

AGENDA ITEM 15

Note in the minutes Constable Pct. #3 submitting Racial Profiling Report to Commissioner's Court as required (CCP 2.133, 2.134).

Moved: **Commissioner Boatright**

Seconded: **Commissioner Birkman**

Motion: To note in the minutes Constable Pct. #3 submitting Racial Profiling Report to Commissioner's Court as required (CCP 2.133, 2.134).

Vote: **5 – 0**

< Attachment >

**Williamson County
Constable Precinct 3**

Memo

To: Williamson County Commissioner's Court
From: Bobby Gutierrez, Constable Pct.3
Date: 6/16/2004
Re: Racial Profiling Report

In compliance with Texas Code of Criminal Procedures Article(s) 2.133 and 2.134, attached please find a statistical report for Traffic and Pedestrian Stops – Racial Profiling, submitted to the Williamson County Commissioner's Court reflecting the period of January 1, 2003 to December 31, 2003.


The Texas Commission on Law Enforcement Standards and Education (TCLEOSE) designed the master-reporting format, and analyzes the data in a secure spreadsheet. The Williamson County Precinct 3 Constable's Office submitted all of our required data to produce the results in the attached statistical report by TCLEOSE. The data collected is our required documentation of all contacts with the public either by traffic stop or pedestrian stop, whereby individual(s) were detained by probable cause for any alleged offense(s). It further reports whether any search was conducted, contraband located, warning issued, citation issued or arrest. The data is analyzed by the person's gender, race or ethnicity.

As you may know, the Precinct 3 Constable's Office does not devote a lot of man-hours on traffic enforcement or criminal enforcement. Simply fulfilling our normal statutory duties and responsibilities keeps us quite busy. However, during the course of our law enforcement duties and responsibilities, we often times have to intercede with traffic violations and other criminal offenses in our presence or view. This report is an analysis of such activity.

Please note that the 207 total detentions in 2003 based on race are a reasonable proportionate to the known populous of this region. For example, 72.0% were White, 18.5% were Hispanic, 9.5% were Black, 0% were Asian and 0% were Native American. Out of the total detentions of all ethnic groups, only 2 probable causes searches were conducted in the White Race group. This activity also reflects that 68.0% received warnings, and 31% received citations, and only 1.0% were arrested (1 White and 1 Hispanic)

In short, I am pleased with the Racial Profiling Analysis on the Precinct 3 Constable Office. I welcome any feedback from your review of the attached data.

Respectfully Submitted,



Bobby Gutierrez, Constable Pct.3

*approved 6-22-04
John C. Daerfler*

ATTACHMENT

Williamson County Constable Precinct Three

Racial Profiling Statistical Report

01-01-03 to 12-31-03

Table 1: Detention Disposition by Race

Disposition	Asian/Pacific Islander	% of Race	% of Disposition	Black	% of Race	% of Disposition
Arrested	0	#DIV/0!	0.0%	0	0.0%	0.0%
Released	0	#DIV/0!	#DIV/0!	0	0.0%	#DIV/0!
Ticketed	0	#DIV/0!	0.0%	3	15.8%	4.9%
Warned (Written)	0	#DIV/0!	0.0%	16	84.2%	11.0%
Total	0	#DIV/0!	0.0%	19	100.0%	9.2%
		of Race	of all Detentions	Total	of Race	of all Detentions

Disposition	Hispanic	% of Race	% of Disposition	White	% of Race	% of Disposition
Arrested	0	0.0%	0.0%	1	0.7%	100.0%
Released	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Ticketed	10	22.7%	16.4%	48	33.3%	78.7%
Warned (Written)	34	77.3%	23.4%	95	66.0%	85.5%
Total	44	100.0%	21.3%	144	100.0%	69.6%
		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!	#DIV/0!
Ticketed	0	#DIV/0!	0.0%
Warned (Written)	0	#DIV/0!	0.0%
Total	0	#DIV/0!	0.0%
		of Race	of all Detentions

Disposition	Total %	Number
Arrested	0.5%	1
Released	0.0%	0
Ticketed	29.5%	61
Warned (Written)	70.0%	146
	100.0%	207

