

**AGENDA ITEM 18**

Acknowledge receipt of Statistical Report on Traffic and Pedestrian stops from Sheriffs Department, Constable Pct. #4, and Constable Pct. #2 - Racial Profiling, in compliance with Article(s) 20133 and 20134 Texas CCP.

Moved: **Commissioner Boatright**

Seconded: **Judge Doerfler**

Motion: To acknowledge receipt of Statistical Report on Traffic and Pedestrian stops from Sheriffs Department, Constable Pct. #4, and Constable Pct. #2 – Racial Profiling, in compliance with Article(s) 20133 and 20134 Texas CCP.

Vote: **3 - 0**

< Attachment >

# Williamson County Sheriff's Office



## Public Contact Data Report



2002

*received 2-25-03  
John C. Daefler  
County Judge*

*approved 3-4-03  
John C. Daefler*

# **Public Contact Data Annual Report January 1, 2002---December 31, 2002**

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Since January 1, 2002, the Williamson County Sheriff's Office, in accordance with the Texas Racial Profiling Law (S.B. No. 1074), has been collecting police contact data for the purpose of identify and responding (if necessary) to concerns regarding racial profiling practices.

In this report, the reader will encounter several sections designed at providing background information on the rationale and objectives of the Texas Racial Profiling Law. Other sections contain information relevant to the institutional policies adopted by the Williamson County Sheriff's Office banishing the practice of racial profiling among its officers.

The final components of this report provide statistical data relevant to the public contacts made during the period of 1/1/02 and 12/31/02. The analysis of the data and recommendations for future areas of research are also included. It is my sincere hope that the channels of communication between community leaders and the Williamson County Sheriff's Office continue to strengthen as we move forward to meet the challenges of the near future.

S.B. No. 1074

## AN ACT

relating to the prevention of racial profiling by certain peace officers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

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

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

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(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained;  
and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) 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 traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic 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.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means 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.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person 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 traffic law or ordinance alleged to have been violated or the suspected offense;

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(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop;  
and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED. (a) In this article, "pedestrian stop" means 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.

(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 local law enforcement agency shall submit a report containing the information compiled during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and

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(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; 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 traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education 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.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

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.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax

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effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

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

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

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.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) 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.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) 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(e).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(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 driver 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, and whether bail was forfeited;
- (8) ~~(7)~~ the date of conviction; and
- (9) ~~(8)~~ the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as

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added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001.

S.B. No. 1074

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President of the Senate

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Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

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Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

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Chief Clerk of the House

S.B. No. 1074

Approved:

\_\_\_\_\_

Date

\_\_\_\_\_

Governor

<b>Guidelines for Compiling and Reporting Data under Senate Bill 1074</b>
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**Background**

Senate Bill 1074 of the 77<sup>th</sup> Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of *what* must be accomplished by an agency but allows wide latitude in determining *how* the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

**Standard 1**

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

**Commentary**

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute 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."

The article further defines race or ethnicity as being of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American." The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

**Standard 2**

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person's race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer's best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

**Commentary**

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, "the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds for video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose."

**Standard 3**

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

**Commentary**

Senate Bill 1074 from the 77<sup>th</sup> Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide an analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for "tier one" data for traffic stops in which a citation results are:

- 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American");
- 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
- 3) whether there was a custody arrest.

The minimum requirements for reporting on "tier two" reports include traffic and pedestrian stops. Tier two data include:

- 1) the detained person's gender and race or ethnicity;
- 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
- 3) whether a search was conducted, and if so whether it was based on consent or probable cause;
- 4) facts supporting probable cause;
- 5) the type, if any, of contraband that was collected;
- 6) disposition of the stop, e.g., arrest, ticket, warning, or release;
- 7) location of stop; and
- 8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

#### **Standard 4**

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

#### **Commentary**

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

#### **Standard 5**

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

**Commentary**

None

**Standard 6**

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

**Commentary**

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

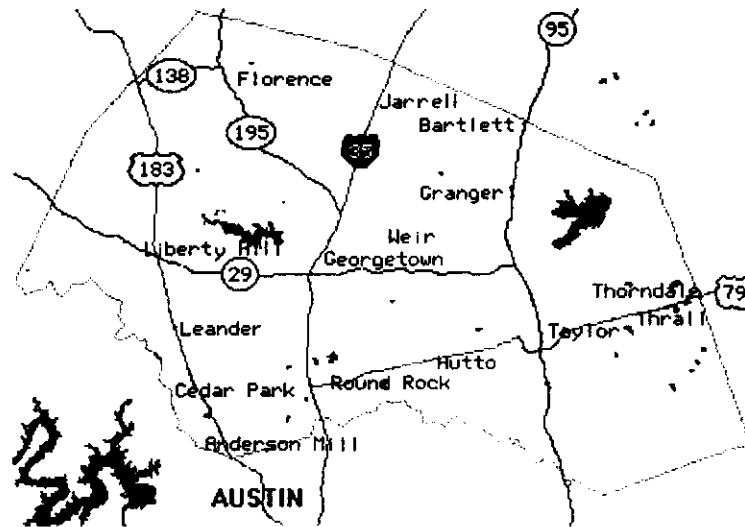
**Standard 7**

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

**Commentary**

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.



### **History of Williamson County, Texas**

Williamson County is located just north of Austin, the state capital of Texas. Physically, the eastern part of the County is level black land soil and the western part rolling limestone hills, all drained by the San Gabriel River and tributaries. The County was organized in 1848 and named for Robert M. Williamson, pioneer leader and veteran of the Battle of San Jacinto. The County has a lively history including Comanches, outlaws, Texas Rangers, the Chisholm Trail, cowboys, and sturdy pioneers. Today the County is a center for agribusiness, education, and high-tech industry.

Williamson County is blessed with a mild climate offering more than 300 sunny days each year, affordable housing, a low cost of living, clean air, and beautiful scenic vistas. The County is well known for a very low crime rate and friendly, neighborly people. County taxes are among the lowest in the state for comparable counties, and Texas has no personal state income tax like most states. All these reasons make Williamson County one of the most desirable places to live and work in the US.

