

**CITY OF GRANITE SHOALS  
POLICE DEPARTMENT**

**RACIAL PROFILING PREVENTION  
REPORT**

**2018**



**CITY OF GRANITE SHOALS  
POLICE DEPARTMENT**  
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*The vision of the Granite Shoals Police Department is to instill a sense of pride to each and every citizen within our community. We strive to serve our community with integrity and professionalism, while providing proactive, two-way interaction with the residents, businesses, and schools to enhance the safety and security for all.*

## 2018 RACIAL PROFILING PREVENTION REPORT

In 2017, the Sandra Bland Act (S. B. 1849) made a number of changes to Racial Profiling reporting requirements for law enforcement agencies. In response to these changes, this document contains detailed racial profiling information for stops made by the Granite Shoals Police Department from 01/01/2018 to 12/31/2018. This document also contains a visual comparison of the percentage of vehicle stops by race and gender compared to the demographics of our area. This demographic data is from 2010 and obtained from the United States Census Bureau. You will see there are only very minor differences between our percentage of vehicle stops and demographics of the area, this can be largely attributed to officers coming into contact with individuals who do not reside in this area.

You will recall our 2017 Racial Profiling Prevention Report was professionally prepared by Del Carmen Consulting. We requested funding to have this consulting firm prepare this report again in 2018 which was not approved. This report has been prepared by Chief of Police Gary Boshears. Texas law requires that this report be submitted to the governing body of a municipality as well as the Texas Commission on Law Enforcement.

As required by law, the Granite Shoals Police Department has policy and procedures allowing individuals to file complaints on the basis of Racial Profiling. During the time period of 01/01/2018 to 12/31/2018, the Granite Shoals Police Department received **no complaints** based on racial profiling.

Included at the end of this document for reference is the Granite Shoals Police Department policy on Racial Profiling. This policy is a model policy from the Texas Police Chief's Association. The Granite Shoals Police Department routinely verifies that data being entered into citations is accurate as to what is being reported in these reports.

Based on all available data, the Granite Shoals Police Department has complied with the law regarding racial profiling.

## Agency Racial Profiling Information

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<b>Total stops:</b>		<u>1,402</u>
<b>1. Gender</b>		
CCP 2.133(b)(1)(a)		
1.1 Female:	<u>511</u>	
1.2 Male:	<u>891</u>	
1.3 Unknown:	<u>0</u>	
	<b>Total:</b>	<u>1,402</u>
<b>2. Race or ethnicity</b>		
CCP 2.132(a)(3), 2.132(b)(6)(A), 2.133(b)(1)(B)		
2.1 Black:	<u>47</u>	
2.2 Asian/Pacific Islander:	<u>10</u>	
2.3 White:	<u>854</u>	
2.4 Hispanic/Latino:	<u>490</u>	
2.5 Alaska Native/American Indian:	<u>1</u>	
2.6 Unknown:	<u>0</u>	
	<b>Total:</b>	<u>1,402</u>
<b>3. Was race or ethnicity known prior to stop?</b>		
CCP 2.132(b)(6)(C)		
3.1 Yes:	<u>10</u>	
3.2 No:	<u>1,392</u>	
	<b>Total:</b>	<u>1,402</u>
<b>4. Reason for stop?</b>		
CCP 2.132(b)(6)(F), 2.133(b)(2)		
4.1 Violation of law:	<u>84</u>	
4.2 Pre existing knowledge:	<u>16</u>	
4.3 Moving traffic violation:	<u>971</u>	
4.4 Vehicle traffic violation:	<u>331</u>	
4.5 Unknown:	<u>0</u>	
	<b>Total:</b>	<u>1,402</u>
<b>5. Street address or approximate location of the stop</b>		
CCP 2.132(b)(6)(E), 2.133(b)(7)		
5.1 City street:	<u>495</u>	
5.2 US highway:	<u>902</u>	
5.3 County road:	<u>0</u>	
5.4 Private property or other:	<u>5</u>	
5.5 Unknown:	<u>0</u>	
	<b>Total:</b>	<u>1,402</u>

Agency Racial Profiling Information

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6. Was a search conducted?

