

Converse Police Department

Contact Data S.B. No. 1074

***Annual Report
2007***

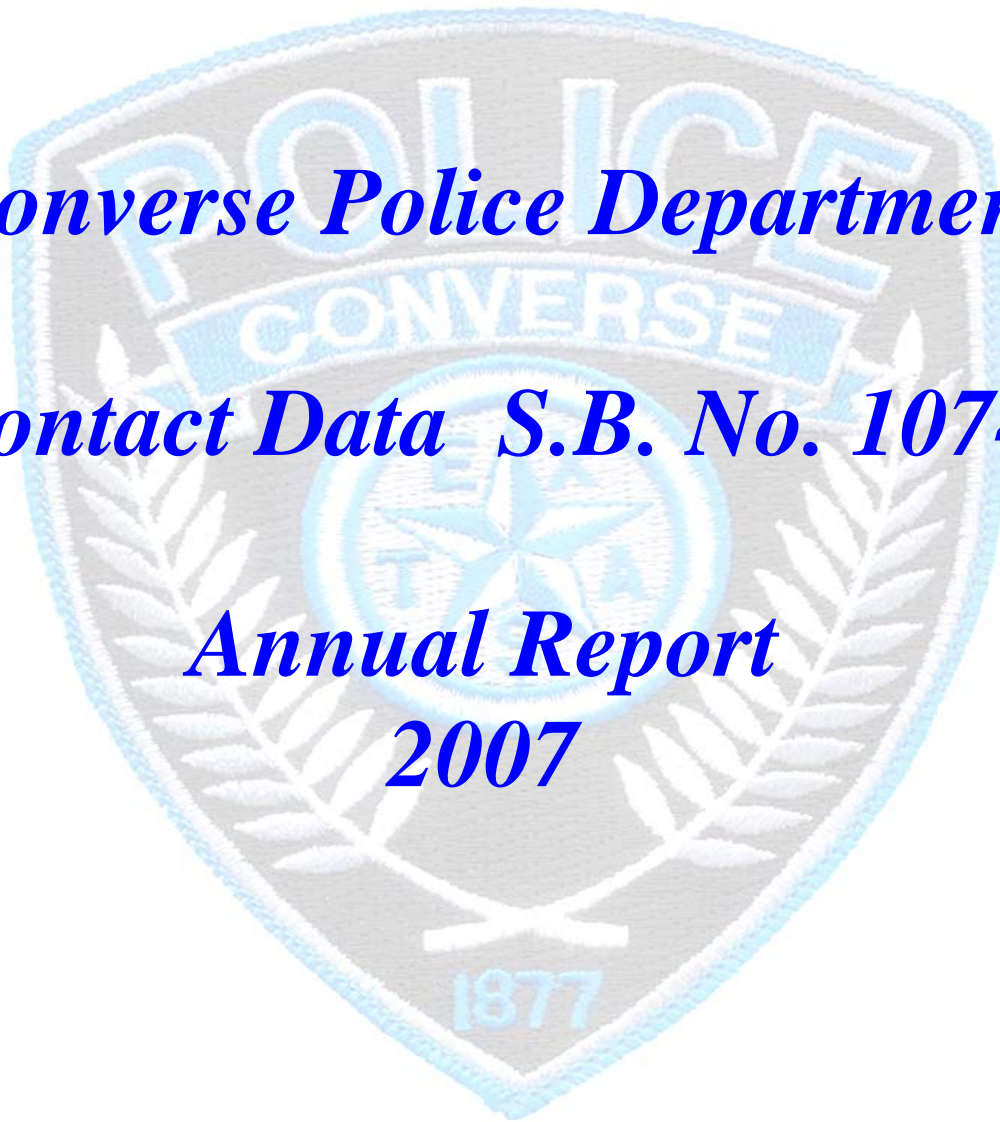


Table of Content

(I) Introduction

- a) Table of Content *Pg. 1*
- b) Opening Statement Outlining Rationale and Objective of Report *Pg. 4*
- c) The Texas Law on Racial Profiling *Pg. 5-16*
- d) Outline of Requirements Introduced by
The Texas Racial Profiling Law *Pg. 17-20*

(II) Background

- a) City Historical and Demographical Information *Pg. 22*
- b) Police Department's Background/Demographics *Pg. 22-25*
- c) Police Department's General Orders/Procedures *Pg. 26-31`*
- d) Report on Inventory/Usage of Video/Audio Equipment in
Police Vehicles *Pg. 32*
- e) Police Department's Partnerships with the Local Community *Pg. 33*

(III) Responding to the Texas Racial Profiling Law

- a) Institutional Policy on Racial Profiling *Pg. 35-44*
- b) Implementation of Complaint Process Addressing Allegations
of Racial Profiling Practices *Pg. 45-51*
- c) Training Administered to Law Enforcement Personnel *Pg. 52*
- d) Tables Depicting Police Contact Information (1/1/07—12/31/07).
Include Tier 1 information (Comparative Analysis) *Pg. 53-56*
- e) Report on Complaints Filed Against Officers for Violating
Racial Profiling Policy *Pg. 57*
- f) Analysis and Interpretation of Data
(Explanation of rationale for use of DPS data) *Pg. 58*

(IV) Summary of Findings

- a) Summary Statement Regarding Findings *Pg. 60*
- b) Recommendations Addressing Issues of Concern *Pg. 61*
- c) Check List/Contact Information *Pg. 62*





Expanding Horizons

CITY OF CONVERSE
POLICE DEPARTMENT

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February 5, 2008

Since January 1, 2002, the Converse Police Department 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. It is my hope that the findings provided in this report will serve as evidence that the Converse Police Department continues to strive towards the goal of maintaining strong relations with the community.

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 Converse Police Department 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 1/1/07 and 12/31/07. This information has been analyzed and compared to the Department of Public Safety data on motorists residing in the Converse area. 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 Converse Police Department continue to strengthen as we move forward to meet the challenges of the near future.

Sincerely,

Rex Rheiner – Assistant Chief

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;

(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;

(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

(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 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) the date of conviction; and
- (9) 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 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.