### **Education**

Many colleges and universities are located in Williamson County or within a short drive.

- Southwestern University (Georgetown)
- University of Texas (Austin)
- Baylor University (Waco)
- Texas A&M University (College Station)
- Southwest Texas State University (San Marcos)
- Austin Community College (Austin, Cedar Park)
- Concordia University (Austin)
- Huston-Tillotson College (Austin)

- St. Edward's University (Austin)
- University of Mary Hardin Baylor (Belton)
- Temple College (Taylor and Temple)
- Central Texas College (Killeen)
- Texas Lutheran College (Seguin)
- Texas State Technical College (Waco)

### **Recreation**

From outdoors recreation on Lake Georgetown or Granger Lake, to steam train trips on the Hill Country Flyer, to underground exploration of Inner Space Cavern, there's lots to do in Williamson County. There are museums such as the Palm House Museum in Round Rock, Governor Dan Moody Museum in Taylor, and the Bartlett Area Museum. Historic tours, walking tours, rattlesnake sacking, rodeos, and barbecue cook-offs are part of the Texas culture. There are many areas for hunting, fishing, water sports, cycling, hiking, and camping.

### **Business**

Key business sectors include electronics and semiconductor manufacturing and support, insurance, plastics, minerals, transportation equipment, tourism, and agriculture. Dell Computer, Cypress Semiconductor, Motorola, IBM, AMD, TI and now Samsung have major investments in the area. Beef and livestock are top revenue sources for agriculture and the leading crops grown are sorghum, cotton, corn, and wheat.

The County offers great advantages to businesses. There are many new business opportunities due to the area's rapid growth, yet Williamson County has low business taxes, low cost utilities, a well-trained work force, and reasonable prevailing wages. The central location gives good access to national and international markets, and the great quality of life makes it easy to attract employees.

### **Sheriff's Office Background**

The Williamson County Sheriff's Office was created in 1848 with the first sheriff being elected on August 7, 1848. The Sheriff's Office is charged with providing public safety services to the residents of Williamson County. The Sheriff's Office patrols the county, investigates crimes, maintains the County jail, and provides other support services such as criminal records, crime victim's assistance, and animal control. In addition to enforcing the law, the Sheriff's Office also keeps order in the District and County courts and actively promotes programs aimed at crime prevention, drug education, and senior citizen safety.

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The Sheriff's Office currently employs 302 personnel with 127 commissioned deputies. The Sheriff's Office deputies are committed to performing their jobs in a professional manner while serving the community.

The department promotes, to all its members, to engage in community-policing practices in order to provide quality service to all residents of the community. In 2002, The Williamson County Sheriff's Office adopted a policy, in accordance to the Texas Law on Racial Profiling, banishing racial profiling practices.

# **Williamson County Sheriff's Office**

## **General Orders**

The Williamson County Sheriff's Office General Orders consists of principles and values that guide the performance of departmental activity. This policy is not a statement of what must be done in a particular situation. It is a statement of guiding principles, which should be followed in activities that are directed toward the attainment of Department objectives. The following is composed of general statements concerning the objectives and principles set forth by the County Judge, County Commissioners, and the Sheriff.

Each of these components is reviewed on an annual basis in order to ensure it adequately addresses the emerging needs of the department and the residents of Williamson County.

The basic goal of the Williamson County Sheriff's Office is to protect life, property and to preserve the peace in a manner consistent with the freedom secured by the Constitution. It is our duty as peace officers to guarantee these inalienable rights in strict accordance with the highest principles of a democratic society such as ours. Operating within the statutory and judicial limitations of police authority, our role is to enforce the law in a fair and impartial manner. It is not our role to legislate, to render legal judgment, or to punish.

### **Mission**

To protect and serve the County's diverse community, thereby decreasing crime and the perception of crime. This is accomplished by providing effective, well-trained law officers for community policing; and maintaining a high-quality, safe correctional facility that protects employees, inmates and the public and offers opportunities for rehabilitation and appropriate programs for inmates' needs.

### **Vision**

We want Williamson County to be the safest county in America.

### **Values**

- A. We will maintain the highest levels of integrity and professionalism in all our actions.
  - B. We will engage in open and honest communication.
  - C. We will treat all persons with respect and dignity.
  - D. We will preserve and safeguard individual rights and liberties.
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## Oath of Office

Each commissioned deputy of the Williamson County Sheriff's Office shall subscribe to and abide by the Oath of Office:

*I, \_\_\_\_\_, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of Deputy Sheriff of Williamson County of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and Laws of the United States and of this State; and I furthermore solemnly swear (or affirm) that I have not, directly nor indirectly, paid, offered, or promised to pay, contributed, nor promised to contribute, any money or valuable thing, or promised any public office or employment, as a reward to secure my appointment, or the confirmation thereof.*

*So Help Me God.*

Upon swearing to the Oath of Office, a signed copy is placed in the employee's personnel file.

## Philosophy

All employees of the Department (sworn and non-sworn) should, by professional attitude and exemplary conduct, ensure that all persons are treated with due respect and courtesy. Employees should be cognizant of the fact that they are a part of the community they serve, and are accountable to the community for their decisions and the consequences of those decisions. Employees should make every effort to involve the community in problem solving, crime suppression and crime prevention. This involvement can be nurtured through application of the principles of Community Policing to situations faced each day on the job. Employees should know the residents they serve. Positive contact between employees and residents will enhance the public understanding of the employee's role in society and help build partnerships from which crime and fear of crime can be reduced.

Knowledge of the law itself, and the ability to understand those ideals upon which the law is built, are the cornerstones of law enforcement. Compassion and discretion will play an important role within the philosophy of any employee. In exercising discretion, the employee should apply it in an equitable, impartial manner and consider all relevant circumstances before taking action. Alternatives to custody arrest, such as referral, mediation and misdemeanor citations, should be utilized as situations warrant. When custody arrest is necessary, officers are to do everything possible to preserve the human dignity of persons taken into custody.

