in the culture and demographics of this area. Members of this fine military force move in and out of the area with such regularity that census data is likely only accurate for a very short period of time, if it is accurate at all. Many of the personnel on Fort Hood are not native to the central Texas area and may not be counted on the census at all. This constant change creates problems for any baseline standard but is most likely to affect the licensed driver household data. All these data sources differ to some degree. Because of these many issues, this report will utilize the "Community Demographic Profile" as the primary baseline. This comprehensive report includes an extensive analysis using the following methodology:

Race by Hispanic ethnicity is estimated for 14 categories reflecting single classification race. Beginning with the 2020 update, a national total for Hispanic ethnicity was established as the first step in the process. National estimates start with the population estimate and apply a proportional acceleration of growth to national totals. The proportional acceleration of growth is based on a moderation of the largest single year of annual growth. The moderation rate was determined using the rebound in ACS immigration levels and other government data.

Block group estimates of race/ethnicity then are produced based on 2020 census trends, identified through the Claritas conversion of 2000 census race/Hispanic counts to the block groups defined for the 2010 census. The resulting estimates of Hispanic and Asian population are modified for selected areas where surname matches against consumer databases suggest greater increases since the census; this includes using the DirecTarget® system which uses both first names and surnames to identify an individual's origin (Columbian, Russian, Japanese, etc.)

There are no universally accepted definitions of race and Hispanic ethnicity, The Census Bureau currently defines "Hispanic or Latino" as an ethnicity, not a race. Race and ethnicity are separate census questions, so in census tabulations, persons of Hispanic or Latino ethnicity can be of any race. Hispanics and Latinos are included in each race category, and race categories alone sum to total population.

The census allows persons to mark "one or more" boxes when responding to the race question. For example, one person might only mark the box for "Black or African American," while another might mark that box and the box for "Asian." In reporting data on race, one option is to indicate the number of persons identifying with each race category and no others (race alone), while another option is to report the number of persons identifying with the race either by itself or along some other categories (race alone or in combination). The Retail Coach uses Single Classification (race alone) in our demographic profiling.



Single Classification

The single classification option includes the following categories:

1. White alone
2. Black or African American alone
3. American Indian and Alaska Native alone
4. Asian alone
5. Native Hawaiian and Other Pacific Islander alone
6. Some other race alone
7. Two or more races

This option identifies the number of persons marking each race category by itself, and then provides a seventh category identifying the number marking two or more races. The tabulation is similar to those used prior to Census 2000, and sums to total population. However, it provides no information about the race of persons in the "two or more" category so it is not possible to determine the total number of persons identifying with a given race.

Also of note, the coding of the 2020 Census data allowed for write-ins regarding race and ethnicity questions. If a respondent used "Hispanic" or "Latino" in the race section they were coded as "Some other race", which may cause an increase in this category when comparing with previous years.

The 2020 census for Bell County is included to serve as a comparison.

	White	Black	Hispanic	American Indian and Alaska Native	Asian	Pacific Islander	Other
Bell County Census (2020)	43.5%	24.7%	26.5%	1.1%	3.2%	0.9%	N/A
<b>Community Demographic Profile (2022)</b>	<b>54.7%</b>	<b>24.3%</b>	<b>24.4%</b>	<b>1.2%</b>	<b>4.0%</b>	<b>0.8%</b>	<b>6.7%</b>



## **Section 6: Department Statistics**

The department performed 3572 traffic stops in CY 2022. Of these, 1973 stops resulted in citations being issued. Of the citations written, 38.4% were issued to White drivers, 38.3% were issued to Black drivers, 18.3% were issued to Hispanic drivers, 4.4% to Asian or Pacific Islander drivers, and 0.7% to Alaska Natives or American Indian. See Table 1 for details.

Following the 3572 traffic stops, members of the HHPD issued 1551 written warnings to motorists. Of the warnings issued, 37.1% were written to White drivers, 40.6% to Black drivers, 17.7% to Hispanic drivers, 3.8% to Asian or Pacific Islander drivers, and 0.8% to Alaska Native or American Indian drivers. See Table 2 for details.

To break down the traffic stops even further: of the 3572 traffic stops 1536 stops or 43% were initiated on female motorists, and 2036 or 57% were initiated on male motorists. See table 3 and 4 for details.

The HHPD arrested (custody) 658 total individuals during the same period. A total of 23 individuals were arrested on traffic stops. Of these arrests, 52.2% were White, 30.4% were Black, 17.4% were Hispanic and no arrests of Asian or Pacific Islander and Alaska Native or American Indian were reported. See Table 5 for details.

Of the 3572 stops only 65 vehicle searches were performed or 1.8%. Of these 65 searches, 11 were based on the consent of the driver and 24 were based on probable cause developed during the stop. 40% of those searches were White drivers, 38.5% were Black drivers, 18.5% were Hispanic, 3.1% were Asian or Pacific Islander, and no Alaska Native or American Indian drivers. See Table 6 for details.

A review of these same 3572 stops to determine which race stopped on traffic was most likely to be arrested found that 0.9% of Whites stopped were arrested. 0.5% of the Black drivers stopped were arrested. 0.6% of Hispanics stopped were arrested. Following a traffic stop no Asian or Pacific Islander drivers or Alaska Native or American Indian drivers were arrested. These are all on-view arrests that were based on the discretion of the officer. See Table 7 for details.

An analysis of persons searched shows that 1.9% of those White drivers stopped were searched and 1.8% of the Black drivers were searched. 1.9% of Hispanics stopped were searched. 1.4% of Asian or Pacific Islanders stopped were searched. In the case of Alaska Native or American Indian drivers none were searched during the year. See Table 8 for details.

Tables 9, 10, and 11 provide a comparison of various collection information to the selected baseline data from the Community Demographic Profile discussed in the previous section.



Lastly, table 12 will provide a more accurate depiction of our traffic stops. An analysis showed that only 27% of all motorists stopped were Harker Height residents while 73% were non-residents. This becomes especially important when comparing the traffic data to our demographic baseline.

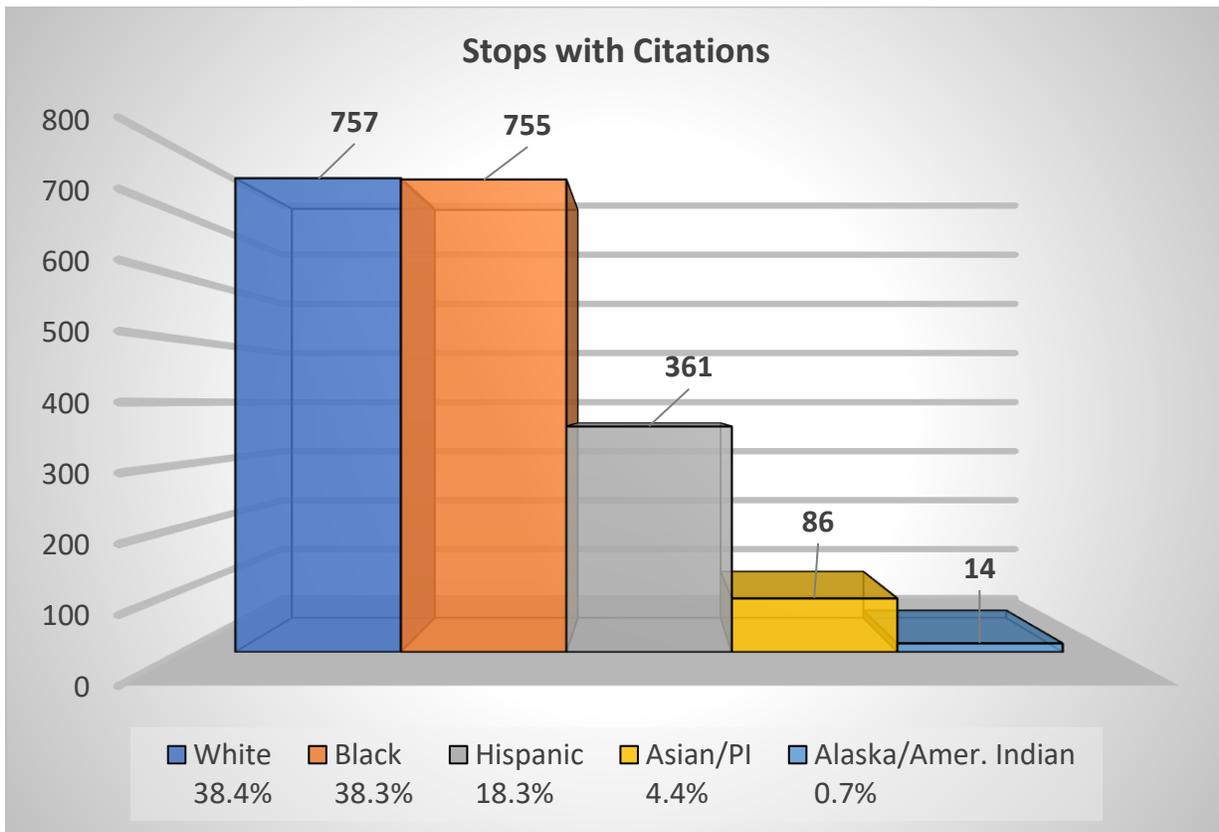
It should be noted that during the calendar year of 2022 the HHPD fielded no formal or informal complaints of racial profiling or race biased enforcement.