President of the Senate

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.

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.

Chief Clerk of the House

Approved:

Guidelines for Compiling and Reporting Data under Senate Bill 1074

Background

Senate Bill 1074 of the 77th 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 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 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 77th 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.



Background

History of the City of Converse, Texas

The City of Converse is located in the Northeast part of Bexar County and was founded in 1877. Converse was a rural farm community that relied on the local railroad to help ship products from the local cotton gins. The railroad was instrumental in helping to pull in Featherlite Block Company and Ewing-Records Steel plant to Converse.

Today, Converse is a rapidly growing community, population of 11,508, According to 2000 Census. Converse is home to one of the prominent high schools in the State of Texas. Converse is conveniently located next to Randolph Air Force Base, Ft. Sam Houston and just a few miles from the City of San Antonio. Converse is a Home-Rule city with a Council-Manager form of government, with the City providing all the basic services and recreational facilities to its citizens.

Police Department Background

Prior to January 1963, the Bexar County Sheriffs Department was responsible for handling all calls for service. On January 4, 1963 a City Marshall was empowered. The Converse Police Department as we know it today was started on July 11, 1972 with a Police Chief and 1 officer.

Today, the Converse Police Department consists of 31 commissioned officers with one assigned to the DEA Taskforce. The Police Department has 5 civilians support staff and communication center with 11 full time dispatchers. The Converse Police 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 Converse Police Department adopted a policy, in accordance with Texas law on Racial Profiling, banishing racial profiling practices among all Converse PD officers.

2007

Converse Police Department Demographics

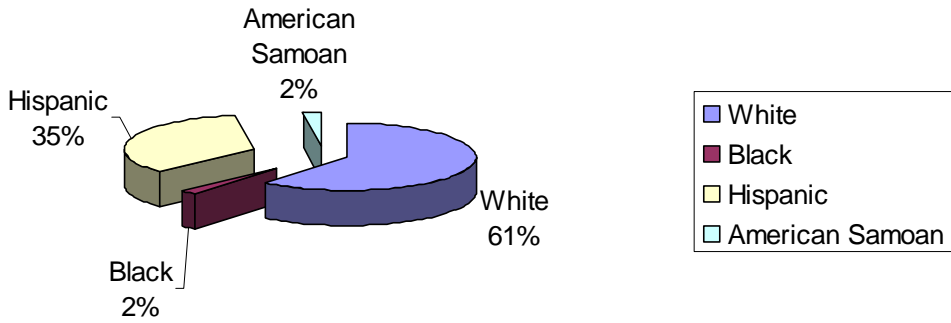
| | |
|-----------------|----|
| White | 28 |
| Black | 1 |
| Hispanic | 16 |
| American Samoan | 1 |

| | |
|-------------|----|
| Male | 29 |
| Female | 17 |
| Officers | 30 |
| Civilian | 5 |
| Dispatchers | 11 |

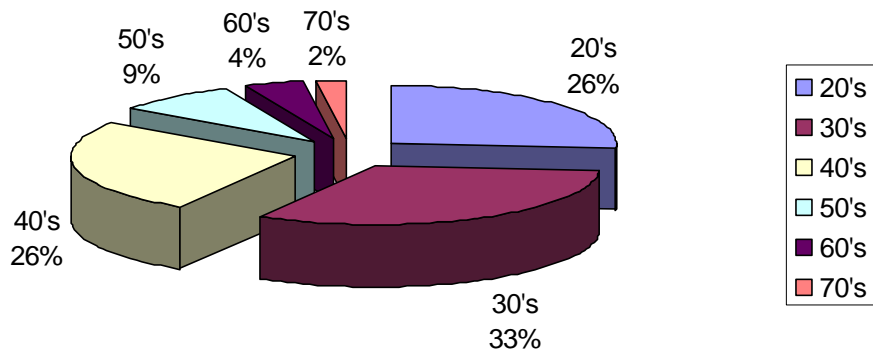
| <i>Age</i> | |
|------------|----|
| 20's | 12 |
| 30's | 15 |
| 40's | 12 |
| 50's | 4 |
| 60's | 2 |
| 70's | 1 |

| | |
|----------------------------|--------|
| Average Age | 37.98 |
| Average Training Hours | 967.72 |
| Average Yrs. of Employment | 5.84 |
| Average Yrs. of Experience | 7.43 |

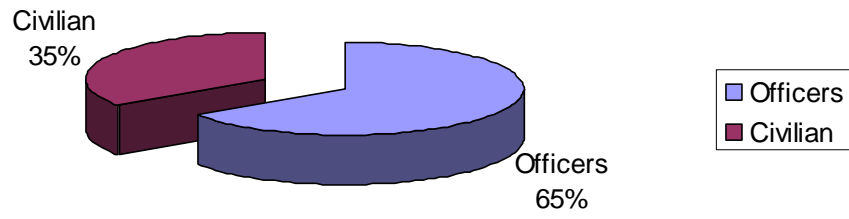
Demographics by Race



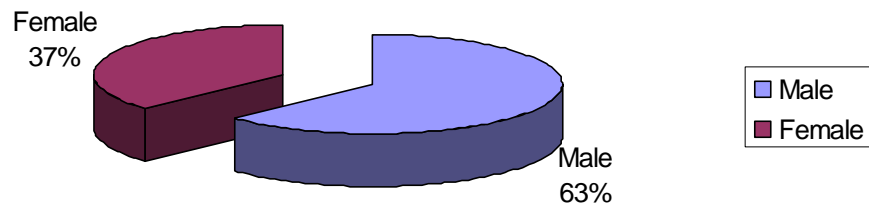
Demographics by Age



Demographics by Officers/Civilian



Demographics by Sex



Converse Police Department Code of Conduct

The following section establishes the mission, vision, values, goals, objectives, oath, ethics, and employment practices of the Converse Police Department. Each of these components is reviewed on an annual basis in order to ensure it adequately addresses the emerging needs of the department, the city, and the residents of the Converse community.