Employees of the Williamson County Sheriff's Department are professionals. We must realize our main responsibility is the protection of the community. We are guided by the philosophy set forth above, and the procedures and policies incorporated into the pages of the General Orders.

**Video Camera Policy**

Each motor vehicle regularly used by this department to make traffic and pedestrian stops is being equipped with a video camera and each traffic and pedestrian stop made by an officer of this department that is capable of being recorded is recorded.

It is the policy of this department that it is to retain the videotapes of each traffic and pedestrian stop for at least ninety (90) days after the date of the stop. If a complaint is filed with this department alleging that one of our officers has engaged in racial profiling with respect to a traffic or pedestrian stop, this department retains the videotape of the stop until final disposition of the complaint.

Supervisors ensure that officers of this department are recording their traffic and pedestrian stops.

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**Williamson County Sheriff's Office**

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**400-013 Community Policing**

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**I. Community Policing**

The Williamson County Sheriff's Office has made a long-term commitment to Community Policing, which will be realized, through five goals:

- A. Partnership - Community Policing cannot be effective without partnership. The agency will join forces with neighborhood groups, public and private agencies, as well as individual residents to improve the quality of life in Williamson County. A joint effort will be required to identify and solve neighborhood problems.
- B. Empowerment - Community Policing calls for empowerment of both residents and Sheriff's Office employees. Residents fully utilize this empowerment when they work with government to prioritize services based on their concerns. Sheriff's Office employees also provide input to community concerns as well as agency issues. Decision-making is decentralized to those closest to the problem.
- C. Accountability - Community Policing fosters mutual accountability. Residents need to be involved and committed to improving quality of life. Public officials must provide resources and allow resident input in decision-making. The Sheriff's Office will be open to community-defined problems and as leaders we will be facilitators of community policing.
- D. Service Orientation - Community Policing provides a customer service focus to residents and Sheriff's Office employees. We must meet the needs of our own employees before we can provide quality customer service.
- E. Problem Solving - An important component of Community Policing is problem solving. This is the strategy of "how to do" community policing. Agency employees are encouraged to address the underlying conditions of a problem, rather than treating the symptoms. The agency's responsibility will be to provide the time, skills, and encouragement for all employees to be problem solvers. This concept is called problem-oriented policing.

**II. Problem-Oriented Policing**

Problem-oriented policing presents an alternative approach to policing.

- A. Instead of law enforcement agencies committing most of their time to responding to calls for service, problem-oriented policing offers a more effective strategy by addressing the underlying conditions that prompt calls for service. Often many of the calls for service are related and, if grouped together, disclose a pattern of activity or behavior that presents a more accurate picture of the condition(s) that prompted the calls in the first place. Problem-oriented policing offers law enforcement agencies a model for addressing the underlying conditions that create crime and cause other problems of concern to the community.
- B. Problem-oriented policing recognizes the expertise that Sheriff's Office employees have developed in their law enforcement careers and allows them to use this expertise to study problems and develop creative solutions to those problems. Experience in agencies around the country has shown that Sheriff's Office employees are capable of contributing much more to the resolution of crime and other community problems than what has been asked of them. Employees engaged in problem-oriented policing have expressed greater job satisfaction and exhibited a keener interest in their work.

- C. Problem-oriented policing entails a greater and closer involvement by the public in law enforcement work. Communities must be consulted to ensure that the agency is addressing the needs and concerns of the residents. Community involvement and support are key ingredients if the Sheriff's Office hopes to find long-term solutions to recurrent problems.
- D. Problem-oriented policing recognizes that a great deal of the information needed to thoroughly understand a problem is not contained in a law enforcement agency's files. As a result, problem-solving employees are encouraged to draw on a wide range of sources of information from outside of the agency to analyze and address problems.

### III. The Key Elements of Problem-Oriented Policing

- A. A problem is the basic unit of law enforcement work rather than a crime, a case, a call, or an incident. A problem is a group or pattern of crimes, cases, calls, or incidents.
- B. A problem is something that concerns or causes harm to residents, not just law enforcement. Items that concern only agency employees are important, but they are not problems in this sense of the term.
- C. Addressing problems means more than quick fixes; it means dealing with conditions that create problems.
- D. Sheriff's Office employees must routinely and systematically investigate problems before trying to solve them, just as they routinely and systematically investigate crimes before making an arrest. Individual employees and the agency as a whole must develop routines and systems for investigating problems.
- E. The investigation of problems must be thorough even though it may not need to be complicated. This principle is as true for problem investigation as it is for criminal investigation.
- F. Problems must be described precisely and accurately and broken down into specific aspects of the problem. Problems often are not what they first appear to be.
- G. Problems must be understood in terms of the various interests at stake. Individuals and groups of people are affected in different ways by a problem and have different ideas about what should be done about the problem.
- H. The way the problem is currently being handled must be understood and the limits of effectiveness must be openly acknowledged in order to come up with a better response.
- I. Initially, any and all possible responses to a problem should be considered so as not to cut short potentially effective responses. Suggested responses should follow from what is learned during the investigation. They should not be limited to, nor rule out, the use of arrest.
- J. Law Enforcement must proactively try to solve problems rather than just react to the harmful consequences of problems.
- K. The Sheriff's Office must increase employees' freedom to make or participate in important decisions. At the same time, employees must be accountable for their decision-making.
- L. The effectiveness of new responses must be evaluated so these results can be shared with other Sheriff's Office employees and so the agency can systematically learn what does and does not work.

### IV. S.A.R.A. Model

The problem solving process developed to implement problem-oriented policing consists of a four step, decision-making model, SARA (Scanning, Analysis, Response, Assessment).