Table 2: Search Status by Race

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

SearchStatus	Hispanic	% of Race	% of Search	White	% of Race	% of Search
Consent Search	0	#DIV/0!	#DIV/0!	0	0.0%	#DIV/0!
No Search	0	#DIV/0!	#DIV/0!	0	0.0%	#DIV/0!
Probable Cause Search	0	#DIV/0!	0.0%	2	100.0%	100.0%
Total	0	#DIV/0! of Race	0.0% of all Detentions	2 Total	100.0% of Race	100.0% of all Detentions

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

SearchStatus	Total %	Number
Consent Search	0.0%	0
No Search	0.0%	0
Probable Cause Search	100.0%	2
Total	100.0%	2

Table 3: Stop Reason and Disposition by Race

StopReason	cbStopDisposition	Asian	% of Race	% of Stop	Black	% of Race	% of Stop
Hazardous Traffic	Arrested	0	#DIV/0!	#DIV/0!	0	0.0%	#DIV/0!
Hazardous Traffic	Released	0	#DIV/0!	0.0%	0	0.0%	0.0%
Hazardous Traffic	Ticketed	0	#DIV/0!	0.0%	3	15.8%	6.7%
Hazardous Traffic	Warned (Written)	0	#DIV/0!	0.0%	6	31.6%	15.4%
Investigation	Arrested	0	#DIV/0!	#DIV/0!	0	0.0%	#DIV/0!
Investigation	Released	0	#DIV/0!	#DIV/0!	0	0.0%	#DIV/0!
Investigation	Ticketed	0	#DIV/0!	#DIV/0!	0	0.0%	#DIV/0!
Investigation	Warned (Written)	0	#DIV/0!	#DIV/0!	0	0.0%	#DIV/0!
Non-Hazardous Traffic	Arrested	0	#DIV/0!	0.0%	0	0.0%	0.0%
Non-Hazardous Traffic	Released	0	#DIV/0!	0.0%	3	15.8%	18.8%
Non-Hazardous Traffic	Ticketed	0	#DIV/0!	0.0%	0	0.0%	0.0%
Non-Hazardous Traffic	Warned (Written)	0	#DIV/0!	0.0%	7	36.8%	9.6%
Total		0	#DIV/0!	0.0%	18	100.0%	9.5%

StopReason	cbStopDisposition	Hispanic	% of Race	% of Stop	White	% of Race	% of Stop
Hazardous Traffic	Arrested	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Hazardous Traffic	Released	1	2.7%	12.5%	7	4.9%	6.7%
Hazardous Traffic	Ticketed	9	24.3%	30.0%	33	22.9%	71.5%
Hazardous Traffic	Warned (Written)	8	21.6%	20.5%	25	17.4%	64.1%
Investigation	Arrested	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Investigation	Released	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Investigation	Ticketed	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Investigation	Warned (Written)	0	0.0%	#DIV/0!	0	0.0%	#DIV/0!
Non-Hazardous Traffic	Arrested	1	2.7%	50.0%	1	0.7%	50.0%
Non-Hazardous Traffic	Released	4	10.8%	25.0%	9	6.3%	56.3%
Non-Hazardous Traffic	Ticketed	1	2.7%	5.9%	16	11.1%	94.1%
Non-Hazardous Traffic	Warned (Written)	13	35.1%	17.8%	53	36.8%	72.6%
Total		37	100.0%	18.5%	144	100.0%	72.0%

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

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

StopReason	ctoStopDisposition	Total %	Number
Hazardous Traffic	Arrested	0.0%	0
Hazardous Traffic	Released	4.0%	8
Hazardous Traffic	Ticketed	22.5%	46
Hazardous Traffic	Warned (Written)	19.5%	39
Investigation	Arrested	0.0%	0
Investigation	Released	0.0%	0
Investigation	Ticketed	0.0%	0
Investigation	Warned (Written)	0.0%	0
Non-Hazardous Traffic	Arrested	1.0%	2
Non-Hazardous Traffic	Released	8.0%	16
Non-Hazardous Traffic	Ticketed	8.5%	17
Non-Hazardous Traffic	Warned (Written)	36.5%	73
		100.0%	200

AGENDA ITEM 16

Consider noting the receipt of Over Axle/Over Gross Weight Tolerance Permits for the Texas Department of Transportation.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Birkman**

Motion: To note the receipt of Over Axle/Over Gross Weight Tolerance Permits for the Texas Department of Transportation.

Vote: 5 – 0

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