CCP 2.132(b)(6)(B), 2.133(b)(3)

6.1 Yes: 61  
 6.2 No: 1,341

Total: 1,402

7. Reason for Search?

7.1 Consent: 20 CCP 2.132(b)(6)(B), 2.133(b)(3)  
 7.2 Contraband in plain view: 0 CCP 2.133(b)(5)(A)  
 7.3 Probable cause: 13 CCP 2.133(b)(5)(B)  
 7.4 Inventory: 3 CCP 2.133(b)(5)(C)  
 7.5 Incident to arrest: 25 CCP 2.133(b)(5)(C)  
 7.6 Unknown: 0

Total: 61

8. Was Contraband discovered?

CCP 2.133(b)(4)

8.1 Yes: 26  
 8.2 No: 1,376

Total: 1,402

9. Description of contraband

CCP 2.133(b)(4)

9.1 Drugs: 17  
 9.2 Currency: 0  
 9.3 Weapons: 2  
 9.4 Alcohol: 5  
 9.5 Stolen property: 0  
 9.6 Other: 2  
 9.7 Unknown: 0

Total: 26

Agency Racial Profiling Information

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10. Result of the stop

10.1 Verbal warning:	410	CCP 2.133(b)(8)
10.2 Written warning:	564	CCP 2.133(b)(8)
10.3 Citation:	399	CCP 2.133(b)(8)
10.4 Arrest:	29	CCP 2.133(b)(6)
10.5 Use of force resulting in bodily injury:	0	CCP 2.132(b)(6)(D), 2.133(b)(9)
10.6 Unknown:	0	