**Table 1: Traffic Stops with Citations Issued CY 2022**

*Analyzed by Race/Ethnicity*

	<b>Total</b>	<b>% of Total</b>
<b>Total Traffic Stops</b>	<b>3572</b>	<b>100.0%</b>
<b>Total Traffic Stops with Citations</b>	<b>1973</b>	<b>55.2%</b>
White	757	38.4%
Black	755	38.3%
Hispanic/Latino	361	18.3%
Asian/Pacific Islander	86	4.4%
Alaska Native/American Indian	14	0.7%



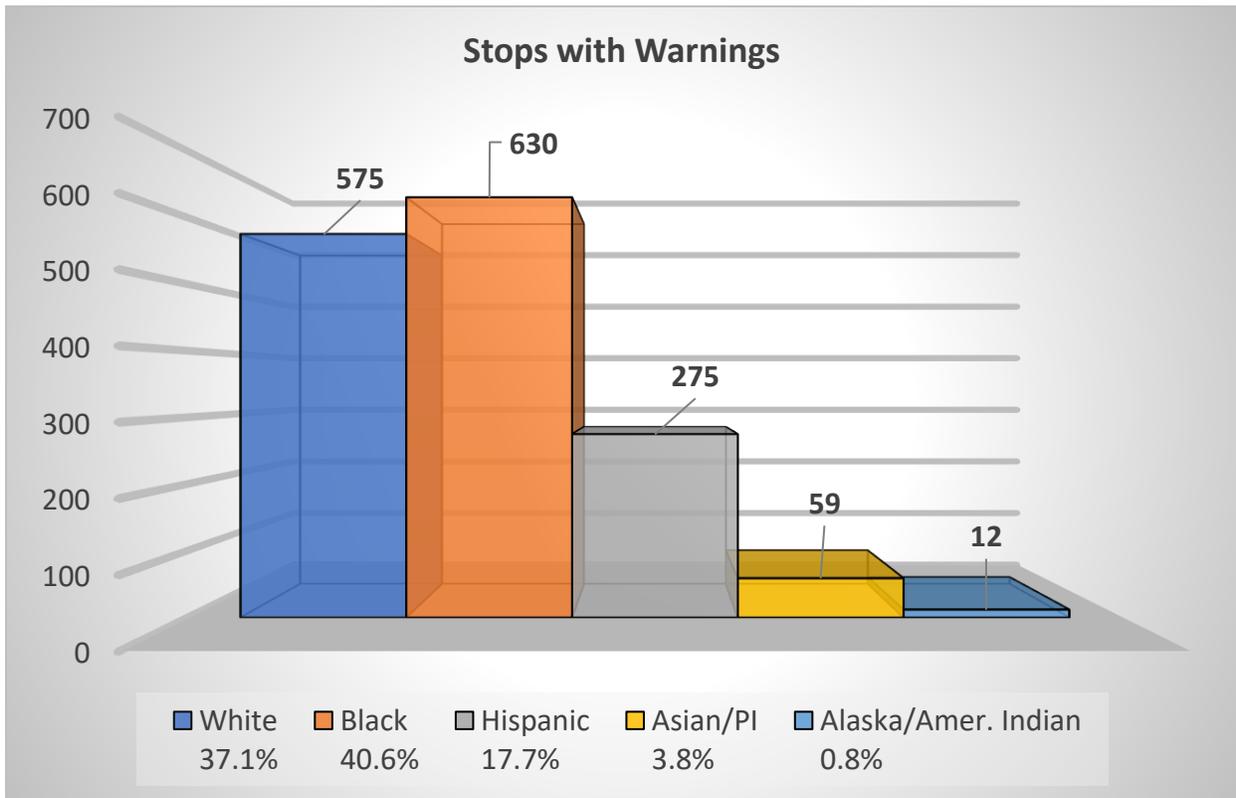
Please note: HHPD citations/warnings are designed to capture the race/ethnicity of the violator in accordance with CCP 2.132 and will not include "Other".



**Table 2: Traffic Stops with Warnings Issued CY 2022**

*Analyzed by Race/Ethnicity*

	<b>Total</b>	<b>% of Total</b>
<b>Total Traffic Stops</b>	<b>3572</b>	<b>100.0%</b>
<b>Total Traffic Stops with Warnings</b>	<b>1551</b>	<b>43.4%</b>
White	575	37.1%
Black	630	40.6%
Hispanic/Latino	275	17.7%
Asian/Pacific Islander	59	3.8%
Alaska Native/American Indian	12	0.8%



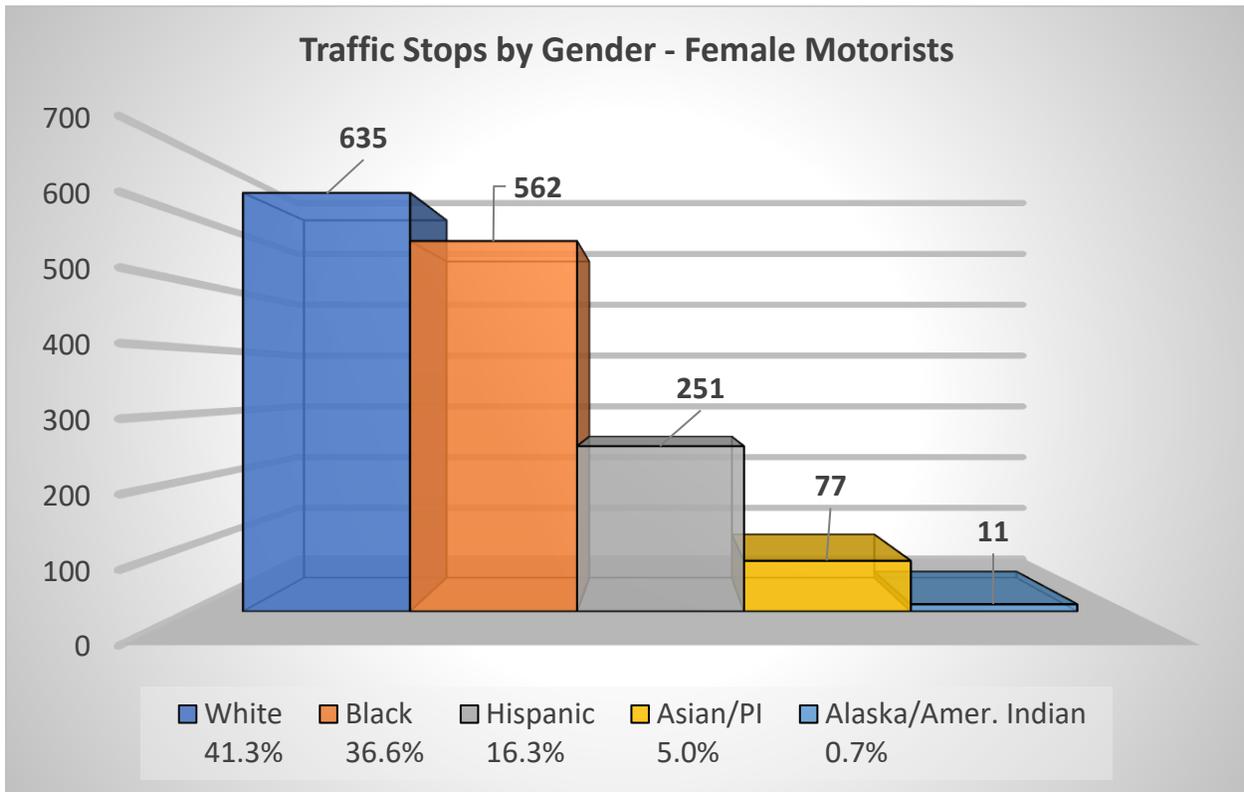
Please note: HHPD citations/warnings are designed to capture the race/ethnicity of the violator in accordance with CCP 2.132 and will not include "Other".



**Table 3: Traffic Stops by Gender – Female Motorists CY 2022**

*Analyzed by Gender-Race/Ethnicity*

	<b>Total</b>	<b>% of Total</b>
<b>Total Traffic Stops</b>	<b>3572</b>	<b>100.0%</b>
<b>Total Traffic Stops – Female Motorists</b>	<b>1536</b>	<b>43.0%</b>
White	635	41.3%
Black	562	36.6%
Hispanic/Latino	251	16.3%
Asian/Pacific Islander	77	5.0%
Alaska Native/American Indian	11	0.7%



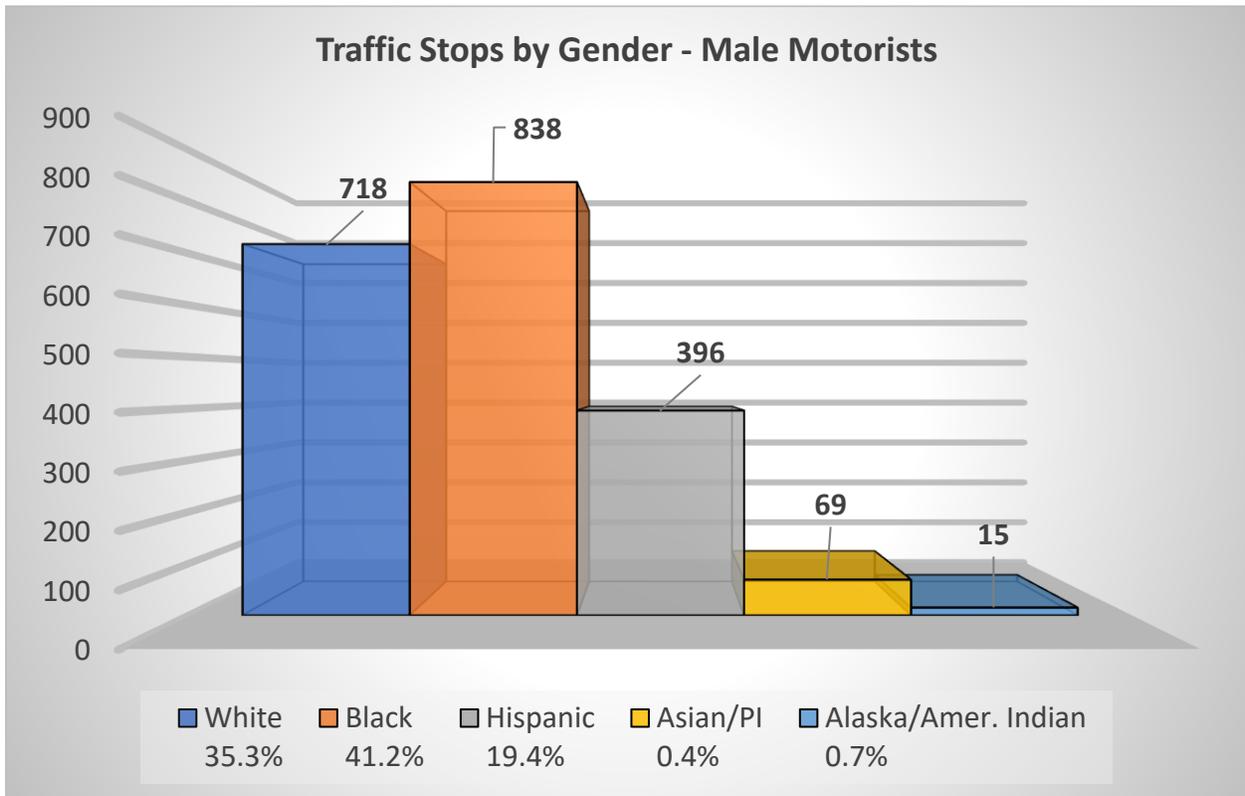
Please note: HHPD citations/warnings are designed to capture the race/ethnicity of the violator in accordance with CCP 2.132 and will not include "Other".