Converse Police Department Mission Statement

The Mission Statement of the Converse Police

**Department, in Partnership with Converse Residents, is to
Protect the lives and property of residents, Enhance the
Quality of Life, Reduce the “Fear of Crime”, act as
Professionals at All Times, with Integrity, Dignity, Equality,
and Respect for Citizens, Elected Officials and Fellow Officers.**

Converse Police Department Value Statement

The Converse Police Department is committed to making the City of Converse the safest Community in the Country by actively seeking Citizens participation in programs and activities that will have a positive impact on their Neighborhoods. The basic concept, known as **Community Policing**, is the foundation on which we will build to lead us into the 21st Century.

Customer Oriented Approach to Policing

Ownership of Community Problems
Motivation of Officers to make a Better Community
Moral and Ethical Behavior
Understanding
Needs and Expectations of Residents
Involvement of All Officers
Team Oriented Police Department
Youth Programs

Problem Solving Policing
Openness
Loyalty and Respect for All
Integrity
Character and Competence
Inspiration
Neighborhood Watch Programs
Goals to lead the Department into the 21st Century

Vision

We, the men and women of the Converse Police Department, are committed to excellence in leadership, providing progressive and proactive services, developing community partnerships, and building for a better future.

Oath of Office

Each member and volunteer of the Converse Police Department shall subscribe to and abide by the Oath of Office:

I _____ do solemnly swear or affirm that I will faithfully execute the duties of a Police Officer of the City of Converse, Bexar County, 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 of this City; 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 to receive my appointment.

So Help Me God.

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

Code of Ethics

Each member of the Converse Police Department shall subscribe to and abide by the Code of Ethics:

As a Law Enforcement Officer, my fundamental duty is to serve humanity; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional Rights of all people to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in obeying the laws of the land and the regulations of my Department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to ethics of Law Enforcement. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession . . . Law Enforcement.

The newly sworn member shall be given one copy of the Code of Ethics.

Equal Opportunity/Affirmative Action

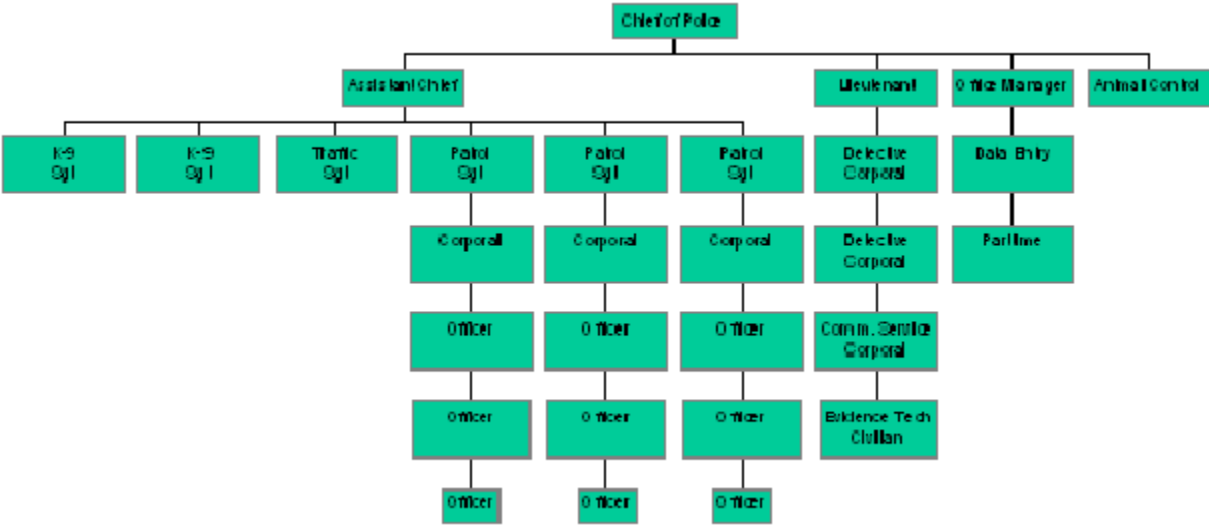
The policy of the Converse Police Department is to be fair and impartial in all of its relations with its employees or applicants for employment while adhering to the concept of equal employment opportunity and affirmative action as a necessary element of basic merit system principles. In order to achieve this goal, the Converse Police Department hereby reaffirms its official policy that discrimination on the basis of race, sex, color, religion, national origin, age, mental or physical handicap, disabled or veteran status is prohibited by all employees of the Converse Police Department. This policy will apply and is not limited to recruitment, promotion, hiring, layoff, termination, demotion, transfer, training, rates of pay, fringe benefits, or other forms of compensation, use of facilities, and other terms, conditions and privileges of employment for all job classifications. The City of Converse will take the necessary steps in its employment policies, practices and procedures and make reasonable accommodations in order to assure that appropriate equal employment opportunities are available to all persons.

Community Partnerships

Although the Converse Police Department has always enjoyed from the support from the community, since January 1, 2002, it has made extraordinary efforts to reach out to community leaders. This effort has been well received by the Converse community; particularly, members of the minority community.

The Converse Police Department, through its Community Service Officer and Citizen Academy Coordinator, has kept the public informed of the traffic contact data collection effort. Further, the Converse Police Department plans to present the data analyzed, on or before March 1, 2007, to members of city council. This will be done in an effort to keep community leaders informed on the current practices of the Converse Police Department.

2007 Converse Police Department Organizational Chart



Inventory Video Camera Equipment

The converse Police Department has working cameras installed in all the patrol vehicles.

All of the Converse Police Department Patrol vehicles and Traffic units have fully functioning audio and video Capabilities.

We are currently using Custom Eye Witness, Mobile Vision and Eyewitness Video systems in our patrol vehicles at this time.

With the entire patrol fleet equipped following our current policy we will remain in Tier 1 reporting.

Community Partnerships

Although the Converse Police Department has always enjoyed the support from the community, since January 1, 2002, it has made extraordinary efforts to reach out to community leaders. This effort has been well received by the Converse community; particularly, members of the minority community.