Total: 1,402

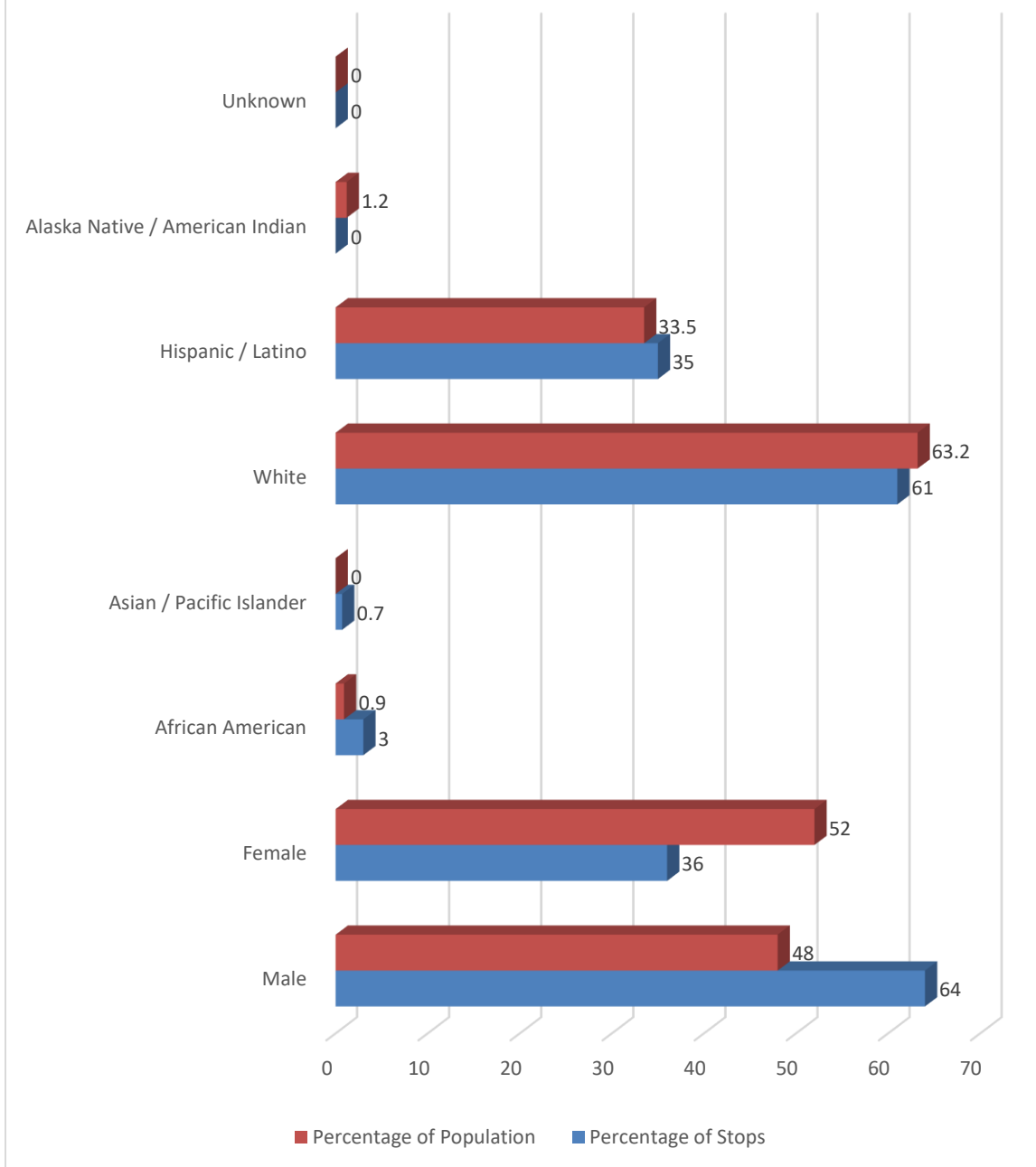
11. Arrest based on

CCP 2.133(b)(6)

11.1 Violation of Penal Code:	11
11.2 Violation of Traffic Law:	9
11.3 Violation of City Ordinance:	0
11.4 Outstanding Warrant:	8
11.5 Unknown:	1

Total: 29

Percentage of Stops / Percentage of Population





**GRANITE SHOALS POLICE DEPARTMENT**

**Policy 2.2 Bias Based Policing**

**Effective Date: 01/01/2017**

**Replaces: Previous Version**

**Approved:** \_\_\_\_\_

Chief of Police

**Reference: TBP 2.01**

**I. POLICY**

We are committed to a respect for constitutional rights in the performance of our duties. Our success is based on the respect we give to our communities, and the respect members of the community observe toward law enforcement. To this end, we shall exercise our sworn duties, responsibilities, and obligations in a manner that does not discriminate on the basis of race, sex, gender, national origin, ethnicity, age, or religion. All people carry biases: in law enforcement, however, the failure to control our biases can lead to illegal arrests, searches, and detentions, thus thwarting the mission of our department. Most importantly, actions guided by bias destroy the trust and respect essential for our mission to succeed. We live and work in communities very diverse in population: respect for diversity and equitable enforcement of the law are essential to our mission.

All enforcement actions, particularly stops of individuals (for traffic and other purposes), investigative detentions, arrests, searches and seizures of persons or property, shall be based on the standards of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution and statutory authority. In all enforcement decisions, officers shall be able to articulate specific facts, circumstances, and conclusions which support probable cause or reasonable suspicion for arrests, searches, seizures, and stops of individuals. Officers shall not stop, detain, arrest, search, or attempt to search anyone based solely upon the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. Officers shall base all such actions on a reasonable suspicion that the person or an occupant of a vehicle committed an offense.

All departmental orders are informed and guided by this directive. Nothing in this order limits non-enforcement contacts between officers and the public.

## II. PURPOSE

The purpose of this order is to provide general guidance on reducing the presence of bias in law enforcement actions, to identify key contexts in which bias may influence these actions, and emphasize the importance of the constitutional guidelines within which we operate.

## III. DEFINITIONS

Most of the following terms appear in this order. In any case, these terms appear in the larger public discourse about alleged biased enforcement behavior and in other orders. These definitions are intended to facilitate on-going discussion and analysis of our enforcement practices.

- A. Bias: Prejudice or partiality which may be based on preconceived ideas, a person's upbringing, culture, experience, or education.
- B. Biased policing: Stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.
- C. Ethnicity: A cluster of characteristics which may include race but also cultural characteristics or traits which are shared by a group with a common experience or history.
- D. Gender: Unlike sex, a psychological classification based on cultural characteristics or traits.
- E. Probable cause: Facts or apparent facts and circumstances within an officer's knowledge and of which the officer had reasonable, trustworthy information to lead a reasonable person to believe that an offense has been or is being committed, and that the suspect has committed it.
- F. Race: A category of people of a particular decent, including Caucasian, African, Hispanic, Asian, or Native American descent. As distinct from ethnicity, race only refers to physical characteristics sufficiently distinctive to group people under a classification.



- G. Racial profiling: 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.
- H. Reasonable suspicion: Articulable, objective facts which lead an experienced officer to suspect that a person has committed, is committing, or may be about to commit a crime. A well-founded suspicion is based on the totality of the circumstances and does not exist unless it can be articulated. Reasonable suspicion supports a stop of a person. Courts require that stops based on reasonable suspicion be "objectively reasonable."
- I. Sex: A biological classification, male or female, based on physical and genetic characteristics.
- J. Stop: The detention of a subject for a brief period of time, based on reasonable suspicion. A stop is an investigative detention.