**Table 4: Traffic Stops by Gender – Male Motorists CY 2022**

*Analyzed by Gender-Race/Ethnicity*

	<b>Total</b>	<b>% of Total</b>
<b>Total Traffic Stops</b>	<b>3572</b>	<b>100.0%</b>
<b>Total Traffic Stops – Male Motorists</b>	<b>2036</b>	<b>57.0%</b>
White	718	35.3%
Black	838	41.2%
Hispanic/Latino	396	19.4%
Asian/Pacific Islander	69	3.4%
Alaska Native/American Indian	15	0.7%



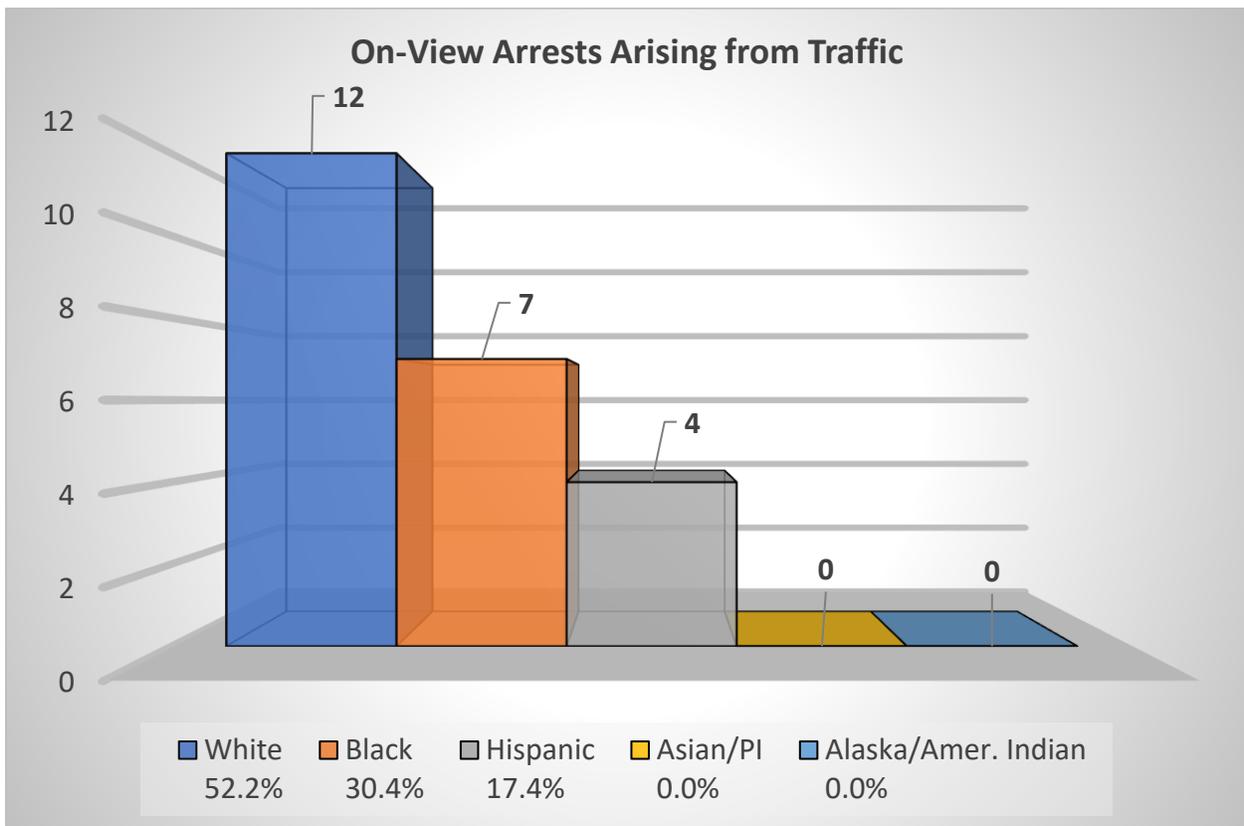
Please note: HHPD citations/warnings are designed to capture the race/ethnicity of the violator in accordance with CCP 2.132 and will not include "Other".



**Table 5: On-View Arrests Arising from Traffic CY 2022**

*Analyzed by Race/Ethnicity*

	<b>Total</b>	<b>% of Total</b>
<b>Total Arrests (All Sources) Department Wide</b>	<b>658</b>	
<b>Total Arrests Arising from Traffic Stops (on-view)</b>	<b>23</b>	<b>100%</b>
White	12	52.2%
Black	7	30.4%
Hispanic/Latino	4	17.4%
Asian/Pacific Islander	0	0.0%
Alaska Native/American Indian	0	0.0%



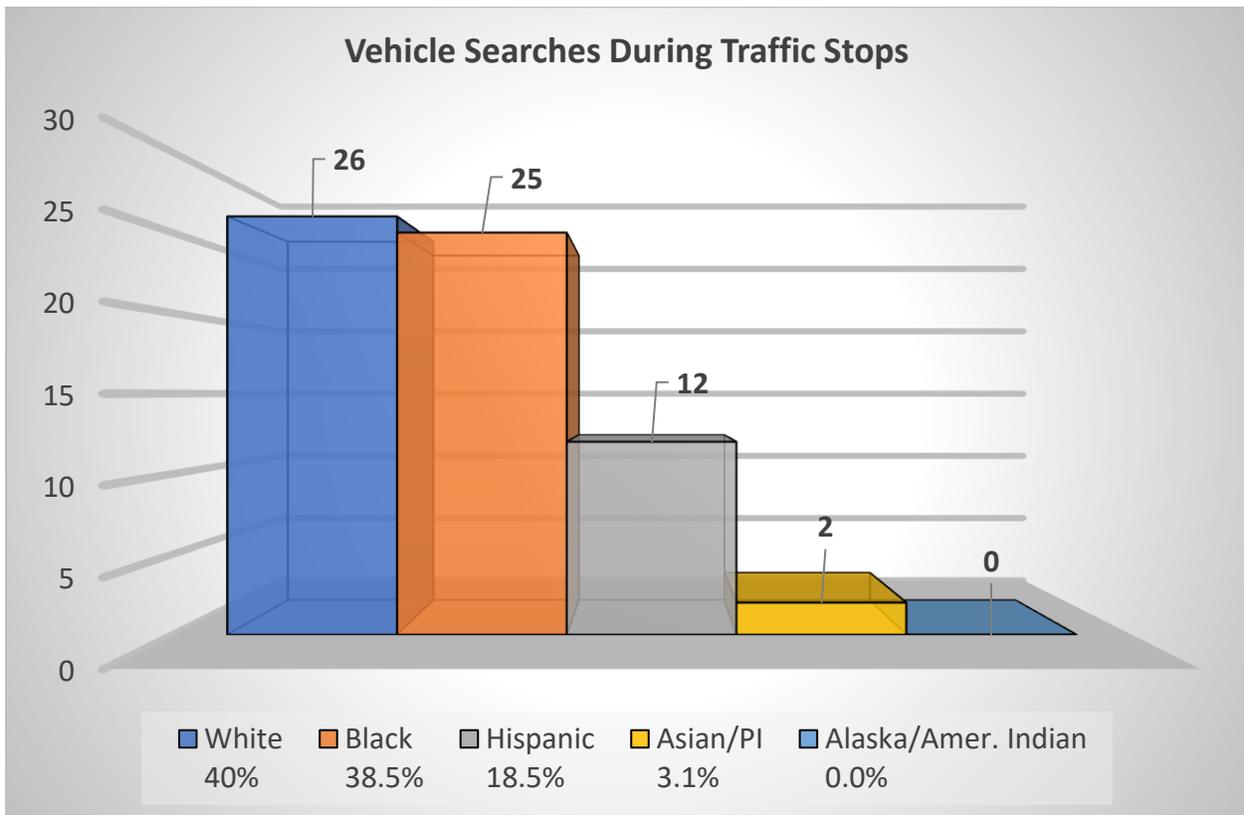
Please note: HHPD citations/warnings are designed to capture the race/ethnicity of the violator in accordance with CCP 2.132 and will not include "Other".



**Table 6: Vehicle Searches During Traffic Stops CY 2022**

*Analyzed by Race/Ethnicity*

	<b>Total</b>	<b>% of Total</b>
<b>Total Vehicle Searches During Traffic Stops</b>	<b>65</b>	<b>100%</b>
White	26	40%
Black	25	38.5%
Hispanic/Latino	12	18.5%
Asian/Pacific Islander	2	3.1%
Alaska Native/American Indian	0	0.0%



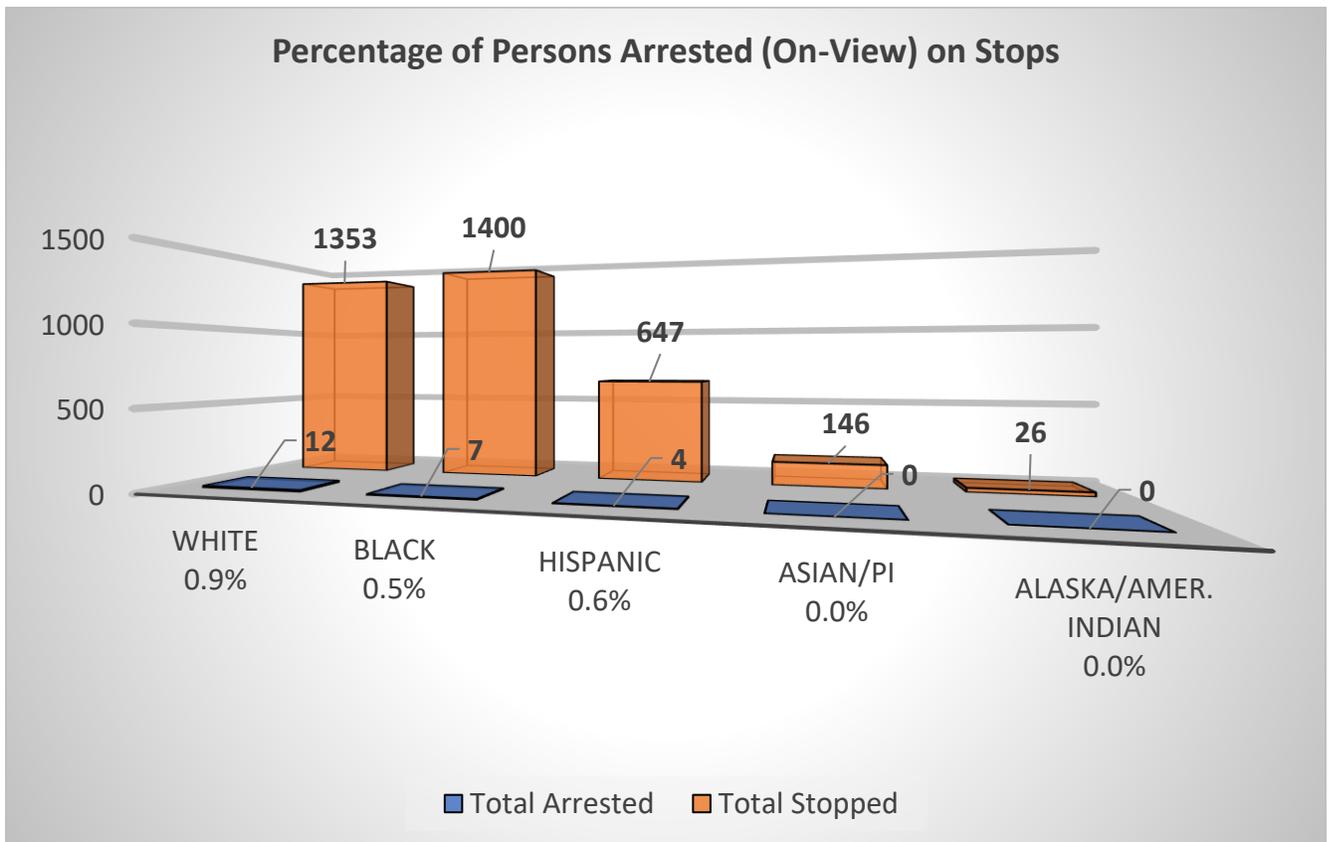
Please note: HHPD citations/warnings are designed to capture the race/ethnicity of the violator in accordance with CCP 2.132 and will not include "Other".