The Converse Police Department, through its Community Service Officer and Citizen Academy Coordinator, has kept the public informed of the traffic contact data collection effort. Further, the Converse Police Department plans to present the data analyzed, on or before March 1, 2008, to members of city council. This will be done in an effort to keep community leaders informed on the current practices of the Converse Police Department.



Responding to the Racial Profiling Law

Date: January 1, 2002

To: All Police Department Personnel

From: Rick Jamison, Chief of Police

Ref: Racial Profiling Policy

PURPOSE:

To set forth procedures for compliance with State Law and to detect and correct instances of racial profiling.

POLICY:

Discrimination on the basis of race, ethnicity or national origin is prohibited by the policy of this City and Department. Law Enforcement actions shall be based upon lawful and reasonable suspicion of criminal activity and not upon unlawful discriminatory grounds. Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all persons to be treated equally and to free from unreasonable searches and seizures must be respected. *Racial profiling is an unacceptable patrol tactic and will not be tolerated.*

DEFINITION:

“Racial profiling” is the initiation of a law enforcement action (such as a traffic stop, a detention, a search, issuance of a citation or an arrest) which is based upon an individual’s race, ethnicity or national origin rather than upon an individual’s behavior; information identifying the individual as having possibly engaged in criminal activity; or information that a person may be a witness to possible criminal activity; or other lawful reasons for the law enforcement action. Racial profiling is strictly prohibited by any officer or employee of this Department. The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or

national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin is racial profiling

COMPLAINT INVESTIGATION:

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.

Any employee who receives an allegation of racial profiling, including the officer who initiated the stop, shall record the person's name, address and telephone number and forward the complaint through the appropriate channel or direct the individual(s). Any employee contacted shall provide to that person a copy of a complaint form or the department process for filing a complaint. All employees will report any allegation of racial profiling to their supervisors before the end of shift.

Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints when completed will be acknowledged in writing to the individual who initiated the complaint.

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.

Upon commencement of an investigation in racial profiling against an officer, the officer may request in writing a copy of the video or audio recording of the occurrence on which the complaint is based. The recording shall be provided to the officer in a prompt manner. The department shall retain the video and audio tapes of the stop until the final disposition of the complaint.

PROCEDURES:

A. *Equipment*

1. Each police vehicle, which is regularly used to make traffic and pedestrian stops, will be equipped with video cameras and transmitter-activated equipment. Said equipment shall be used, where reasonably possible, to record each traffic and pedestrian stop.

2. Supervisors will ensure officers are recording their traffic and pedestrian stops. The supervisor will review a recording of each officer at least once every ninety (90) days.
3. As required by State Law, vehicle video/audio tapes depicting traffic stops shall be maintained for a minimum of 90 days. Tapes, which are the subject of criminal or misconduct complaints, shall be maintained until resolution of the complaint.

B. Traffic Stops

1. Officers who make traffic stops which result in the issuance of a citation, a warning or an arrest shall report, in the manner prescribed by the Department the following information as to each citation, warning or arrest the following information:
 - a. The race, national origin or ethnic group of the person arrested or to whom the citation is issued. If this information is not readily apparent and the person declines to provide the information, the officer will note his opinion as to the information.
 - b. Whether a search of the vehicle or person occurred and, if so, whether the search was pursuant to consent.
 - c. List of charges filed with identifying case or citation numbers.
2. Said information shall be turned in prior to the end of each officer's shift.

The Chief of Police or his designee shall prepare annual reports from the information collected pursuant to this policy in accordance with State Law.

SECTION: TWENTY FOUR (Code of Conduct)

MOBILE VIDEO CAMERAS

24.1 MOBILE VIDEO CAMERAS

Mobile videotaping allows an officer to successfully capture clear and convincing evidence of intoxication to show a jury. Mobile videotaping will also provide the officers with the ability to record the intoxication indicators both audibly and visually in a court approved manner, while maintaining the defendant's constitutional rights under the fourth and fifth Amendments as well as those guaranteed under Texas Law. Mobile videotaping will enable the officers to capture evidence that will convince a jury that the defendant was a danger to public safety by driving while intoxicated on the streets and highways of this State.

24.2 GENERAL GUIDELINES OF MOBILE VIDEO TAPING

- a. All officers must be certified through a class, which will be instructed by the Converse Police Department field training officer. The training will include Operations and proper installation, trouble-shooting, proper steps of videotaping required in court, legal issues, practical exercises, and critiquing tapes.
- b. Officers will utilize the 7 step violator contact when confronting a vehicle unless it is necessary to use other techniques, such as felony stops. (See attachment for 7 step violator information.)
- c. Officers will be required to leave the camera on during traffic stops or incidents.
- d. Officers may utilize the videotape system to record information for their reports.
- e. If Officers view a tape for reports, he/she may do so but, tapes will not be erased or taped over without permission of the supervisor.
- f. Videotapes are not to be shown in the presence of the public or non-commissioned personnel, unless directed to do so by a supervisor. Videotapes will not be removed from the Police Department except those going to the DA's office.
- g. Officers will wear the microphone provided with the camera.
- h. At no time will officers use the camera and monitor for anything other than which it was purchased unless approved by the Chief of Police.

- i. All tapes will be properly titled and logged. Officers are required to follow procedures at all times. Any deviations from these guidelines will be cleared through the Chief of Police.

24.3 OPERATIONS OF THE VIDEO CAMERA

- a. All traffic contacts including motorist assists will be initially video taped (visual and audio). This will include stops with other Converse Units or other Law Enforcement Agencies, regardless whether or not you are the primary officer involved in the stop.

NOTE: Only primary officers needs Audio, if other officers have audio on it will mess up audio on primary due to conflicting frequencies, visual by other officers however need to stay on.

- b. If circumstances dictate, or in the judgment of the officer, there may be a question about a contact with the public so indicate to your supervisor when the tape is turned in.
- c. Tape all pursuits, along with code 2 and 3 calls.
- d. Cameras should be left on when making family disturbance calls, or calls where there may be potential trouble. Of course, you will not have a visual picture but you will have a audible record.
- e. All tapes turned in will be held for 90 days with the exception of tapes being held for court.
- f. Any time a camera is not functioning properly advise your supervisor immediately.