- A. **SCANNING** - Employees determine problems by making on-site visits to observe activity and locations, and/or talking with residents or other employees. Problems are two or more incidents, which are similar in nature, are causing harm or have the potential to cause harm, and represent problems the public expects the agency to handle.
- B. **ANALYSIS** - Employees learn everything possible about the actors, incidents, and responses already used to try to deal with the problem. Analysis is too often left out of law enforcement work. Instead, the tactic most frequently used is scanning followed by response. However, analysis needs to be as thorough, creative, and innovative as the response because the characteristics of each problem vary. If an employee understands all the components of a problem, that employee can create a custom-made response to fit the problem.
- C. **RESPONSE** - Based on careful analysis, employees then develop a goal, which can be reached using a custom-made response. Not every response can result in totally eliminating a problem, but solutions can be designed to:
  - 1. Eliminate the problem.
  - 2. Reduce the problem.
  - 3. Reduce the harm created by the problem.
  - 4. Deal with a problem better.
  - 5. Remove the problem from law enforcement consideration. By removing the problem from law enforcement consideration, the employee gives the problem to the individual or agency that can better handle the problem.
- D. **ASSESSMENT** - In this stage, employees evaluate effectiveness; that is, they ask the question, "Was the problem solved?" Effectiveness is the most important stage as it defines the extent to which a program achieves its goals or produces certain effects (example: the impact of Problem Oriented Policing on narcotics activity in a target area). Goals are the outcomes, which the employee hopes to produce.
  - 1. Assessment should be relevant to the needs of the decision maker, in this case, the Sheriff's Office employee. The findings must be usable, helping the employee understand why the problem was solved, reduced in scope, or became a larger problem. Answering the question of how to know if Problem Oriented Policing was effective may include:
    - a. Reduced calls for service.
    - b. Satisfied residents.
    - c. Policy makers (Commissioner's Court, Sheriff, chain-of-command) notice a difference in complaints.

#### V. Bias-Based Profiling

When an officer detains an individual, this encounter will be documented in a manner outlined in this policy.

Bias-based profiling is defined as any pattern or practice, including but not limited to stopping, detaining, frisking, and searching, by police officers that is based upon a generalized belief that a person of a particular race, ethnicity, or national origin is more likely to commit certain types of crimes. The non-consensual interruption of a person's right to freely move about is viewed as a very significant challenge to his/her Constitutional rights. Officers will ensure that the stopping, detaining, frisking, and/or searching of residents is based upon solid legal principles that conform to their training in arrest, search, and seizure. Police action must be based upon credible information known to the officer, which leads him/her to believe that an individual is, has been, or is about to be engaged in activity which is in violation of the law. Any other motivation for such actions is strictly prohibited.

The Williamson County Sheriff's Office profoundly rejects the practice of bias-based profiling and has freely elected to more accurately document our contacts with the public.

A. Documentation Requirements

1. Field Observation Cards

All officers will use field observation (F.O.) cards to document their contacts with the public. The intent is to document a stop with individuals who are legally detained but no other record of the contact would be produced.

2. F.O. cards **ARE** required when:

- a. An officer detains an individual that goes beyond simple preliminary questioning to find out their level of involvement in a particular incident. Examples of this include, but are not limited to:
  - i. A traffic stop where no traffic or warning ticket is issued.
  - ii. A subject stop where officers initiate a police action (e.g.: detaining, frisking or searching) of a person that results in no offense report being written or citation being issued.
- b. Officers will ensure the F.O. Card is completed with all applicable areas filled out.

3. F.O. cards are **NOT** required in the following situations

- a. When an arrest is made or the individual's name will be recorded in an offense report. (I.e., arrested, suspect, witness, victim, etc.)
- b. When a ticket is written (Field Release, Traffic, Parking, or Warning).
- c. When a collision sheet is completed (including a blue form).
- d. During a non-custodial interview where the individual is free to leave.
- e. During casual contacts that officers make with citizens during their shift.

4. Multiple Subjects

- a. It is not always necessary for an officer to complete a F.O. card on every individual in a group of 2 or more persons.
- b. If the passenger(s) in a car or the cohort(s) of a subject who has been detained by police is not the primary focus of the officer, then it is not necessary to complete a F.O. card.
- c. If, however, at any point during the contact the officer goes past the point of asking preliminary questions (detaining, frisking, or searching) to determine a level of involvement, then a F.O. is required.

5. Procedures for Filing out F.O. Cards

- a. Officers will complete a Field Observation Report when a suspicious person is detained. (See exceptions listed in C & D above.) The Field Observation Report will be filled out correctly and in legible handwriting.
- b. The gang-related section will be filled out only if the person(s) stopped meets TWO of the criteria required by law to document the individual(s) as a criminal street gang or prison gang member as follows:
  - i. Self-admission by the individual of criminal, street gang membership.
  - ii. Identification of the individual as a criminal street gang member by a reliable informant or other individual.
  - iii. A corroborated identification of the individual as a criminal street gang member by an informant or other individual of unknown reliability.
  - iv. Evidence that the individual frequents a documented area of a criminal street gang, associates with known criminal street gang members, and uses criminal street gang dress, hand signals, tattoos, or symbols.