**Table 7: Percentage of Persons Arrested on Stops CY 2022**

*Analyzed by Race/Ethnicity*

	<b>Total Stopped</b>	<b>Total Arrested</b>	<b>% of Total</b>
White	1353	12	0.9%
Black	1400	7	0.5%
Hispanic/Latino	647	4	0.6%
Asian/Pacific Islander	146	0	0.0%
Alaska Native/American Indian	26	0	0.0%



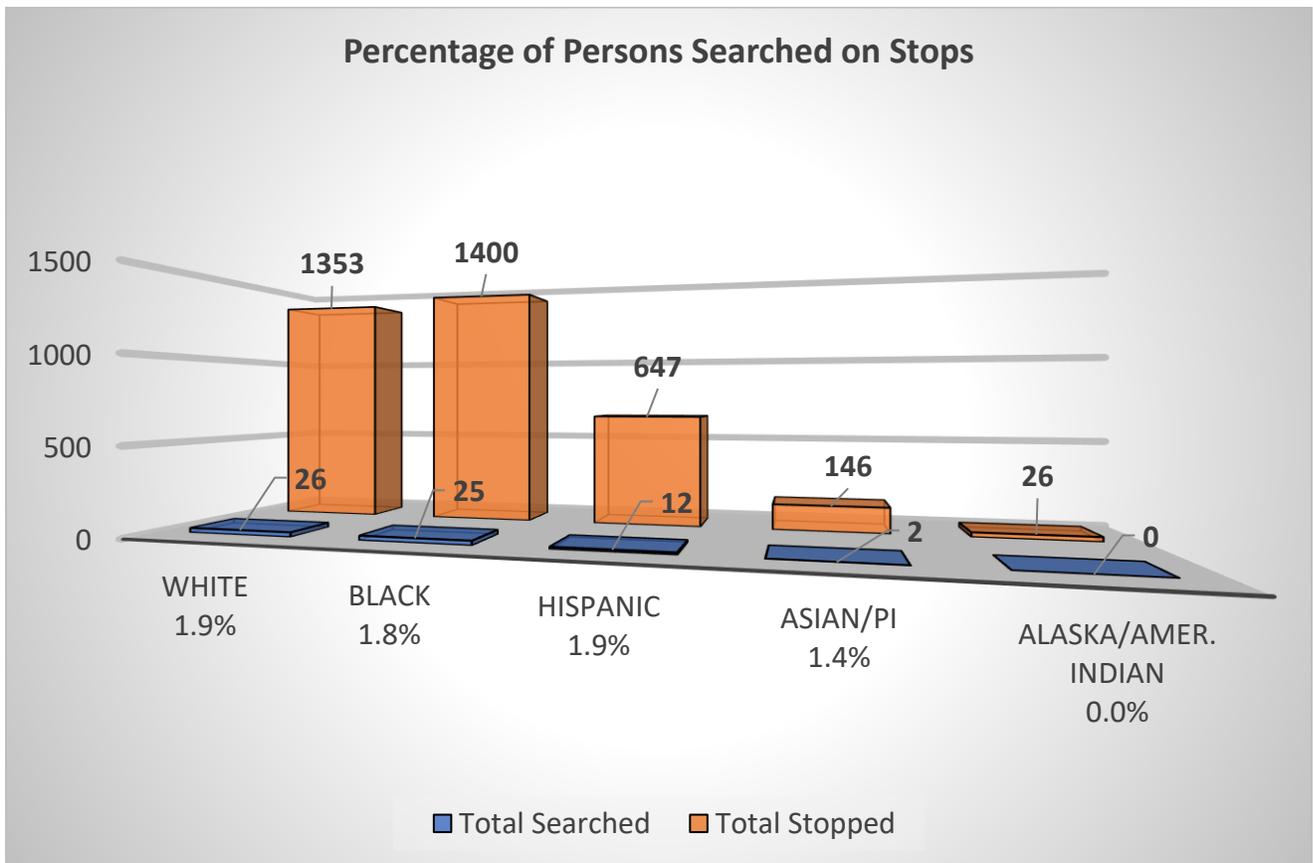
Please note: HHPD citations/warnings are designed to capture the race/ethnicity of the violator in accordance with CCP 2.132 and will not include "Other".



**Table 8: Percentage of Persons Searched on Stops CY 2022**

*Analyzed by Race/Ethnicity*

	<b>Total Stopped</b>	<b>Total Searched</b>	<b>% of Total</b>
White	1353	26	1.9%
Black	1400	25	1.8%
Hispanic/Latino	647	12	1.9%
Asian/Pacific Islander	146	2	1.4%
Alaska Native/American Indian	26	0	0.0%



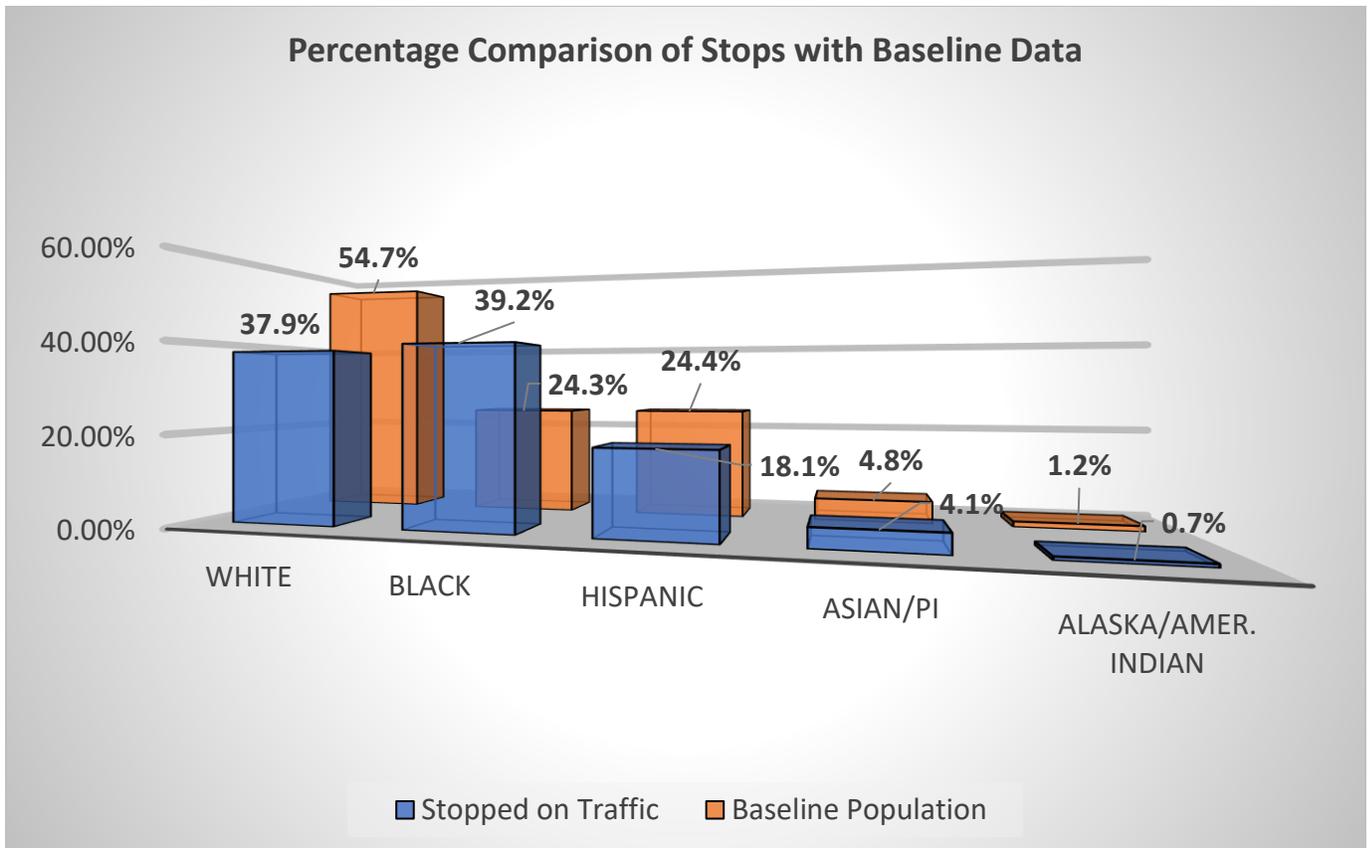
Please note: HHPD citations/warnings are designed to capture the race/ethnicity of the violator in accordance with CCP 2.132 and will not include "Other".



**Table 9: Percentage Comparison of Stops with Baseline Data CY 2022**

*Analyzed by Race/Ethnicity*

	<b>Percent Stopped</b>	<b>Population %</b>
White	37.9%	54.7%
Black	39.2%	24.3%
Hispanic/Latino	18.1%	24.4%
Asian/Pacific Islander	4.1%	4.8%
Alaska Native/American Indian	0.7%	1.2%