24.4 LEGAL CONSIDERATIONS

- a. While taping a DWI suspect, officers should refrain from asking the suspect questions which elicit an incriminating response such as:
 - 1. Have you been drinking?
 - 2. How many drinks have you had?
 - 3. How long has it been since your last drink?
 - 4. What day, date or time is it?
 - 5. When did you last eat?

This list is not inclusive of all questions which may cause the video tape or parts of the video tape to be inadmissible in court. Officers may ask these questions if they have properly given the suspect his/her Miranda warning and those rights have been waived by the suspect.

SPECIAL NOTE: Number 2 & 3 above can be asked by an officer building reasonable suspicion for DWI. Once Standard Field Sobriety Testing has begun you can not ask anything.

- b. Officers may ask questions without having given the Miranda warning that are not self-incriminating such as:
 - 1. Name, sex, birth date, address, age, city, state.
 - 2. Height, weight, hair and eye color, birthplace.
 - 3. Social security number, drivers license number, marital status.
 - 4. Medical problems, injuries or impairments.
 - 5. Need to see Nurse, occupation, place of employment.

This list is not inclusive of all questions which may be admissible.

- c. Officers may ask the suspect to perform a field sobriety test without giving the suspect his/her Miranda Warning.
- d. Officers will attempt to advise the suspect of the Miranda warning while on video/audio tape if at all possible.

24.5 VIDEO TAPES

- a. Blank video tapes will be kept in a designated area in the Police Department for safekeeping and inventory purposes. Officers will be issued tapes by their supervisors, which will be for the purpose of tracking tapes. It will be the responsibility of each Officer to insure that each tape checked out to him/her is accounted for. Protection from damage, extreme heat and cold is necessary to minimize and prevent faulty tapes.
- b. The assigned tape number will be placed on all arrest reports. All tapes intended for evidence in a criminal case will be logged into the property room as evidence.

24.6 GENERAL INFORMATION

- a. Cameras will be checked at the beginning and ending of each shift to be sure they are working properly. All tapes will properly titled and logged.
- b. Will be on for all traffic stops.
- c. Will be on anytime your dealing with a call that could be a high risk call.
- d. When running code 2 & 3.

- e. Anytime there is a problem with your camera it will be reported immediately, noting anything that you feel could be a problem with the camera and for using the tape for court later.
- f. Anyone tampering with tapes or trying to alter one will be severely disciplined.

SECTION TWENTYSIX (Code of Conduct) - THE SEVEN STEP APPROACH

The majority of the public contacts made by police are made in reference to traffic stops. While officers must be aware of the total traffic situation and be able to intelligently relate this problem to the driving acts of the public, we must also realize that a great number of violators have never been stopped, and many do not realize why they are being stopped. Good officer-violator relations not only promote good public relations, but also make the job of an officer easier. The following procedure should be considered as a guideline that will enable each officer to develop self-confidence in violator relationships through knowledge.

1. Greeting and Identification of the Police Agency

The greeting may be accomplished in the most natural way for the officer. He/she may introduce himself/herself, or use only a "Good Morning," "How do you do, Sir?" or other natural greeting. This is a courtesy we owe to every citizen stopped. Regardless of whether the officer is in a marked car and in uniform, he/she should identify himself/herself and name his/her agency. The objective of the greeting is to employ business courtesy, to help make the subject feel at ease, and to establish a common ground free of affectation, superiority, or deference. Smile and speak in a quiet voice. Remember there are many citizens and a great number may not reside in your locale and therefore, do not recognize your uniform. Put yourself in their position and you can readily see why a greeting and identification of the agency you represent are important, not only to the violator, but to the success of your contact.

2. Statement of Violation Committed

The officer owes the driver the courtesy of telling him/her, at once, the reason he/she has been stopped. This step should emphasize the seriousness of the violation and serve to create a proper effect upon the violator. If the case is one of speeding, the officer should ascertain whether attending circumstances might morally justify such speed to a normal, prudent person. After he/she is told of the violation for which he/she has been stopped, the question "Is there any reason for your excessive rate of speed?" offers the subject an opportunity to justify his/her actions if a reason exists, and if none, place him/her in a position of admitting the violation. However, with the above exception, one should refrain from asking questions concerning the subject's knowledge of the violation committed. Remarks made by the officer should be in the form of a statement rather than a question.

3. Identification of Driver and Check Condition of Violator and Vehicle

The officer should identify every violator stopped by requesting his/her Operator's license. If the subject has no license, the officer should ask for other identification,

preferably one which carries the subject's description. If the subject has none, the officer should write down a brief description of the person: age, height, weight, eyes, hair, marks, and address. The officer, after identifying the subject, should call him/her by name during the remainder of the interview. Should a violator hand an operator's license to you in a purse or billfold, have him/her remove the license himself/herself so that no accusations can be made about loss of money or important papers. A close comparison should be made between the description of the individual and the description of the subject on his/her driver's license.

4. Statement of Action to be taken

The officer should make a clear statement, in a firm but calm manner, that will leave no doubt as to the action he/she plans: "You will be charged with the offense of speeding in the City of Converse Municipal Court. Officers should refrain from using the word "I" during the violator interview. Place the emphasis on the violator, and the violation committed by using the word "you". When the officer states that "I" action to be taken by the officer and affords the violator an opportunity to shift the blame from the offense committed to the action taken by the arresting officer. When the "you" technique is practiced, much unpleasantness is avoided. (Practice statements such as: You are going to be charged with the offense of passing with insufficient clearance. You will be warned this time for the degree of violation which you have committed. A record of this violation has been made and we ask that you cooperate by driving your vehicle in compliance with traffic regulations.)

5. Take That Action

Write the citation, take the violator into custody, or call his/her attention to the seriousness of the violation and possible consequences (warning), and the action will have been taken in the manner the officer has decided.