- v. Evidence that the individual has been arrested or taken into custody with known criminal street gang members for an offense or conduct consistent with criminal street gang activity.
      - c. Field observation photographs will not be taken in an interview situation unless "reasonable suspicion" criteria exist. Force will not be used to obtain photographs in a stop situation. Field observation photographs should be made only for:
        - i. Identification of subject
        - ii. Identification of subject's condition, such as but not limited to:
          - aa. Fresh injuries
          - bb. Distinctive tattoos;
          - cc. Evidence stains on clothing;
          - dd. Distinctive jewelry;
          - ee. Distinctive clothing/shoe patterns;
          - ff. Identification of subject's automobile;
        - iii. Recording evidence.
      - d. Juveniles may be photographed only under the following circumstances under provisions of the Family Code:
        - i. With consent of the juvenile court (e.g., via a court order).
        - iv. If the child is taken into custody for conduct that is a felony or a misdemeanor punishable by confinement in jail.
        - v. If the child is not in custody and the child's parent or guardian voluntarily consents in writing to the photographing of the child.
  - 6. Prohibited Record Keeping. Officers may not:
    - a. Keep any photograph taken in any format of a field observation.
    - b. Maintain personal or shift level field observation photograph files.
    - c. "Post" for public or other officer's viewing, field observation photographs of any person NOT currently wanted for criminal acts.
  - 7. Disposition of F.O. Cards after completion
    - a. Patrol supervisors will periodically spot-check the F.O.s for completeness.
    - b. Field Observation Forms and attached photos will be collected from all drop boxes at the same time as all other paperwork for transportation to the main station. (Traffic Citations, collision reports, impounds etc.)
    - c. Data Entry personnel will enter Field Observation Reports into the Field Observation database. Incomplete or otherwise illegible F.O. reports will be routed back to the employee's immediate supervisor. Data Entry personnel will keep a list of such reports that can be audited later to ensure the cards were corrected and re-submitted.
    - d. Data Entry will be the repositories for all F.O. photographs until further notice.
    - e. Officers wanting to make a correction or amendment to a previously submitted F.O. should complete a new F.O. with "correction" or "amendment" written across the top of the form. The original offense number should be utilized. Corrections and amendments can only be made with hard copies.
  - 8. Mobile Vision videotapes
    - a. Tapes will be retained for a period of 90 days at the Deputy's Division Office.
    - b. If a complaint is received on a Deputy the tape will be forwarded to Internal Affairs and retained for the proper retention period. See General Orders Policy and Procedures Manual, Sub-Section 300-001.
- B. Reporting Procedures
- 1. The Sheriff will cause an Annual Report to be generated and submitted that will include the following information:

- a. A comparative analysis of the information compiled under Article 2.133 of the Code of Criminal Procedure, summarizing:
  - i. Detention stops, citations and custody arrest by ethnicity of the citizen.
  - ii. Ethnicity of citizens searched (including vehicles) as the direct result of detention stops, citations and custody arrests by the Williamson County Sheriff's Office.
  - iii. Information relating to each complaint filed with the agency alleging that an officer has engaged in bias-based profiling.
  - iv. The annual report will not contain information specific to the officer involved or to the individual who was stopped.
2. The Annual Report will:
  - a. Summarize and analyze the information.
  - b. This annual report will not include information that is specific to the identity of the police officer(s) or the citizen(s) involved.
- C. Training Requirements
  1. Training on search and seizure conducted during mandatory in-service training cycles will include the requirements for reasonable suspicion to conduct investigatory stops and detentions.
- D. Complaint Investigation
  1. The department shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
  2. Any employee who receives an allegation of racial profiling shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel and direct the individual(s) to the Internal Affairs Division. Any employee contacted shall provide to that person the department process for filing a complaint. A Quality Assurance Report Form shall be given to any person requesting such information. All employees will report any allegation of racial profiling to their superior before the end of their shift.
  3. The investigation of a complaint of racial profiling shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing and disposition of the complaint will be provided to the complaining party in a reasonable period of time.
  4. If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
- E. Public Education
  1. This department will inform the public of its policy against racial profiling and the complaint process. This will be done in the form of press releases to the local news media, during civic presentations, and via postings in Sheriff's Office buildings. Additionally, these postings will be made available as appropriate in languages other than English.

## **Informing the Public on the Process of Filing a Complaint with The Williamson County Sheriff's Office**

### **(I) Educational Campaign:**

In accordance to Senate Bill 1704, the Williamson County Sheriff's Office has made efforts to launch an educational campaign aimed at informing the public on issues relevant to the complaint process.

This has been done in the form of press releases to the local news media, during civic presentations, and via postings in Sheriff's Office buildings.

### **(II) Filing a Complaint Based on Violations of the Texas Law on Racial Profiling**

The following information has been made available to any person requesting information on the complainant process or how to file a complaint:

## **Williamson County Sheriff's Office**

### **Citizen Complaints Based on Alleged Violations of the Texas Law on Racial Profiling**

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The Williamson County Sheriff's Office acknowledges that conflicts can arise and that employees are responsible for their conduct where the public is concerned. It is essential to the safety of our community that the relationships between the Sheriff's Office and citizens are built on confidence and trust.

Deputies must be free to exercise their best judgment and initiate proper action in a reasonable, lawful, and impartial manner, without fear or reprisal. At the same time, they must observe the rights of all citizens.

The complaint process and subsequent investigative procedures not only subject deputies and employees to corrective action when they conduct themselves improperly, but also serves to protect them from unwarranted criticism when they perform their duties properly. The Sheriff's Office realizes that confusion, different perceptions, or the timeliness of information sometimes will result in descriptions that produce different versions of the same incident.

Beyond legitimate error, however, the deliberate making of a false report that the complainant knows is false or misleading could constitute a violation of Texas Law.

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*A disagreement over the validity of a traffic violation is not a complaint. Such disagreements should be directed to the court that has jurisdiction.*

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The Williamson County Sheriff's Office profoundly rejects the practice of biased-based profiling. Texas Law defines "racial profiling" 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."

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## COMPLAINT PROCEDURE

The complaint process is designed to deal with each case factually and fairly. Citizens who file a complaint will be treated with respect and the accusations taken seriously. All complaints are thoroughly investigated and all findings are based on impartial evidence gained during the investigation.

Many complaints can be explained satisfactorily with a visit or telephone call to the employees supervisor. The supervisor will speak with you about your complaint and attempt to resolve it. If you are not satisfied with the supervisor's handling of the complaint, then the complaint will be forwarded to Internal Affairs for further investigation. Internal Affairs will investigate all allegations of alleged violations of the Texas Law on Racial Profiling.

Complaints can be made by mail, in person, over the telephone, or anonymously. Quality Assurance Report Forms are available from any Deputy or at any of the Sheriff's Offices' sub-stations.