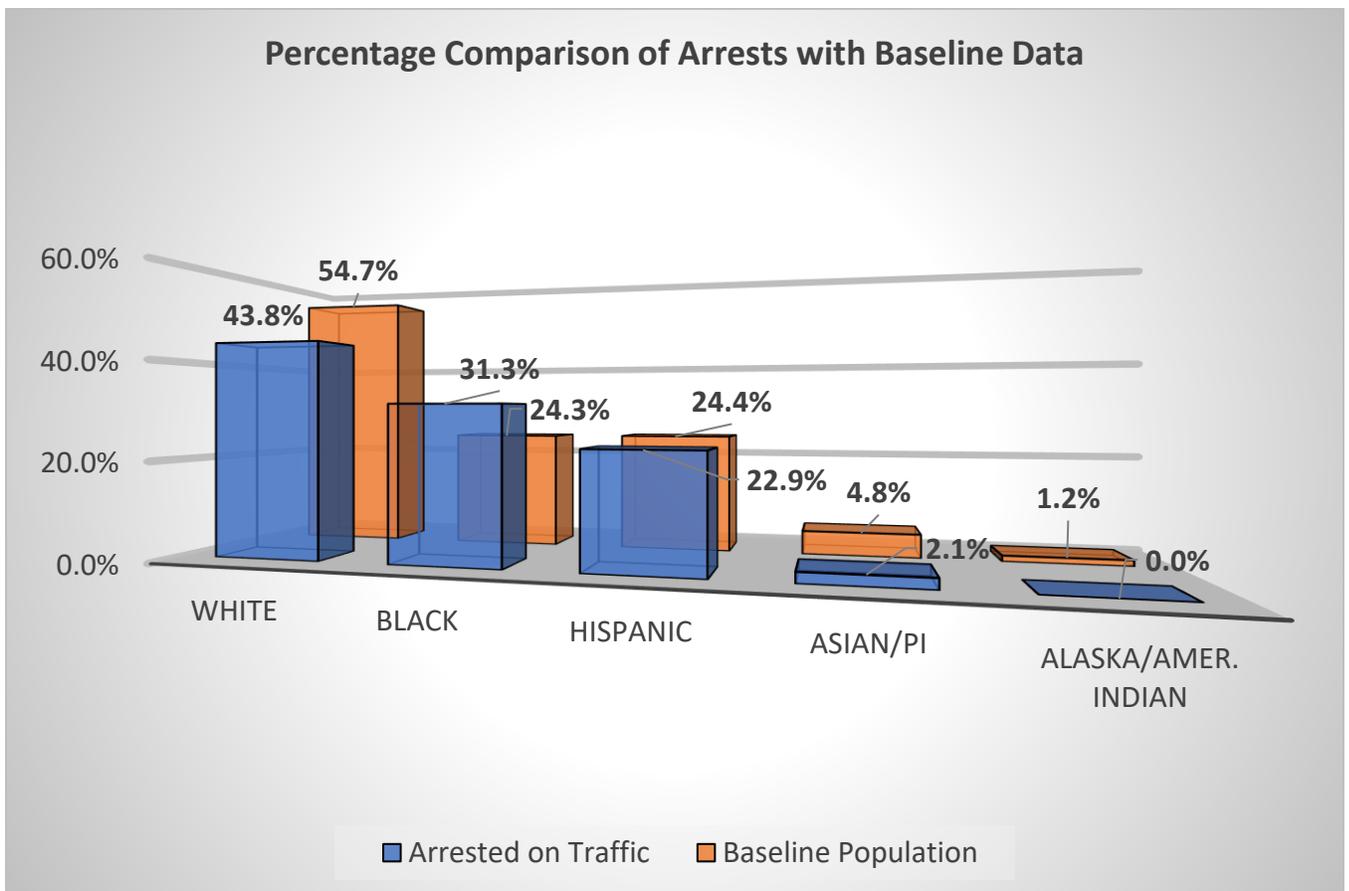
Please note: HHPD citations/warnings are designed to capture the race/ethnicity of the violator in accordance with CCP 2.132 and will not include “Other”.



**Table 10: Percentage Comparison of Arrests with Baseline Data CY 2022**

*Analyzed by Race/Ethnicity*

	<b>Percent Arrested</b>	<b>Population %</b>
White	43.8%	54.7%
Black	31.3%	24.3%
Hispanic/Latino	22.9%	24.4%
Asian/Pacific Islander	2.1%	4.8%
Alaska Native/American Indian	0.0%	1.2%



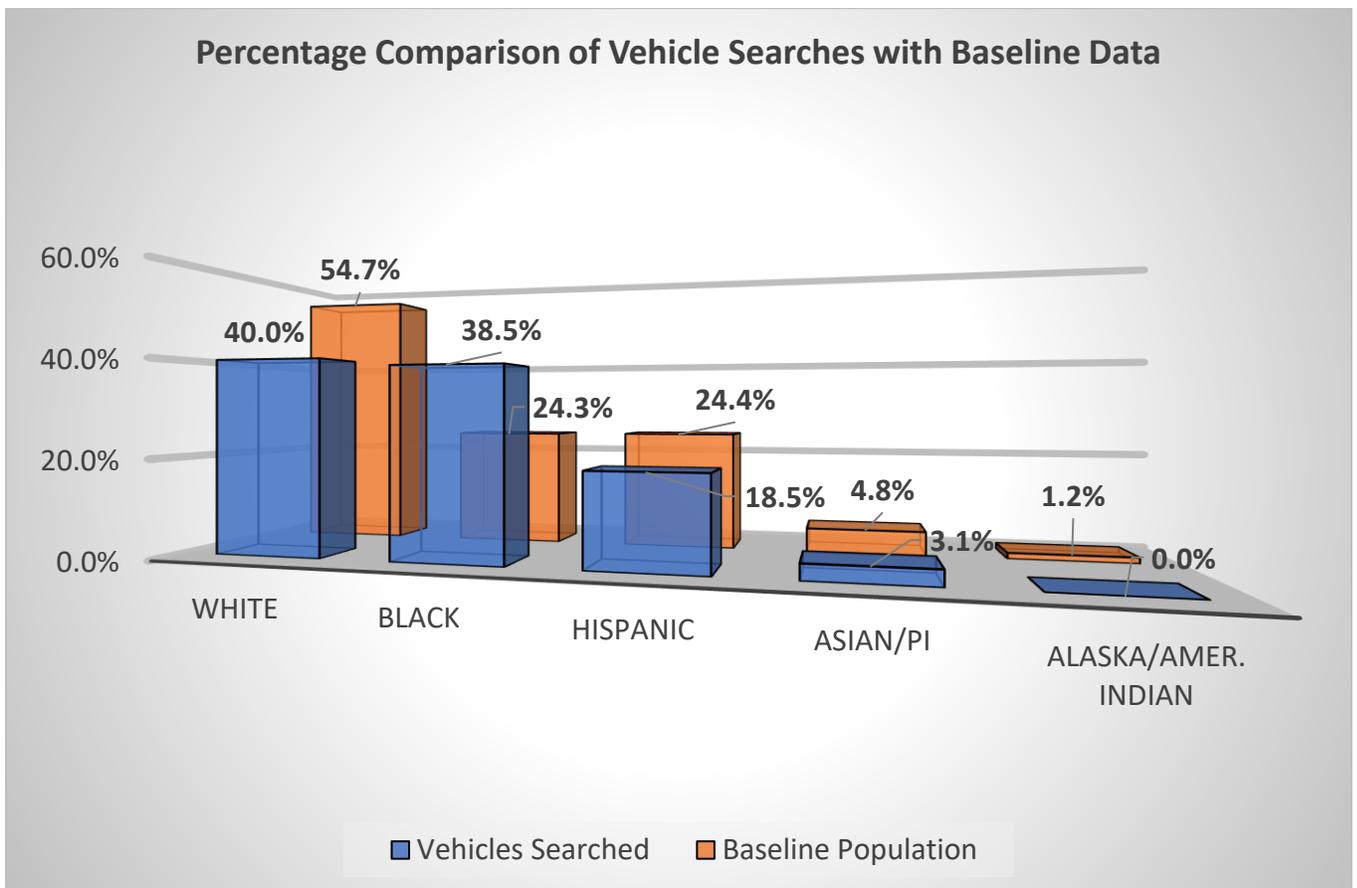
Please note: HHPD citations/warnings are designed to capture the race/ethnicity of the violator in accordance with CCP 2.132 and will not include "Other".



**Table 11: Percentage Comparison of Vehicle Searches with Baseline Data CY 2022**

*Analyzed by Race/Ethnicity*

	Percent Searched	Population %
White	40.0%	54.7%
Black	38.5%	24.3%
Hispanic/Latino	18.5%	24.4%
Asian/Pacific Islander	3.1%	4.8%
Alaska Native/American Indian	0.0%	1.2%



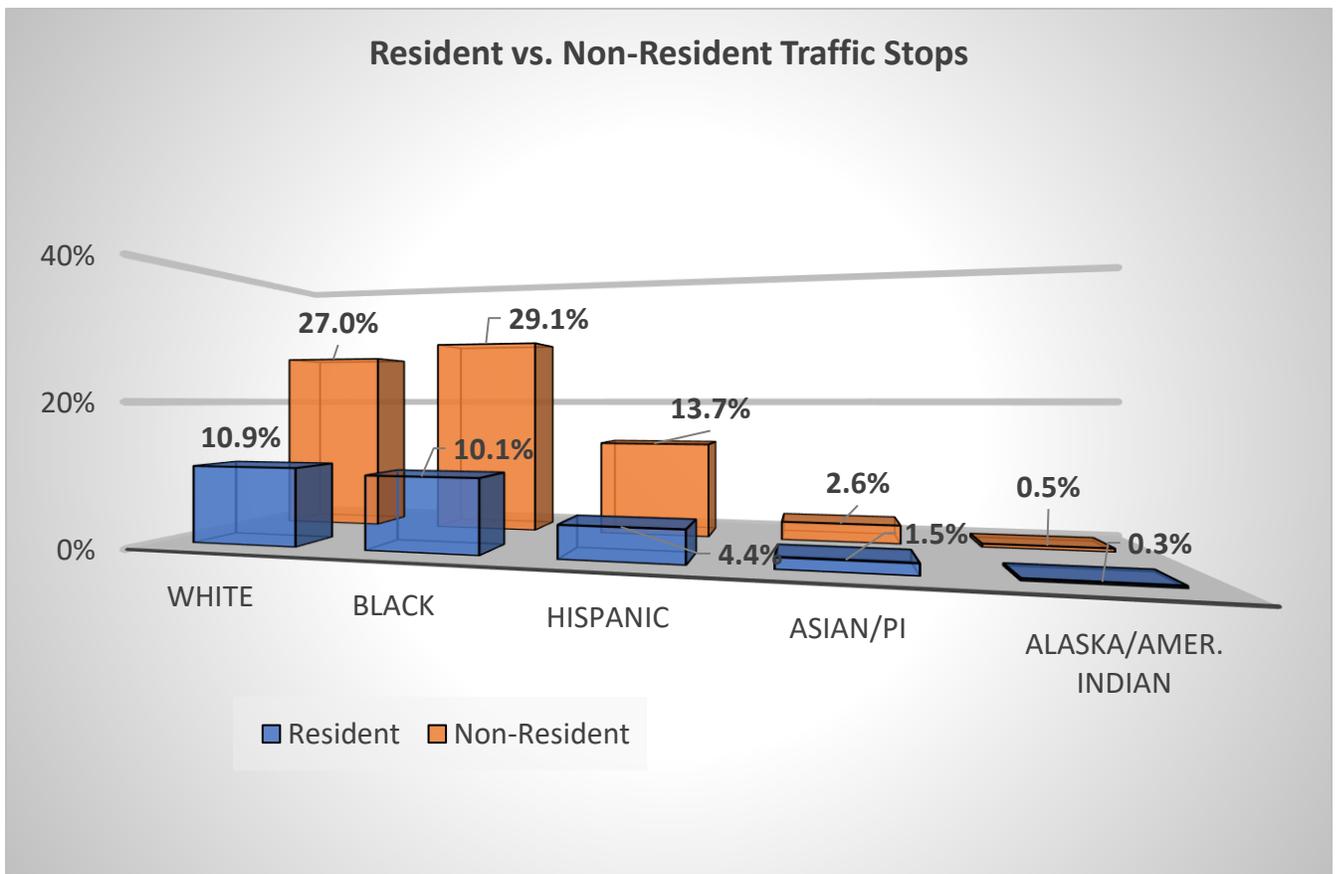
Please note: HHPD citations/warnings are designed to capture the race/ethnicity of the violator in accordance with CCP 2.132 and will not include "Other".