#### IV. PROCEDURES

##### A. General responsibilities

1. Officers are prohibited from engaging in bias based profiling or stopping, detaining, searching, arresting, or taking any enforcement action including seizure or forfeiture activities, against any person based solely on the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. These characteristics, however, may form part of reasonable suspicion or probable cause when officers are seeking a suspect with one or more of these attributes. (TBP: 2.01)
2. Reasonable suspicion or probable cause shall form the basis for any enforcement actions or decisions. Individuals shall only be subjected to stops, seizures, or detention upon reasonable suspicion that they have committed, are committing, or are about to commit an offense. Officers shall document the elements of reasonable suspicion and probable cause in appropriate reports.
3. Officers shall observe all constitutional safeguards and shall respect the constitutional rights of all persons.
  - a. As traffic stops furnish a primary source of bias-related complaints, officers shall have a firm understanding of the warrantless searches allowed by law, particularly the use of consent. How the officer disengages from a traffic stop may be crucial to a person's perception of fairness or discrimination.

- b. Officers shall not use the refusal or lack of cooperation to justify a search of the person or vehicle or a prolonged detention once reasonable suspicion has been dispelled.
4. All personnel shall treat everyone with the same courtesy and respect that they would have others observe to department personnel. To this end, personnel are reminded that the exercise of courtesy and respect engenders a future willingness to cooperate with law enforcement.
  - a. Personnel shall facilitate an individual's access to other governmental services whenever possible, and shall actively provide referrals to other appropriate agencies.
  - b. All personnel shall courteously accept, document, and forward to the Chief of Police any complaints made by an individual against the department. Further, officers shall provide information on the complaints process and shall give copies of "How to Make a Complaint" when appropriate.
5. When feasible, personnel shall offer explanations of the reasons for enforcement actions or other decisions that bear on individual's well-being unless the explanation would undermine an investigation or jeopardize an officer's safety. When concluding an encounter, personnel shall thank him or her for cooperating.
6. When feasible, all personnel shall identify themselves by name. When a person requests the information, personnel shall give their departmental identification number, name of the immediate supervisor, or any other reasonable information.
7. All personnel are accountable for their actions. Personnel shall justify their actions when required.

#### B. Supervisory responsibilities

1. Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties. Supervisors shall identify and correct instances of bias in the work of their subordinates.
2. Supervisors shall use the disciplinary mechanisms of the department to ensure compliance with this order and the constitutional requirements of law enforcement.

3. Supervisors shall be mindful that in accounting for the actions and performance of subordinates, supervisors are key to maintaining community trust in law enforcement. Supervisors shall continually reinforce the ethic of impartial enforcement of the laws, and shall ensure that personnel, by their actions, maintain the community's trust in law enforcement.
4. Supervisors are reminded that biased enforcement of the laws engenders not only mistrust of law enforcement, but increases safety risks to personnel. Lack of control over bias also exposes the department to liability consequences. Supervisors shall be held accountable for repeated instances of biased enforcement of their subordinates.
5. Supervisors shall ensure that all enforcement actions are duly documented per departmental policy. Supervisors shall ensure that all reports show adequate documentation of reasonable suspicion and probable cause, if applicable.
6. Supervisors shall facilitate the filing of any complaints about law enforcement service.
7. Each quarter, a supervisor shall review a minimum of three (3) dash camera or body camera videos per officer to ensure compliance with this policy.
8. When conducting random, quarterly, supervisory reviews of officer's video supervisors are not required to watch each incident of an 8, 10, or 12 hour shift; however, reviewing the footage in a manner intended to gain an understanding of that officer's performance and adherence to policy and law is required.

C. Disciplinary consequences

Actions prohibited by this order shall be cause for disciplinary action, up to and including dismissal.

D. Training (TBP: 2.01)

1. Officers shall complete all training required by state law regarding bias based profiling.

**V. COMPLAINTS**

- A. The department shall publish “How to Make a Complaint” folders and make them available at all city facilities and other public locations throughout the city. Whenever possible, the media will be used to inform the public of the department’s policy and complaint process.
- B. Complaints alleging incidents of bias based profiling will be fully investigated as described under Policy 2.4.
- C. Complainants will be notified of the results of the investigations when such investigation is completed.

**VI. RECORD KEEPING**

- A. The department will maintain all required records on traffic stops where a citation is issued or where an arrest is made subsequent to a traffic stop pursuant to state law.
- B. The information collected above will be reported to the city council annually.
- C. The information will also be reported to TCLEOSE in the required format.