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## THE FINDINGS

The results of your complaint are called "findings". There are four possible findings:

- **Sustained** - The complaint has been supported: The officer(s) involved acted improperly and may be disciplined.
  - **Unfounded** - The investigation found no basis to the complaint filed.
  - **Exonerated** - The police officer(s) involved acted properly and will not be disciplined; or
  - **Not Sustained** - There was not enough evidence to prove the complaint true or false so no further action will be taken.
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The Sheriff's Office shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.

Westside Division 350 Discovery, Suite 103 Cedar Park, TX 78613 512-260-4244	Headquarters Division 508 S. Rock St. Georgetown, TX 78626 512-943-1300	Eastside Division 412 Vance Taylor, TX 76574 512-238-2123
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## Quality Assurance Report Form

☐ Commendation    ☐ Inquiry    ☐ Complaint

## SHERIFF'S OFFICE USE ONLY

☐ Mail    ☐ In Person    ☐ Phone  
Internal Number

Complainant					
Last Name:		First Name:		Middle Name:	
Address:		Apt #	Work / School:		Work Phone: ( )
City:		State:	Zip:	Home Phone: ( )	
Witness Information					
Witness Last Name:		First Name:		Middle Name:	Relationship:
Address:				Phone: ( )	
Witness Last Name:		First Name:		Middle Name:	Relationship:
Address:				Phone: ( )	
Name of Sheriff's Office member if known (If unknown, please provide a description of the person and type of duty performed, e.g. traffic, patrol, detectives, etc.)					
1			Employee #	Section	
2			Employee #	Section	
3			Employee #	Section	
Date of Incident:		Time of Incident:		Location of Incident:	
Describe the incident (In your own handwriting, give a brief description of what happened. Use reverse or attach additional sheets if needed.)					
Signature of Complainant:				Date:	
PLEASE DO NOT WRITE IN THIS SPACE - SHERIFF'S OFFICE USE ONLY					
Date Received:		Time Received:		Location Received: <input type="checkbox"/> West <input type="checkbox"/> East <input type="checkbox"/> HQ <input type="checkbox"/> Other:	
Received By: Name		Rank		Signature:	
Supervisor Notified:			Date Supervisor Notified:		Time:
Internal Affairs Use Only					
Date Received:	Time Received:	Assigned to:		Date Assigned:	Time Assigned:
Completion Date:					

Completed forms may be dropped off or returned to:  
Williamson County Sheriff's Office  
Attn: Internal Affairs  
508 S. Rock St.  
Georgetown, TX 78626

Date:

**Completed forms may be dropped off or returned to:  
Williamson County Sheriff's Office  
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508 S. Rock St.  
Georgetown, TX 78626**

**Training**

In compliance with the Texas Racial Profiling Law, the Williamson County Sheriff's Office has asked that all its officers adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

All officers have been asked to complete a TCLEOSE training and education 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 date is earlier. A person who on September 1, 2001, held a TCLEOSE intermediate proficiency certificate, or who had held a peace officer license issued by TCLEOSE for at least two years, will complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.

The majority of officers have already completed the required training.

**(I) Tier 1 Data**

Table 1. General Demographics of Contacts and Searches

Race/Ethnicity*	Contacts		Searches		Consensual Searches		PC for Search		Custody Arrest**	
	N	%	N	%	N	%	N	%	N	%
Caucasian	15535	72.9%	1460	67.3%	314	72.5%	1146	66.1%	1756	65.6%
African	1431	6.7%	207	9.5%	33	7.6%	174	10.0%	256	9.6%
Hispanic	3496	16.4%	451	20.8%	67	15.5%	384	22.1%	628	23.5%
Asian	337	1.6%	19	0.9%	3	0.7%	16	0.9%	18	0.7%
Native American	27	0.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Other	478	2.2%	31	1.4%	16	3.7%	15	0.9%	18	0.7%
Total	21304	100%	2168	100%	433	100%	1735	100%	2676	100%

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

\*\* Custody arrest include warrant arrests.

## **(II) Comparative Analysis**

Table 1. Comparison of Contacts and DPS Resident Data

Race/Ethnicity*	Contacts		DPS Data***		Variance
	N	%	N	%	
Caucasian**	19031	89.3%	189817	91.4%	2.0%
African	1431	6.7%	9770	4.7%	-2.0%
Asian	337	1.6%	5216	2.5%	0.9%
Native American	27	0.1%	209	0.1%	0.0%
Other	478	2.2%	2740	1.3%	-0.9%
Total	21304	100%	207752	100%	

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

\*\* In this table, Hispanics have been added to the Caucasian population. This has been done in order to correspond with DPS data collection methods. According to DPS, Hispanics are combined, in their data reports, with the Caucasian population.

\*\*\* The information from the Texas Department of Public Safety was provided as an inter-agency transfer of information. DPS specifically intends not to waive any exceptions to disclosure under the Public Information Act that may apply to these records. The information is intended for the use of the Williamson County Sheriff's Office only and not to be disseminated without the consent of DPS.

**Corrective Action**

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

**Data on Corrective Action**

The Williamson County Sheriff's Office has not received any complaints, on any members of its force, for having violated the Texas Racial Profiling Law during the time period of 1/1/02 -- 12/31/02.

### Analysis

The data presented in this report contains information regarding police contacts with the public between 1/1/02 and 12/31/02. Despite its value, the raw data does not present much information relevant to racial profiling trends.

Thus, it is felt that further analysis of the data is warranted. As such, data was obtained through the Texas Department of Public Safety (DPS), via a public information request. The data obtained from DPS included the race and gender of drivers in the County of Williamson during the 2002 calendar year. The decision to obtain DPS data was made since, according to experts, census data presents challenges to any effort made at establishing a fair and accurate analysis. That is, census data contains information of all residents of a particular community, regardless of the fact they may or may not be among the driving population. Therefore, it is felt that DPS data relevant to county residents, if compared only to the portion of individuals who reside in Williamson County and have come in contact with the police during a given year, will offer a more accurate representation and provide further insights than other sources including census data.