**Table 12: Resident vs. Non-Resident Traffic Stops CY 2022**

*Analyzed by Race/Ethnicity*

	<b>Total</b>	<b>Resident</b>	<b>Non-Resident</b>
<b>Total Traffic Stops</b>	<b>3572</b>	<b>966</b>	<b>2606</b>
<b>Percentage of Stops</b>		<b>27%</b>	<b>73%</b>
White	1353	389	964
Black	1400	359	1041
Hispanic/Latino	647	156	491
Asian/Pacific Islander	146	53	93
Alaska Native/American Indian	26	9	17



Please note: HHPD citations/warnings are designed to capture the race/ethnicity of the violator in accordance with CCP 2.132 and will not include “Other”.



## **Appendix 1: The Texas Statutes on Racial Profiling**

### **I. Code of Criminal Procedures**

#### **Art. 3.05 Racial Profiling**

In this code, "racial profiling" means 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.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 2, eff. Sept. 1, 2001.

#### **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**

(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 complaint and complaint process, including providing the telephone number, mailing address, and e-mail address to make a complaint 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;

(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.

(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;
- (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.

#### **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 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 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.

#### **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.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 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 in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, 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 in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras. 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 in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, 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 in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, 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 taken the necessary actions to use and is using video and audio equipment and body worn cameras for those purposes.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001. Amended by:  
Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.04, eff. September 1, 2017.

#### **Art. 2.138 Rules**

The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.  
Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.



## II. Education Code

### **Sec. 96.641 Initial Training and Continuing Education for Police Chiefs and Command Staff**

(a) The Bill Blackwood Law Enforcement Management Institute of Texas shall establish and offer a program of initial training and a program of continuing education for police chiefs. The curriculum for each program must relate to law enforcement management issues. The institute shall develop the curriculum for the programs. The curriculum must be approved by the Texas Commission on Law Enforcement.

(a-1) The institute may establish and offer a continuing education program for command staff for individuals who are second in command to police chiefs. The command staff continuing education program must satisfy the requirements for the police chief continuing education program under Subsection (a).

(b) Each police chief must receive at least 40 hours of continuing education provided by the institute under this section each 24-month period. The Texas Commission on Law Enforcement by rule shall establish a uniform 24-month continuing education training period.

(c) An individual appointed or elected to that individual's first position as chief must receive not fewer than 80 hours of initial training for new chiefs in accordance with Subsections (d) and (e).

(d) A newly appointed or elected police chief shall complete the initial training program for new chiefs not later than the second anniversary of that individual's appointment or election as chief. The initial training program for new chiefs is in addition to the initial training and continuing education required by Chapter [1701](#), Occupations Code. The Texas Commission on Law Enforcement by rule shall establish that the first continuing education training period for an individual under Subsection (b) begins on the first day of the first uniform continuing education training period that follows the date the individual completed the initial training program.

(e) The institute by rule may provide for the waiver of:

(1) the requirement of all or part of the 80 hours of initial training for new chiefs to the extent the new chief has satisfactorily completed equivalent training in the 24 months preceding the individual's appointment or election; or

(2) the continuing education requirements of Subsection (b) for an individual who has satisfactorily completed equivalent continuing education in the preceding 24 months.

(f) An individual who is subject to the continuing education requirements of Subsection (b) is exempt from other continuing education requirements under Subchapter [H](#), Chapter [1701](#), Occupations Code.

(g) In this section, "police chief" or "chief" means the head of a police department.

(h) The chief of a municipal police department must be licensed as a peace officer by the commission no later than one year after the date that the chief is appointed to the position of police chief. The commission shall establish requirements for licensing and for revocation, suspension, cancellation, or denial of peace officer license for a police chief.

(i) A police chief who does not comply with this section cannot continue to be the chief.



(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on asset forfeiture under Chapter [59](#), Code of Criminal Procedure. The program must include an examination of the best practices for educating peace officers about asset forfeiture and monitoring peace officers' compliance with laws relating to asset forfeiture.

(k) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

- (1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;
- (2) implementing laws and internal agency policies relating to preventing racial profiling; and
- (3) analyzing and reporting collected information.

(l) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. The program must include an examination of the best practices for:

- (1) monitoring peace officers' compliance with internal agency policies relating to de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; and
- (2) implementing internal agency policies relating to those techniques.

(m) A police chief may not satisfy the requirements of Subsection (l) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

Added by Acts 1997, 75th Leg., ch. 770, Sec. 1, eff. Sept. 1, 1997. Amended by:  
Acts 2001, 77th Leg., ch. 929, Sec. 4, eff. Sept. 1, 2001;  
Acts 2001, 77th Leg., ch. 947, Sec. 3, eff. Sept. 1, 2001;  
Acts 2001, 77th Leg., ch. 1420, Sec. 14.740, eff. Sept. 1, 2001;  
Acts 2003, 78th Leg., ch. 1275, Sec. 2(47), eff. Sept. 1, 2003. Amended by:  
Acts 2005, 79th Leg., Ch. 393 (S.B. [1473](#)), Sec. 2, eff. September 1, 2005.  
Acts 2007, 80th Leg., R.S., Ch. 278 (H.B. [486](#)), Sec. 1, eff. June 15, 2007.  
Acts 2011, 82nd Leg., R.S., Ch. 602 (S.B. [244](#)), Sec. 1, eff. September 1, 2011.  
Acts 2011, 82nd Leg., R.S., Ch. 602 (S.B. [244](#)), Sec. 2, eff. September 1, 2011.  
Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. [686](#)), Sec. 2.16, eff. May 18, 2013.



### III. Occupations Code

#### **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 a 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, telecommunicators, and county jailers, including:
- (1) civil service;
  - (2) compensation, including overtime compensation, and vacation time;
  - (3) personnel files and other employee 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.
- (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\(c\)](#).
- (j) 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\(a\)](#).
- (k) As a requirement for an intermediate or advanced proficiency certificate issued by the commission on or after January 1, 2015, an officer must complete an education and training program on missing and exploited children. The commission by rule shall establish the program. The program must:



- (1) consist of at least four hours of training;
- (2) include instruction on reporting an attempted child abduction to the missing children and missing persons information clearinghouse under Chapter [63](#), Code of Criminal Procedure;
- (3) include instruction on responding to and investigating situations in which the Internet is used to commit crimes against children; and
- (4) include a review of the substance of Chapters [20](#) and [43](#), Penal Code.

(l) As a requirement for an intermediate or advanced proficiency certificate issued by the commission on or after January 1, 2016, an officer must complete the canine encounter training program established by the commission under Section [1701.261](#).

(m) As a requirement for an intermediate or advanced proficiency certificate issued by the commission on or after January 1, 2016, an officer must complete an education and training program on the Texas Crime Information Center's child safety check alert list established by the commission under Section [1701.266](#).

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section [1701.253](#)(n).

(o) The commission shall adopt rules to allow an officer who has served in the military to receive credit toward meeting any training hours required for an intermediate, advanced, or master proficiency certificate based on that military service.

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 (S.B. [1473](#)), Sec. 4, eff. September 1, 2005.

Acts 2009, 81st Leg., R.S., Ch. 1002 (H.B. [4009](#)), Sec. 6, eff. September 1, 2009.

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 17, eff. September 1, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 91 (S.B. [1303](#)), Sec. 27.001(48), eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 855 (H.B. [3823](#)), Sec. 9, eff. September 1, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 571 (S.B. [742](#)), Sec. 9, eff. September 1, 2013.

Acts 2015, 84th Leg., R.S., Ch. 31 (H.B. [593](#)), Sec. 3, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1056 (H.B. [2053](#)), Sec. 8, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 324 (S.B. [1488](#)), Sec. 24.002(12), eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 4.05, eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 222 (H.B. [971](#)), Sec. 1, eff. September 1, 2019



#### IV. Transportation Code

##### Sec. 543.202 Form of Record

(a) In this section, "race or ethnicity" means the following categories:

- (1) Alaska native or American Indian;
- (2) Asian or Pacific Islander;
- (3) black;
- (4) white; and
- (5) Hispanic or Latino.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

- (1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;
- (2) the registration number of the vehicle involved;
- (3) whether the vehicle was a commercial motor vehicle as defined by Chapter [522](#) or was involved in transporting hazardous materials;
- (4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial learner's permit;
- (5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter [522](#);
- (6) whether a search of the vehicle was conducted and whether consent for the search was obtained;
- (7) the plea, the judgment, whether the individual was adjudicated under Article [45.0511](#), Code of Criminal Procedure, and whether bail was forfeited;
- (8) the date of conviction; and
- (9) the amount of the fine or forfeiture.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by:

Acts 2001, 77th Leg., ch. 947, Sec. 6, eff. Sept. 1, 2001;

Acts 2003, 78th Leg., ch. 1325, Sec. 8.04, eff. June. 1, 2005.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 752 (H.B. [1888](#)), Sec. 39, eff. January 1, 2016.

Acts 2017, 85th Leg., R.S., Ch. 173 (H.B. [3051](#)), Sec. 2, eff. September 1, 2017.



## Appendix 2: HHPD Policy on Racial Profiling

### HARKER HEIGHTS POLICE DEPARTMENT Policy and Procedures Manual

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Section: II. Operational Procedures  
Category: C. Miscellaneous Operations  
Distribution: All Divisions and Sections  
Purpose: To define the Department's commitment to unbiased policing in all its encounters and to define the appropriate use of mobile video and body worn camera systems.  
Number: IIC-11

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**TITLE: RACIAL PROFILING, UNBIASED POLICING AND MOBILE VIDEO  
AND BODY CAMERA VIDEO SYSTEMS**

1. POLICY STATEMENT

It is the policy of this Department to police in a proactive manner and to aggressively investigate suspected violations of the law. Officers shall actively enforce laws in a responsible and professional manner, without regard to race, ethnicity, or national origin. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group trait. This policy shall not preclude officers from offering assistance, such as upon observing a mechanical malfunction or stranded motorist or other like condition. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person. This policy does not lessen the force of other policies of this Department including those governing arrest, detention, and the obligation of police officers to take lawful enforcement actions. This policy is also provided for the purpose of preventing false complaints against officers and to provide policy and procedures for the use of both the mobile video and body worn camera system (BWC) including both audio and video recording of field activity in the course of official police duties.