6. Explain What the Violator Must Do

Explain to the violator EXACTLY what action he/she must take. That is, he/she must get into the patrol car, follow the patrol car, appear at a certain court by a certain time and date. This is the time to give the violator the list of fines and set fees by the court. Refrain from repeating the violation. A short explanation serves to dispel much uncertainty in the mind of the violator. Make your explanation clear and be sure the violator understands. Remember, he/she is not as familiar with the courts and the locations involved as you are. A little extra time here may result in more appearances on time and less warrant services.

7. Leave

Closing the contact with the violator is awkward for many officers. It is an opportunity to create a feeling of friendliness if the proper technique is used. An attitude of officiousness or gloating must be avoided. An expression of real friendliness by the officer and an attitude of helpfulness and service is desired. Do not overdo it, however; never give the subject any reason to think that you are sorry for having given him/her a ticket and that you now wish to "oil the water." The leave-taking should be as firm and impersonal as the approach. A "Good Afternoon" or "Have a good day" spoken in a sincere, yet business-like tone, is sufficient. When the violator contact has been broken do not hesitate, but immediately return to the patrol car.

Informing the Public on the Process of Filing a Complaint with the Converse Police Department

(I) Educational Campaign:

In accordance to Senate Bill 1704, the Converse Police Department has made significant efforts to launch an educational campaign aimed at informing the public on issues relevant to the complaint process. Special emphasis has been placed on informing community members on filing a complaint relevant to racial profiling practices.

The Converse Police Department has posted on the city web site the complaint form where community members have been informed on efforts being made by the police department to continue banning racial profiling practices among its officers. In addition, a series of pamphlets will be available to the community in an effort to reach out to individuals who have difficulty in acquiring this documentation.

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

The following information has been distributed to residents of the city of Converse:

UNDERSTANDING THE PROCESS

Once an individual has filed a complaint regarding racial profiling, he/she should expect the following process to commence:

THE INTERVIEW

A police officer (rank of sergeant or higher) will interview the individual filing the complaint. The officer will ask the alleged victim questions about what happened. It is possible that the officer may be able to explain the officer(s)' actions to your satisfaction.

- Usually, the alleged victim will be interviewed at the Police Department's Main Building. It is possible that he/she may be videotaped during the interview.
- The individual filing the complaint may bring a lawyer, family member or friend to the interview.
- The police officer will ask the individual filing a complaint for the names of witnesses and other police officers that may know facts about the complaint.

- A police officer may take pictures of any injuries that the alleged victim think are related to the complaint.
-

THE INVESTIGATION

After the interview, the Converse Police Department will investigate the alleged misconduct. Investigators will talk to witnesses and visit the site of the incident.

- The investigators will consist of police officer assigned to the division supervisor that the complaint stemmed from.
 - All officers will be interviewed and witnesses whom the alleged victim has named will be contacted and interviewed, if they agree.
 - The alleged victim will receive a letter regarding the progress of the investigation. Although it is impossible to estimate how long the investigation will take, the alleged victim will receive periodic reports on its status.
 - A report will then be prepared.
-

THE REVIEW PROCESS

The Police Chief reviews every complaint after the investigation is completed and a report is written.

- If the complaint includes excessive force or charges an officer with a crime. The Chief of Police will be notified as soon as possible and by the Chief of Police discretion the investigation may be referred to an outside law enforcement investigative body.
- The Investigating officer will review your complaint, statements from all witnesses and reports from the investigation. The investigating officer may ask for additional information before making its recommendations to the Police Chief.
- The results of investigations that suggest there are no charges that the police officer used excessive force or committed a crime are also reviewed by the Police Chief.
- The Police Chief reviews investigations and makes the final decision on all complaints.

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 provable** - There was not enough evidence to prove the complaint true or false so no further action will be taken.

The Police Chief will decide on a finding after the complaint has been reviewed. Further, he/she will inform the alleged victim through an official letter of the final decision.

(III) A COMMITMENT TO RESPOND TO THE NEEDS OF THE COMMUNITY

The Converse Police Department has made a commitment to its citizens regarding the following:

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, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel or direct the individual(s). Any employee contacted shall provide to that person a copy of a complaint form or the department process for filing a complaint. All employees will report any allegation of racial profiling to their superior before the end of their shift.
3. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the chief. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the chief.
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.
5. If there is a departmental video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this department into the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.

November, 2001

Press Release

Converse Police Department Complies with Racial Profiling Bill

The Converse Police Department supports the 77th Texas Legislature's mandate prohibiting racial profiling in Texas.

Converse Police Officers work under a departmental policy that is consistent with all state and federal laws. The policy includes provisions for citizens to contact us if they have a conflict with a one of the officers.

The Converse Police Department realizes that there will be disagreements, from time to time with individuals that come in contact with an officer. We realize that confusion, different perceptions or possibly the timeliness of information could result in information that may produce different accounts of the same incident. The relationship between the community and our officers is based on confidence and trust. We cannot be effective without both the community and our citizens working together to achieve this goal.

Citizens who feel they have a legitimate concern about an officer's conduct may make a formal complaint to this department at any time or by contacting any member of the department for information on the complaint process. Additional information about the process may be obtained by calling 210-658-2322.

The Converse Police Department is very proud of the relationship it shares with the community; our longstanding goal is to provide our citizens with a safe community where all may live without fear of crime.



**CONVERSE POLICE DEPARTMENT
COMPLAINT FORM**



Date: _____

Complainant's full name and date of birth: _____

Complainant's address: _____

Complainant's home # _____ work # _____

Location where alleged incident occurred: _____

Date and time of alleged incident: _____

Is this complaint based on Racial, Ethnic or National Origin Profiling? _____

Name or other identifying information of Converse Officer (s) who this complaint is being filed:

Name, address and phone # of any witnesses:

NATURE OF COMPLAINT

Clearly indicate the nature of your complaint.

Nature of Complaint – continued

Training

In compliance with the Texas Racial Profiling Law, the Converse Police Department 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 from the Converse Police Department 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. Their after will attend a refresher course every 4 years, as mandated.

The Chief of Police, as part of the initial training and continued education for such appointment, attended the LEMIT program on racial profiling. This fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Training law.