When comparing who came in contact with the Williamson County Sheriff's Office during 2002 with those who, according to DPS, were residents of the county during that time and held a valid driver's license, the data produced slightly varying results. The variance between all races was minimal by only two percentage points. Statistically, a variance of only two percentage points would not produce significant indications that a particular race was over or under-represented. It must be noted that Hispanics were grouped with Caucasians for purposes of this analysis since DPS does not collect information related to the ethnicity of drivers. In fact, according to their own language, DPS considers Hispanics, in their data collection process, as Caucasians.

**Summary Statement**

The findings suggest that the Williamson County Sheriff's Office does not currently experience a problem regarding racial profiling practices. This is supported by the fact that it has not received complaints from community members regarding officers misconduct associated with racial profiling practices.

The continuing effort to collect police contact data will assure an on-going evaluation of the Williamson County Sheriff's Office's practices. Thus, allowing for the citizens of Williamson County to benefit from professional and courteous service from their Sheriff's Office.

**Checklist**

(I) The following requirements **must** be met by all law enforcement agencies in the State of Texas:

- ☐ Clearly defined act of actions that constitute racial profiling
- ☐ Statement indicating prohibition of any peace officer employed by the Williamson County Sheriff's Office from engaging in racial profiling
- ☐ Implement a process by which an individual may file a complaint regarding racial profiling violations
- ☐ Provide public education related to the complaint process
- ☐ Implement disciplinary guidelines for officers found in violation of the Texas Racial Profiling Law
- ☐ Collect data (Tier 1) that includes information on
  - a) Race and ethnicity of individual detained
  - b) Whether a search was conducted
  - c) If there was a search, whether it was a consent search or a probable cause search
  - d) Whether a custody arrest took place
- ☐ Produce an annual report on police contacts (Tier 1) and present this to local governing body by March 1, 2003.
- ☐ Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation

(II) For additional questions regarding the information presented in this report, please contact:

Williamson County Sheriff's Office  
Public Information Office  
508 S. Rock Street  
Georgetown, TX 78626  
512-943-1300



**Jim Wilson**  
**Constable**  
**Williamson County Precinct Two**  
350 Discovery Blvd, Ste. 205 • Cedar Park, Texas 78613  
Phone 512-260-4270 • Fax 512-260-4275



**2002 Compilation Report of Traffic and Pedestrian Stops**

Number of Traffic Stops: 149  
Number of Pedestrian Stops: 0

Number of Citations: 0  
Number of arrest: 0  
Searches performed: 0  
Contraband found: None

Number of persons detained listed by ethnicity and gender:

African males: 3  
Asian males: 1  
Caucasian males: 83  
Hispanic males: 12

African females: 2  
Caucasian females: 43  
Hispanic females: 4  
Indian females: 1

*approved 3-4-03*  
*John C. Dreyer*

(Williamson Co. Constable Pct. 4)  
Racial Profiling Statistical Report  
(01/01/2002) to (12/31/2002)

Table 1: Detention Disposition by Race

Disposition	Asian/Pacific Islander	% of Race	% of Disposition	Black	% of Race	% of Disposition
Arrested	1	16.7%	25.0%	1	2.4%	25.0%
Released	3	50.0%	1.1%	31	75.6%	11.2%
Ticketed	2	33.3%	2.2%	9	22.0%	10.0%
Warned (Written)	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Total	6	100.0%	1.6%	41	100.0%	11.1%
		of Race	of all Detentions	Total	of Race	of all Detentions

Disposition	Hispanic	% of Race	% of Disposition	White	% of Race	% of Disposition
Arrested	1	1.3%	25.0%	1	0.4%	25.0%
Released	57	74.0%	20.7%	185	75.2%	67.0%
Ticketed	19	24.7%	21.1%	60	24.4%	66.7%
Warned (Written)	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Total	77	100.0%	20.8%	246	100.0%	66.5%
		of Race	of all Detentions	Total	of Race	of all Detentions

Disposition	Native American	% of Race	% of Disposition
Arrested	0	#DIV/0!	0.0%
Released	0	#DIV/0!	0.0%
Ticketed	0	#DIV/0!	0.0%
Warned (Written)	0	#DIV/0!	#DIV/0!
Total	0	#DIV/0!	0.0%
		of Race	of all Detentions

*opened 3-4-03  
John C. Decker*

Disposition	Total %	Number
Arrested	1.1%	4
Released	74.6%	276
Ticketed	24.3%	80
Warned (Written)	0.0%	0
Total	100.0%	370

Table 2: Search Status by Race

SearchStatus	Asian	% of Race	% of Search	Black	% of Race	% of Search
Consent Search	0	0.0%	0.0%	2	4.9%	28.6%
No Search	5	83.3%	1.4%	39	95.1%	10.8%
Probable Cause Search	1	16.7%	50.0%	0	0.0%	0.0%
Total	6	100.0%	1.5%	41	100.0%	11.1%
		of Race	of all Detentions	Total	of Race	of all Detentions

SearchStatus	Hispanic	% of Race	% of Search	White	% of Race	% of Search
Consent Search	1	1.3%	14.3%	4	1.6%	57.1%
No Search	75	97.4%	20.8%	242	98.4%	67.0%
Probable Cause Search	1	1.3%	50.0%	0	0.0%	0.0%
Total	77	100.0%	20.8%	246	100.0%	68.6%
		of Race	of all Detentions	Total	of Race	of all Detentions

SearchStatus	Native American	% of Race	% of Search
Consent Search	0	#DIV/0!	0.0%
No Search	0	#DIV/0!	0.0%
Probable Cause Search	0	#DIV/0!	0.0%
Total	0	#DIV/0!	0.0%
		of Race	of all Detentions

SearchStatus	Total %	Number
Consent Search	1.9%	7
No Search	97.6%	361
Probable Cause Search	0.5%	2
Total	100.0%	370