2. DEFINITIONS

2.1 RACIAL PROFILING [TBP 2.01]

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 only to persons who are considered as suspects or potential suspects of criminal activities. The term does not apply 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. When used as a part of a physical description of a specific suspect, these factors should be considered and articulated accordingly in the decision. The detention of any individual simply because of these factors is racial profiling. Examples of racial profiling include but are not limited to:

- A. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the driver's race, ethnicity, or national origin.
- B. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possesses that specific make or model of vehicle.
- C. Detaining an individual based upon the determination that a person of that race, ethnicity, or national origin does not belong in a specific part of town or a specific place.

## 2.2 BIAS BASED PROFILING

The selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group trait. Racial profiling is included within the meaning of bias based profiling.

## 2.3 RACE OR ETHNICITY

Of a particular decent, including white, black, Hispanic or Latino, Asian or Pacific Islander, or-Alaska Native or American Indian.

## 2.4 PEDESTRIAN STOP

An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

## 2.5 TRAFFIC STOP

The stopping of a motor vehicle for the alleged violation of a law or ordinance regulating traffic. These stops are under the governance of Policies IIA-5 and IIA-6 of this manual.

## 2.6 CRIMINAL INVESTIGATION

A fact finding effort by the police of which the ultimate goal is to determine whether or not a crime has been committed and if certain individuals were involved in the commission of a crime. Probable cause as defined in this manual need not exist to constitute a criminal investigation.

## 2.7 DIGITAL EVIDENCE MANAGEMENT SYSTEM (DEMS).

The electronic management of information and data of value to an investigation that is stored on, received or transmitted by an electronic device.

## 2.8 BODY WORN CAMERA SYSTEM (BWC)

A recording system that is typically utilized by law enforcement to record their interactions with the public or gather video evidence at crime scenes, accident investigations, and contact with members of the public.



## 2.9 Digital Evidence

Digital Evidence is any evidence which is either collected digitally or stored digitally. The vendor's name of the digital evidence or the media in which it is stored (i.e. tape, DVD, or hard drive) used in this Department policy are all referencing the same digital evidence (Mobile Digital Video, IVVT, BWC).

## 3. TRAINING REQUIRED

### 3.1 RACIAL PROFILING TRAINING [TBP 2.10]

Officers are responsible for their adherence to all TCOLE rules regarding required training. All officers shall complete a TCOLE approved training program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever is earlier. A person who was licensed as a peace officer for at least two years or who held an intermediate proficiency certificate on September 1, 2001, shall complete an approved course. Such training shall be incorporated into the Department's field training program for new officers if they have not previously attended Racial Profiling Training.

### 3.2 MOBILE VIDEO AND BWC SYSTEM TRAINING

All officers assigned to a function wherein vehicles equipped with mobile video recording systems or are assigned or required to utilize a BWC system, shall complete a Department approved training course in the use of those systems and the application of them in the context of this policy. This training will be incorporated into the Department's field training program for new officers and officers employed by the Harker Heights Police Department on September 1, 2001, will complete this training program and all required officers will complete the BWC training program when it becomes available but no later than February 1, 2017.

## 4. USE OF MOBILE VIDEO AND BODY WORN CAMERA SYSTEMS

### 4.1 AVAILABILITY OF EQUIPMENT AND USE REQUIRED

Each vehicle regularly used by this Department to make traffic and pedestrian stops will be equipped with a video camera and transmitter-activated equipment. Each traffic and pedestrian stop made by an officer of this Department that is capable of being recorded will be recorded using this equipment.

When to activate the body worn camera:



- When non-enforcement contacts with the public become confrontational, assaultive, or enforcement-oriented.
- When the officer feels the use of the BWC is appropriate and beneficial in documenting an incident.
- All enforcement encounters where there is at least reasonable suspicion the person(s) has committed, is committing, or may be involved in criminal activity.
  - Detentions
  - Vehicle stops
  - Pedestrian stops
  - Consensual encounters
- Taking or attempting to take a person into custody
- Any incident involving use of force
- Service of search or arrest warrants
- Suspect statements
- Witness/victim statements (when practical)
- Pursuits
- Response to complaints or calls for service
- During an active investigation (this does not include manning TCP's, Access points or any other assistance provided by the officer at the investigator's request). Officers will record in it's entirety with the exception of an interruption that which is deemed necessary to seize video evidence at the time of one's recording (HB929 'Botham Act').

#### 4.2 RETENTION OF TAPED OR RECORDED MEDIA

The Harker Heights Police Department shall retain the tapes/recorded media for at least 90 days after the date of the recording. If a complaint is filed with this Department alleging racial profiling or other complaint, the relevant tape(s) shall be retained until the final disposition of the complaint. Although not required by law, the same standard shall apply whenever possible to any other incident as deemed by the Chief of Police or his designee.

Employees utilizing the BWC shall assign each video of evidentiary value a case number. In the event a video does not fall into a specified category and has no apparent evidentiary or administrative value, and it is not associated with a case number, the officer may leave the video as uncategorized. All videos will be retained for a minimum of 90 days unless they are of evidentiary value, then they will be kept until the case is adjudicated. The videos will be subject to the HHPD evidence destruction policy. Retention periods are in accordance with state and federal mandates and reflect the minimum retention period; greater retention may be ordered or required due to litigation holds, administrative proceedings, or other processes. Retention periods are subject to change at the Chief of Police's or his / her designee's discretion.

#### 5. SUPERVISORY RESPONSIBILITY AND REVIEW [TBP 2.01]

Supervisors will ensure officers of this Department are recording their citizen contacts, traffic, and pedestrian stops. A random review of each subordinate officer's recorded contacts will be performed at least once every 3 months to determine if a pattern of racial profiling exists or if any other policy or law violation has occurred and BWCs are utilized in accordance of Departmental policy.



- A. Supervisors shall ensure videos related to critical incidents are uploaded to the Department's Digital Evidence Management System (DEMS).
- B. Supervisors may have the ability to immediately resolve citizen complaints by reviewing video captured by mobile video or the BWC. In those circumstances where a complaint is resolved with no further action necessary, supervisors shall author a memo to the Patrol Commander explaining the events surrounding the complaint. This will allow the Professional Standards Lieutenant to capture incidents that are resolved by these systems.
- C. Supervisors will maintain a log of the random review of officer's videos to show which videos were reviewed, the date reviewed, and the outcome of the review. The log will be forwarded to the Professional Standards Lieutenant.

### 5.1 RESPONSIBILITIES

Personnel utilizing the mobile video or BWC shall be responsible for the following:

- A. Ensuring the equipment is fully functional and the camera is fully charged daily and operating properly.
- B. As soon as possible reporting unresolved equipment malfunctions and/or problems to their supervisor.
- C. Monitoring system effectiveness and making recommendations for operational improvement and policy revision.
- D. Documenting the use of the BWC on one of the following:
  - 1. On the police report/computer entry
  - 2. As a notation on a citation
  - 3. On a Field Interview card/entry.
  - 4. Any other approved report when deemed appropriate. When preparing written reports, officers may review their recordings as a resource. However, officers should not use the fact that a recording was made as a reason to write a less-detailed report.
- E. Once video of evidentiary value is captured, officers shall identify BWC files by:
  - 1. HHPD case number in the Case ID Field.
  - 2. Entering a title. The title should include sufficient information to identify the file, such as crime code, suspect name, location, event, etc.
  - 3. Selecting the appropriate category(s).

### 6. OPERATION OF BODY WORN CAMERA EQUIPMENT

Personnel shall adhere to the following regarding the operation of BWC equipment:

- A. Personnel shall test BWC equipment prior to going into service and ensure the unit is functioning properly and charged.
- B. Personnel shall position the camera on their uniform to facilitate an optimum recording field of view.
- C. Personnel shall dock their issued BWC for automated upload of BWC data files daily at the end of their shift to ensure storage capacity is not exceeded and/or to view uploaded audio/video.



- D. Time allowing, personnel that work special events may dock their issued BWC for automated upload of BWC data files at the end of their shift to ensure storage capacity is not exceeded and/or to view uploaded audio / video. Personnel may alternatively choose to dock their BWC at the Police Department prior to their next regular patrol shift with documented supervisory approval.

## 7. REVIEW OF AUDIO/VIDEO FILES

Once uploaded to DEMS, personnel may view their own audio/video data. DEMS will automatically time/date stamp and record each access by username.

### 7.1 REASONS FOR REVIEW

- A. For their involvement in an incident, in order to complete a criminal investigation and prepare official reports.
- B. Prior to courtroom testimony or for courtroom presentation.
- C. Prior to an internal affairs interview when the event recorded is the subject of the investigation, except in the cases of the officer-involved and critical incidents, as set forth below.

### 7.2 OFFICER INVOLVED CRITICAL INCIDENTS

If an officer is involved in an “Officer-Involved Critical Incident,” personnel may be afforded the opportunity to review recorded video footage before providing an initial statement to investigators. Personnel are encouraged to consult legal representation prior to providing a statement pursuant to an administrative and or criminal inquiry. When safe and practical, an on scene supervisor may retrieve the BWC from the involved officer(s) at the scene. The supervisor will be responsible for assuring the camera is docked and uploaded into the DEMS. Following a time sensitive critical incident, a video may only be viewed prior to being uploaded into the DEMS:

- A. When exigent circumstances occur, such as when an officer is injured, or to obtain identifying suspect information or other pertinent information.
- B. To allow investigators, such as Professional Standards personnel, to view video in order to assist in an investigation.

### 7.3 USE FOR TRAINING PURPOSES

Video and audio data may be used for training purposes as directed by the Chief of Police or his/her designee. After a case has been adjudicated or no longer has evidentiary value, the Department may wish to use portions of recorded footage for training purposes. A recorded media file may be utilized as a training tool for individuals, specific units, and the Department as a whole. A recommendation to utilize a file for such purpose may come from any source.

- A. A person recommending utilization of a BWC file for training purposes shall submit the recommendation through the chain of command to the Chief of Police or his/her designee.
- B. If an involved officer or employee objects to the showing of a recording, his/her objection will be submitted to the Chief of Police or his/her designee to determine if the employee’s objection outweighs the training value.



- C. After evaluating any concerns, the Chief of Police or his/her designee shall review the recommendation and determine how best to utilize the file considering the identity of the person(s) involved, sensitivity of the incident, and benefit of utilizing the file as opposed to using other means (e.g. Policy, Training Bulletin, Officer Safety Bulletin, briefing or other training).

#### 7.4 OWNERSHIP AND USE

The data retained in the DEMS is wholly owned by the City of Harker Heights and the Harker Heights Police Department and shall only be accessed only from Department authorized computers. Recorded data shall not be possessed or shared by any individual without the expressed authorization of the Chief of Police or his designee.

#### 8. VIDEO AND AUDIO FILE REQUESTS

Any requests for the release of copies or viewing of recorded data except as described in this policy shall be submitted to the Chief of Police or his/her designee for approval. All other requests for a recorded file shall be accepted and processed in accordance with federal, state, local statues and Departmental policy. Media inquiries and/or requests shall be received and processed in accordance with Departmental Media Relations Policy.