Converse Police Department

2007 Tier 1 Data

| <i>Race / Ethnicity</i> | <i>Contacts</i> | | <i>Searches</i> | | <i>Consensual Searches</i> | | <i>PC for Search</i> | | <i>Custody Arrest</i> | |
|-------------------------|-----------------|-------------|-----------------|-------------|----------------------------|-------------|----------------------|-------------|-----------------------|-------------|
| | <i>N</i> | <i>%</i> | <i>N</i> | <i>%</i> | <i>N</i> | <i>%</i> | <i>N</i> | <i>%</i> | <i>N</i> | <i>%</i> |
| <i>Caucasian</i> | 4676 | 55% | 88 | 46% | 38 | 46% | 50 | 46% | 113 | 40% |
| <i>African</i> | 1930 | 23% | 48 | 25% | 19 | 23% | 29 | 27% | 77 | 27% |
| <i>Hispanic</i> | 1619 | 19% | 52 | 27% | 24 | 29% | 28 | 26% | 90 | 32% |
| <i>Asian</i> | 124 | 1% | 0 | 0% | 0 | 0% | 0 | 0% | 1 | 0% |
| <i>Native American</i> | 1 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% |
| <i>ther</i> | 149 | 2% | 3 | 2% | 2 | 2% | 1 | 1% | 5 | 1% |
| Total | 8499 | 100% | 191 | 100% | 83 | 100% | 108 | 100% | 286 | 100% |

Converse Police Department Comparative Analysis 2007



January to December 2007

Table 1. Comparison of Self-Initiated Stops and DPS Resident Data

| Race/Ethnicity* | Resident Contacts | | DPS Data - 78109 | | Variance | |
|-----------------|-------------------|-------------|------------------|-------------|----------|-----|
| | N | % | N | % | N | % |
| Caucasian** | 6295 | 74% | 14641 | 82% | 8346 | 67% |
| African | 1930 | 23% | 4519 | 25% | 2589 | 21% |
| Asian | 124 | 1% | 517 | 3% | 393 | 3% |
| Native American | 1 | 0% | 26 | 0% | 25 | 0% |
| Other | 149 | 2% | 1292 | 7% | 1143 | 9% |
| Total | 8499 | 100% | 17893 | 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.



Converse Police Department

Profiling Tier 1 Data From 2002 - 2006

Contacts

| Race/Ethnicity | 2002 | 2002 | 2003 | 2003 | 2004 | 2004 | 2005 | 2005 | 2006 | 2006 |
|------------------|--------------|---------------|--------------|---------------|-------------|-------------|-------------|-------------|-------------|-------------|
| | N | % | N | % | N | % | N | % | N | % |
| Caucasian | 5265 | 50.1% | 5386 | 47.3% | 3997 | 47.9% | 5315 | 55.1% | 4571 | 57.6% |
| African American | 1878 | 17.9% | 2206 | 19.4% | 1678 | 20.1% | 2033 | 21.1% | 1663 | 21.0% |
| Hispanic | 3158 | 30.1% | 3591 | 31.5% | 2481 | 29.7% | 2087 | 21.6% | 1464 | 18.5% |
| Asian | 116 | 1.1% | 184 | 1.6% | 150 | 1.8% | 124 | 1.3% | 113 | 1.4% |
| Native American | 7 | 0.1% | 5 | 0.0% | 1 | 0.0% | 4 | 0.0% | 1 | 0.0% |
| Other | 75 | 0.7% | 20 | 0.2% | 38 | 0.5% | 78 | 0.8% | 117 | 1.5% |
| Total | 10499 | 100.0% | 11392 | 100.0% | 8345 | 100% | 9641 | 100% | 7929 | 100% |

Searches

| Race/Ethnicity | 2002 | 2002 | 2003 | 2003 | 2004 | 2004 | 2005 | 2005 | 2006 | 2006 |
|------------------|------------|---------------|------------|---------------|------------|-------------|------------|-------------|------------|-------------|
| | N | % | N | % | N | % | N | % | N | % |
| Caucasian | 374 | 54.0% | 220 | 44.4% | 164 | 49.4% | 71 | 60.7% | 61 | 54.5% |
| African American | 123 | 17.7% | 85 | 17.2% | 62 | 18.7% | 19 | 16.2% | 13 | 11.6% |
| Hispanic | 192 | 27.7% | 185 | 37.4% | 100 | 30.1% | 26 | 22.2% | 35 | 31.3% |
| Asian | 4 | 0.6% | 4 | 0.8% | 5 | 1.5% | 1 | 0.9% | 1 | 0.9% |
| Native American | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% |
| Other | 0 | 0.0% | 1 | 0.2% | 1 | 0.3% | 0 | 0.0% | 2 | 1.8% |
| Total | 693 | 100.0% | 495 | 100.0% | 332 | 100% | 117 | 100% | 112 | 100% |

Consent Searches

| Race/Ethnicity | 2002 | 2002 | 2003 | 2003 | 2004 | 2004 | 2005 | 2005 | 2006 | 2006 |
|------------------|-----------|---------------|------------|---------------|------------|-------------|-----------|-------------|------------|-------------|
| | N | % | N | % | N | % | N | % | N | % |
| Caucasian | 12 | 57.1% | 51 | 39.2% | 82 | 56.9% | 44 | 59.5% | 61 | 54.5% |
| African American | 3 | 14.3% | 21 | 16.2% | 22 | 15.3% | 12 | 16.2% | 13 | 11.6% |
| Hispanic | 5 | 23.8% | 58 | 44.6% | 35 | 24.3% | 17 | 23.0% | 35 | 31.3% |
| Asian | 1 | 4.8% | 0 | 0.0% | 4 | 2.8% | 1 | 1.4% | 1 | 0.9% |
| Native American | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% |
| Other | 0 | 0.0% | 0 | 0.0% | 1 | 0.7% | 0 | 0.0% | 2 | 1.8% |
| Total | 21 | 100.0% | 130 | 100.0% | 144 | 100% | 74 | 100% | 112 | 100% |