Table 3: Stop Reason and Disposition by Race

StopReason	ctoStopDisposition	Asian	% of Race	% of Stop	Black	% of Race	% of Stop
Hazardous Traffic	Arrested	1	16.7%	25.0%	1	2.4%	25.0%
Hazardous Traffic	Released	3	50.0%	1.6%	19	46.3%	9.9%
Hazardous Traffic	Ticketed	2	33.3%	2.8%	8	19.5%	11.1%
Hazardous Traffic	Warned (Written)	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Investigation	Arrested	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Investigation	Released	0	0.0%	0.0%	5	12.2%	25.0%
Investigation	Ticketed	0	0.0%	0.0%	0	0.0%	0.0%
Investigation	Warned (Written)	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Non-Hazardous Traffic	Arrested	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Non-Hazardous Traffic	Released	0	0.0%	0.0%	7	17.1%	10.8%
Non-Hazardous Traffic	Ticketed	0	0.0%	0.0%	1	2.4%	6.3%
Non-Hazardous Traffic	Warned (Written)	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Total		8	100.0%	1.6%	41	100.0%	11.1%
		of Race		of all Detentions	Total		of all Detentions

StopReason	ctoStopDisposition	Hispanic	% of Race	% of Stop	White	% of Race	% of Stop
Hazardous Traffic	Arrested	1	1.3%	25.0%	1	0.4%	25.0%
Hazardous Traffic	Released	36	46.8%	18.8%	133	54.1%	69.6%
Hazardous Traffic	Ticketed	17	22.1%	23.6%	45	18.3%	62.5%
Hazardous Traffic	Warned (Written)	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Investigation	Arrested	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Investigation	Released	5	6.5%	25.0%	10	4.1%	50.0%
Investigation	Ticketed	0	0.0%	0.0%	2	0.8%	100.0%
Investigation	Warned (Written)	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Non-Hazardous Traffic	Arrested	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Non-Hazardous Traffic	Released	16	20.8%	24.6%	42	17.1%	64.6%
Non-Hazardous Traffic	Ticketed	2	2.6%	12.5%	13	5.3%	81.3%
Non-Hazardous Traffic	Warned (Written)	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Total		77	100.0%	20.8%	246	100.0%	66.5%
		of Race		of all Detentions	Total		of all Detentions

StopReason	ctoStopDisposition	Native American	% of Race	% of Stop
Hazardous Traffic	Arrested	0	#DIV/0!	0.0%

Hazardous Traffic	Released	0	#DIV/0!	0.0%
Hazardous Traffic	Ticketed	0	#DIV/0!	0.0%
Hazardous Traffic	Warned (Written)	0	#DIV/0!	#DIV/0!
Investigation	Arrested	0	#DIV/0!	#DIV/0!
Investigation	Released	0	#DIV/0!	0.0%
Investigation	Ticketed	0	#DIV/0!	0.0%
Investigation	Warned (Written)	0	#DIV/0!	#DIV/0!
Non-Hazardous Traffic	Arrested	0	#DIV/0!	#DIV/0!
Non-Hazardous Traffic	Released	0	#DIV/0!	0.0%
Non-Hazardous Traffic	Ticketed	0	#DIV/0!	0.0%
Non-Hazardous Traffic	Warned (Written)	0	#DIV/0!	#DIV/0!
Total		0	#DIV/0!	0.0%

StopReason	StopDisposition	Total %	Number
Hazardous Traffic	Arrested	1.1%	4
Hazardous Traffic	Released	51.6%	181
Hazardous Traffic	Ticketed	18.5%	72
Hazardous Traffic	Warned (Written)	0.0%	0
Investigation	Arrested	0.0%	0
Investigation	Released	5.4%	20
Investigation	Ticketed	0.5%	2
Investigation	Warned (Written)	0.0%	0
Non-Hazardous Traffic	Arrested	0.0%	0
Non-Hazardous Traffic	Released	17.6%	65
Non-Hazardous Traffic	Ticketed	4.3%	16
Non-Hazardous Traffic	Warned (Written)	0.0%	0
Total		100.0%	370

AGENDA ITEM 19

Consider approving Collection Report for January 2003 as determined by Tax Assessor/Collector.

Moved: Commissioner Boatright

Seconded: Judge Doerfler

Motion: To approve Collection Report for January 2003 as determined by Tax Assessor/Collector.

Vote: 3 - 0

< Attachment >

YEAR TO DATE - COLLECTION REPORT  
Williamson County/RFM Property Taxes  
January 1-31, 2003

Description	Tax Roll	Adjustments	Adjusted Tax Roll	Tax Collected	P & I Collected	Uncollected		YTD Collected	Percent Collected	Percent Collected w/P & I	Percent Collected w/P & I & Prior Years
						Balance					
2002	\$86,041,348.25	\$1,534,048.53	\$87,575,396.78	\$34,036,821.21	\$832.69	\$5,926,234.49		\$81,649,162.29	93.23%	93.23%	94.11%
2001 & Prior	1,435,146.89	17,898.49	1,453,045.38	126,192.20	26,869.97	1,017,387.60		435,657.78	29.98%	31.83%	
Rollbacks	153,319.96	194,010.21	347,330.17	174,181.99	960.74	43,495.67		303,834.50	87.48%	87.75%	
Total All	\$87,629,815.10	\$1,745,957.23	\$89,375,772.33	\$34,337,195.40	\$28,663.40	\$6,987,117.76		\$82,388,654.57	92.18%	92.21%	

2002 MONTHLY BREAKDOWN

Oct-02	\$87,629,815.10	\$41,845.34	\$87,671,660.44	\$1,664,035.00	\$33,992.65	\$86,007,625.44	\$1,664,035.00
Nov-02	\$86,007,625.44	\$1,371,764.75	\$87,379,390.19	\$3,182,283.55	\$27,346.42	\$84,197,106.64	\$4,846,318.55
Dec-02	\$84,197,106.64	\$102,354.54	\$84,299,461.18	\$43,205,140.62	\$18,548.64	\$41,094,320.56	\$48,051,459.17
Jan-03	\$41,094,320.56	\$229,992.60	\$41,324,313.16	\$34,337,195.40	\$28,663.40	\$6,987,117.76	\$82,388,654.57

Approved 3-4-03  
John C. Doerfler