##### 8.1 REQUEST FOR DELETION OF ACCIDENTAL RECORDINGS

In the event of an accidental activation of the BWC where the resulting recording is of no investigative or evidentiary value, the recording employee may request that the BWC file be deleted by submitting an email request with sufficient information to locate the video file to the Chief of Police or designee, he/she shall approve or deny the request, and forward to the PSS/System Administrator for action. The requesting employee shall be notified of the outcome.

##### 8.2 COPYING PROCEDURES

A copy of recorded media files may be made in accordance with the provisions of this Policy for evidence purposes, prosecutor requests, training purposes or other appropriate purpose. Other than as provided in this Policy, no member of this Department shall download or copy any video from the DEMS onto any computer, device, drive, CD, DVD or any other format without the express consent of the Chief of Police or his/her designee.

##### 8.3 INTERNAL INVESTIGATIONS

Department personnel conducting internal or criminal investigations according to Department policy shall:

- A. Advise the System Administrator to restrict access/public disclosure of the BWC file in criminal or internal investigations, when necessary.
- B. Document the reason for access by entering the related Internal Affairs or case number or reason for access in the "NOTES" field of the DEMS prior to viewing.
- C. Review the video file to determine whether the BWC file is of evidentiary value and process in accordance with established procedures.
- D. Notify the System Administrator to remove the access restriction when the investigation is closed.



9. MALFUNCTIONING MOBILE VIDEO/BWC SYSTEMS

In the event that a mobile video system malfunctions or needs repair, that patrol vehicle will be taken off line until the system is repaired. Unless absolutely necessary because of an emergency, that vehicle will not be used for traffic or pedestrian stops until the system is repaired or replaced. The officer who detects it will make a report of any system malfunction to the immediate supervisor. That supervisor will arrange for the downing of the vehicle and communicate with command the need for the repair. In the event that BWC malfunctions or needs repair, the officer who detects the issue will make a report of any system malfunction to their immediate supervisor, who will ensure the System Administrator is advised. The officer will be provided with a replacement and submit the malfunctioning unit for repair or replacement.

10. DATA COLLECTION, ANALYSIS AND REPORTING

10.1 COLLECTION

An officer is required to collect information relating to traffic stops in which a citation is issued. On the citation, officers must include:

- A. The violator's ethnicity or race, as best determined by the officer,
- B. Whether a search was conducted,
- C. If a search was conducted, whether or not it was consensual, and
- D. Whether the individual was arrested for the cited violation or any other violation.

10.2 ANALYSIS AND REPORTING

By March 1<sup>st</sup> of each year, the Department shall submit a report of the racial and ethnic statistics regarding traffic stops resulting in citations to the City Council that includes information gathered by the citations for the previous calendar year. The report will include:

- A. A breakdown of citations by race or ethnicity,
- B. Number of citations that resulted in a search,
- C. Number of searches that were consensual, and
- D. Number of citations that resulted in custodial arrests for the cited violation or any other violation.

11. COMPLAINT INVESTIGATIONS

11.1 PROCEDURES AND CORRECTIVE ACTION

Existing policies on complaint investigation, internal investigation and corruption prevention will be followed in any such cases and if a policy violation is found to have occurred, appropriate corrective action shall be taken.

11.2 ALL COMPLAINTS INVESTIGATED

Any accusation of racial profiling will be investigated regardless of whether the complaint was formally or informally presented. No person shall be discouraged, intimidated, or coerced from filing a complaint, nor discriminated against because he or she filed a complaint.



12. PUBLIC EDUCATION

This Department will inform the public via the City Website and any other applicable method of this policy against racial profiling and the methods for handling accusations of such. No person shall be denied information regarding the complaint process or the fact that the Department has a policy against racial profiling.



## **Appendix 3: Complete TCOLE Racial Profiling Report**



## **Appendix 4: Harker Heights Fire Department TCOLE Racial Profiling Report**

# Racial Profiling Report | Full

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Agency Name: HARKER HEIGHTS POLICE DEPT  
Reporting Date: 02/07/2023  
TCOLE Agency Number: 027204

Chief Administrator: BETIALE L. HAWKINS

Agency Contact Information:  
Phone: (254) 953-5420  
Email: bhawkins@harkerheights.gov

Mailing Address:  
402 INDIAN TRL  
HARKER HEIGHTS, TX 76548-7208

This Agency filed a full report

HARKER HEIGHTS POLICE DEPT has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the HARKER HEIGHTS POLICE DEPT from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the HARKER HEIGHTS POLICE DEPT if the individual believes that a peace officer employed by the HARKER HEIGHTS POLICE DEPT has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the HARKER HEIGHTS POLICE DEPT who, after an investigation, is shown to have engaged in racial profiling in violation of the HARKER HEIGHTS POLICE DEPT policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or 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;
  - 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 during the stop;
  - e. the location of the stop;
  - f. the reason for the stop.
- 7) requires 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.

The HARKER HEIGHTS POLICE DEPT has satisfied the statutory data audit requirements as prescribed in Article

2.133(c), Code of Criminal Procedure during the reporting period.

Executed by: BETIALE L. HAWKINS  
Chief of Police

Date: 02/07/2023

# Total stops: 3572

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## Street address or approximate location of the stop

City street	1518
US highway	571
County road	0
State highway	450
Private property or other	1033

## Was race or ethnicity known prior to stop?

Yes	46
No	3526

## Race / Ethnicity

Alaska Native / American Indian	26
Asian / Pacific Islander	146
Black	1400
White	1353
Hispanic / Latino	647

## Gender

<b>Female</b>	<b>1536</b>
Alaska Native / American Indian	11
Asian / Pacific Islander	77
Black	562
White	635
Hispanic / Latino	251
<b>Male</b>	<b>2036</b>
Alaska Native / American Indian	15
Asian / Pacific Islander	69
Black	838
White	718
Hispanic / Latino	396

## Reason for stop?

<b>Violation of law</b>	<b>117</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	2
Black	49
White	47

Hispanic / Latino	19
<b>Preexisting knowledge</b>	<b>9</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	3
White	5
Hispanic / Latino	0
<b>Moving traffic violation</b>	<b>2890</b>
Alaska Native / American Indian	24
Asian / Pacific Islander	132
Black	1126
White	1091
Hispanic / Latino	517
<b>Vehicle traffic violation</b>	<b>556</b>
Alaska Native / American Indian	2
Asian / Pacific Islander	11
Black	222
White	210
Hispanic / Latino	111
<b>Was a search conducted?</b>	
<b>Yes</b>	<b>65</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	2
Black	25
White	26
Hispanic / Latino	12
<b>No</b>	<b>3507</b>
Alaska Native / American Indian	26
Asian / Pacific Islander	144
Black	1375
White	1327
Hispanic / Latino	635
<b>Reason for Search?</b>	
<b>Consent</b>	<b>11</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	7
White	4

Hispanic / Latino	0		
<b>Contraband</b>	<b>4</b>		
Alaska Native / American Indian	0		
Asian / Pacific Islander	1		
Black	2		
White	0		
Hispanic / Latino	1		
<b>Probable</b>	<b>24</b>		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	9		
White	10		
Hispanic / Latino	5		
<b>Inventory</b>	<b>6</b>		
Alaska Native / American Indian	0		
Asian / Pacific Islander	1		
Black	0		
White	4		
Hispanic / Latino	1		
<b>Incident to arrest</b>	<b>20</b>		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	6		
White	9		
Hispanic / Latino	5		
<b>Was Contraband discovered?</b>			
<b>Yes</b>	<b>49</b>	<b>Did the finding result in arrest?</b>	
		(total should equal previous column)	
Alaska Native / American Indian	0	Yes 0	No 0
Asian / Pacific Islander	1	Yes 0	No 1
Black	20	Yes 3	No 17
White	21	Yes 11	No 10
Hispanic / Latino	7	Yes 3	No 4
<b>No</b>	<b>16</b>		
Alaska Native / American Indian	0		
Asian / Pacific Islander	1		
Black	5		
White	5		
Hispanic / Latino	5		

<b>Description of contraband</b>	
<b>Drugs</b>	<b>30</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	11
White	13
Hispanic / Latino	6
<b>Weapons</b>	<b>1</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	0
White	0
Hispanic / Latino	0
<b>Currency</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Alcohol</b>	<b>3</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	1
Hispanic / Latino	1
<b>Stolen property</b>	<b>5</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	2
Hispanic / Latino	0
<b>Other</b>	<b>13</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	6
White	6
Hispanic / Latino	1
<b>Result of the stop</b>	
Verbal warning	<b>0</b>

Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Written warning</b>	<b>1551</b>
Alaska Native / American Indian	12
Asian / Pacific Islander	59
Black	630
White	575
Hispanic / Latino	275
<b>Citation</b>	<b>1973</b>
Alaska Native / American Indian	14
Asian / Pacific Islander	86
Black	755
White	757
Hispanic / Latino	361
<b>Written warning and arrest</b>	<b>9</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	6
Hispanic / Latino	2
<b>Citation and arrest</b>	<b>39</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	14
White	15
Hispanic / Latino	9
<b>Arrest</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Arrest based on</b>	
<b>Violation of Penal Code</b>	<b>19</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0

Black	7
White	8
Hispanic / Latino	4
<b>Violation of Traffic Law</b>	<b>3</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	3
Hispanic / Latino	0
<b>Violation of City Ordinance</b>	<b>1</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	1
Hispanic / Latino	0
<b>Outstanding Warrant</b>	<b>25</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	8
White	9
Hispanic / Latino	7

**Was physical force resulting in bodily injury used during stop?**

<b>Yes</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Resulting in Bodily Injury To:</b>	
Suspect	0
Officer	0
Both	0
<b>No</b>	<b>3572</b>
Alaska Native / American Indian	26
Asian / Pacific Islander	146
Black	1400
White	1353
Hispanic / Latino	647

**Number of complaints of racial profiling**

Total	0
Resulted in disciplinary action	0
Did not result in disciplinary action	0

**Comparative Analysis**

Use TCOLE's auto generated analysis	<input type="checkbox"/>
Use Department's submitted analysis	<input checked="" type="checkbox"/>

**Optional Narrative**

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement

# Racial Profiling Report | Exempt

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Agency Name: HARKER HEIGHTS FIRE DEPT.  
Reporting Date: 01/10/2023  
TCOLE Agency Number: 027304

Chief Administrator: BRAD L. ALLEY

Agency Contact Information:  
Phone: (254) 699-2688  
Email: hhfdadmin@harkerheights.gov

Mailing Address:  
401 INDIAN TRAIL  
HARKER HEIGHTS, TX 76548

## FULL EXEMPTION RACIAL PROFILING REPORT

Article 2.132 CCP 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 traffic stops in the routine performance of the officers' official duties.

I certify it is not the policy of this agency to make traffic stops in the routine performance of the officers' official duties.

Executed by: Brad L Alley  
DFC / Fire Marshal

Date: 01/10/2023

Submitted electronically to the



The Texas Commission on Law Enforcement