PC Searches

| Race/Ethnicity | 2002 | 2002 | 2003 | 2003 | 2004 | 2004 | 2005 | 2005 | 2006 | 2006 |
|------------------|------------|---------------|------------|---------------|------------|-------------|-----------|-------------|-----------|-------------|
| | N | % | N | % | N | % | N | % | N | % |
| Caucasian | 375 | 49.1% | 169 | 46.3% | 79 | 43.2% | 27 | 62.8% | 23 | 34% |
| African American | 171 | 22.4% | 64 | 17.5% | 38 | 20.8% | 7 | 16.3% | 20 | 29% |
| Hispanic | 209 | 27.4% | 127 | 34.8% | 65 | 35.5% | 9 | 20.9% | 25 | 37% |
| Asian | 5 | 0.7% | 4 | 1.1% | 1 | 0.5% | 0 | 0.0% | 0 | 0.0% |
| Native American | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% |
| Other | 3 | 0.4% | 1 | 0.3% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% |
| Total | 763 | 100.0% | 365 | 100.0% | 183 | 100% | 43 | 100% | 68 | 100% |

Custody Arrest

| Race/Ethnicity | 2002 | 2002 | 2003 | 2003 | 2004 | 2004 | 2005 | 2005 | 2006 | 2006 |
|------------------|------------|---------------|------------|---------------|------------|-------------|------------|-------------|------------|-------------|
| | N | % | N | % | N | % | N | % | N | % |
| Caucasian | 457 | 50.4% | 205 | 49.8% | 327 | 46.8% | 303 | 43.7% | 132 | 42.0% |
| African American | 168 | 18.5% | 62 | 15.0% | 133 | 19.0% | 138 | 19.9% | 73 | 23.2% |
| Hispanic | 272 | 30.0% | 142 | 34.5% | 226 | 32.3% | 243 | 35.1% | 105 | 33.4% |
| Asian | 8 | 0.9% | 3 | 0.7% | 13 | 1.9% | 7 | 1.0% | 3 | 1.0% |
| Native American | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% |
| Other | 1 | 0.1% | 0 | 0.0% | 0 | 0.0% | 2 | 0.3% | 1 | 0.3% |
| Total | 906 | 100.0% | 412 | 100.0% | 699 | 100% | 693 | 100% | 314 | 100% |

Corrective Action

It is the policy of the Converse Police Department that any officer who, after an internal investigation, has been found guilty of engaging in racial profiling, that one of the following series of disciplinary measures is taken (as per the recommendation of the chief of police):

- 1) Officer is retrained in racial sensitivity issues
- 2) Officer is suspended and as a condition of further involvement with the police department is asked to undergo racial sensitivity training
- 2) Officer is terminated

Data on Corrective Action

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 1/1/07---12/31/07, based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.

Check above if the Converse Police Department *has not received any complaints*, on any members of its police force, for having violated the Texas Racial Profiling Law during the time period of 1/1/07 ---- 12/31/07.

Complaints Filed for Possible Violations of S.R. 1074 (The Texas Racial Profiling Law)

| Complaint No. | Alleged Violation | | | Disposition of the Case |
|---------------|--------------------------------|------------|------------|-------------------------|
| 07/03 | Discourteous & Unprofessional | 09/25/2007 | 10/03/2007 | Exonerated |
| 07/04 | Retaliation & Ethnic Profiling | 10/07/2007 | 11/21/2007 | Unfounded |
| | | | | |
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Analysis

The data presented in this report contains valuable information regarding police contacts with the public between 1/1/07 and 12/31/07. 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 ethnicity of drivers in the city of Converse during the 2006 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. Further, census data, when used as a benchmark of comparison, presents the challenge that it captures information related to city residents only. Thus, excluding individuals who may have come in contact with the Converse Police Department, but reside outside city limits. This has a tendency of inflating the overall figures; thus, providing an inaccurate representation of police contacts with the public. Therefore, it is felt that DPS data relevant to city residents, if compared only to the portion of individuals who reside in the city of Converse 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 the city residents who came in contact with the Converse Police Department during 2007 with those who, according to DPS, were residents of the city during that time and held a valid driver's license, the data produced interesting findings. That is, the number of police contacts with White drivers, when compared to the number of White city residents who held a valid drivers license, demonstrated that the number of contacts with the police were 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.

In addition, when analyzing, in the same manner, the data relevant to individuals of Asian, Native Americans, Other and African descent, it is clear that the number of police contacts with Asians, Native Americans, Other and African descent drivers, when compared to the number of Asians, Native Americans, Other and African descent city residents who held a valid drivers license, demonstrated that the number of contacts with the police were under-represented.

A light blue, semi-transparent police badge is centered in the background. The badge is shield-shaped with a blue border. At the top, the word "POLICE" is written in large, blue, outlined letters. Below it, a blue banner contains the word "CONVERSE" in white, outlined letters. In the center is a circular emblem with a five-pointed star and the letters "E", "A", "S" around it. The bottom of the badge features a laurel wreath and the year "1877" in blue. The text "Summary of findings" is overlaid in the center of the badge in a large, bold, black serif font.

Summary of findings

Summary Statement

The findings suggest that the Converse Police Department does not currently experience a problem regarding racial profiling practices. This is supported by the fact that it has not received validated complaints from community members regarding officer's misconduct associated with racial profiling practices.

The continuing effort to collect police contact data will assure an on-going evaluation of the Converse Police Department practices. Thus, allowing for the citizens of the Converse community to benefit from professional and courteous service from their police department.









Recommendations

Based on the findings introduced in this report, the Chief of Police, along with command staff, have agreed to adopt the following measures aimed at addressing potential racial profiling problems:

- Provide further racial sensitivity training to its police personnel
- Host a series of seminars on racial profiling issues
- Disseminate information to all officers regarding the guidelines of behavior acceptable under the Texas Racial Profiling Law
- Host a public session where information can be provided to the community regarding the newly adopted measures by the police department
- Seek outside resources to implement an Early Warning System
- Keep City Council and other city officials of measures being implemented at the Converse Police Department

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 Converse police department 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 officer 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, 2008.
-  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:

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