



Temple Police Department

Biased-Based Policing Report

2018

Signature Approval Page

This Biased-Based Policing Report was prepared by the Professional Standards Unit. This report was reviewed by the Professional Standards Unit Supervisor and the Administration Bureau Deputy Chief and is recommended for approval.

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Date:

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03-22-19

Unit: Professional Standards Unit

Accepted by: Deputy Chief Jim Tobin

Date: 3-22-19.

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Bureau: Administration Bureau Commander

Approved by: Floyd Mitchell

Signature: _____

Floyd Mitchell

Date:

3-23-19

Chief of Police

The Temple Police Department, in accordance with the Texas Code of Criminal Procedure (CCP) Articles 2.131 through 2.138 has collected police contact data from motor vehicle stops for the purpose of analysis. As part of the review of this data, the department is required to determine if racial profiling exists and to respond appropriately if such a determination is made. I believe the findings in this report serve as evidence that the Temple Police Department continues to strive toward the goals of maintaining strong relations with the community and providing open channels of communication between citizens and the Department.

In 2017, the Texas Legislators passed H.B. 3051 which removed the Middle Eastern data requirement, but standardized the racial and ethnic categories relevant to the individuals that came in contact with the police. In addition, the Sandra Bland Act (S.B. 1849) was passed and became law. Thus, the most significant legislative act in Texas history regarding data requirements on law enforcement contacts, became law and took effect on January 1, 2018.

This report provides statistical data relevant to public contacts made by police officers while conducting motor vehicle stops during calendar year 2018. Two different data sets have been employed to evaluate the agency's operations. The United States Census Bureau's 2010 Census for Bell County and the City of Temple are used separately to compare the Department's enforcement activities related to motor vehicle stops with racial and ethnic distributions in the county and the city.

The reasons for using Bell County data are rather straight forward. Bell County census data is appropriate because over half of the citations (59%) written in 2018 were issued to persons that do not reside in the City of Temple. Temple has long been recognized as a hub of activity in Bell County that draws many people for employment, shopping, and entertainment. Further, a significant number of people travel to Temple to utilize the superior medical facilities that are located here. Finally, Temple has several major highways which run through and around the city. These factors show the traffic situation confronting the Temple Police Department is influenced by regional as well as local factors.

Temple census data is included in the report for similar reasons. A total of 5,030 citations issued were given to residents of Temple. Additionally, during the early years of the Racial Profiling Law, the department did not include Temple data. After meeting with various citizen groups, the decision was made to include this data in the spirit of cooperation and transparency.

Overall, this document provides a certain degree of analysis, identifies recommendations for continuing the department's operations not only within the law, but to a level of excellence, and offers my conclusions as to the state of operations by police personnel in Temple. In the final section of the report, the reader will find information on the diversity found within the sworn ranks of the Temple Police Department.

Distribution of Race:

The data in this report includes racial and ethnic data for arrests, citations, written warnings, and verbal warnings from motor vehicle stops. The five races listed in CCP 2.132(a)(3), 2.132(b)(6)(A), 2.133(b)(1)(B) are Black, Asian/Pacific Islander, White, Hispanic/Latino, and Alaska Native/American Indian.

Census data, though arguably the best measure available, is not without some areas of confusion. In the 2010 U.S. Census, there are other categories such as "Other" and "two or more races", that are included in the report. The Department uses this information to greatest degree possible when completing this report. However, Police Officers are required to identify an individual within a single racial category. Individuals that can be identified in more than one racial group present obstacles for precise data tracking. Please keep this in mind as you view this report.

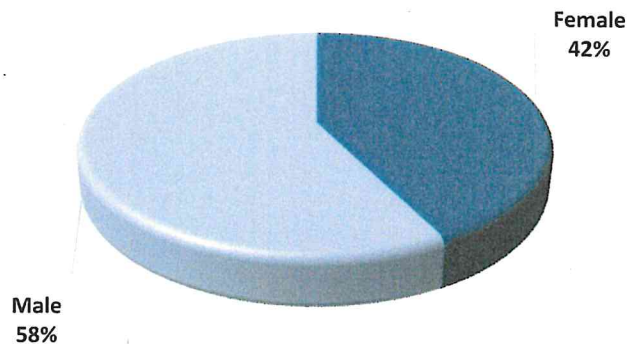
Breakdown of traffic stops leading to arrests, citations, written warnings, or verbal warnings

By gender:

Table 1: GENDER
CCP 2.133(b)(1)(a)

1.1 Female: 7,520

1.2 Male: 10,181



Breakdown of traffic stops leading to arrests, citations, written warnings, or verbal warnings

By race and/or ethnicity:

Table 2: Race or Ethnicity
CCP 2.132(a)(3), 2.132(b)(6)(A),
2.133(b)(1)(B)

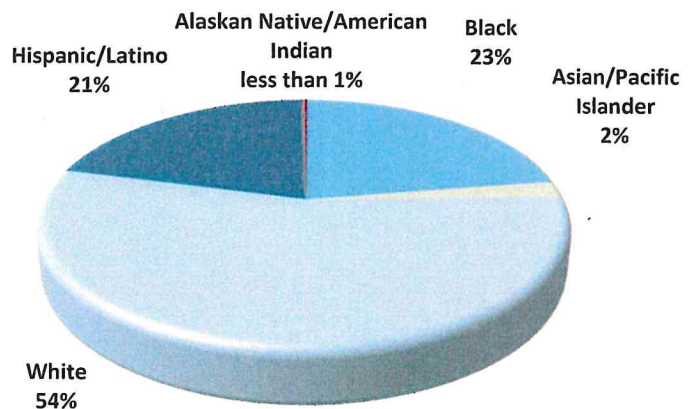
2.1 Black: 3,994

2.2 Asian/Pacific Islander: 355

2.3 White: 9,648

2.4 Hispanic/Latino: 3,666

2.5 Alaska Native/American Indian: 38



Motor Vehicle Stops Resulting in a CITATION:

Citations resulting from Motor Vehicle Stops: 12,318

Average number of citations written per day: 34 citations

Non-Residents: 7,288

Temple Residents: 5,030

NOTE: Over half (59%) of the citations were issued to NON-Temple Residents.

Analysis of Temple Census

(Chart 1 with CITATION)

RACE/ETHNICITY	# of Citations	% of Total	2010 CITY OF TEMPLE CENSUS	Comparison
BLACK	2,588	21.0%	17.4%	+3.6%
ASIAN/PACIFIC ISLANDER	273	2.2%	2.5%	-.3%
WHITE (Non-Hispanic)	6,924	56.2%	55.5%	+ 7%
HISPANIC/LATINO	2,505	20.3%	23.7%	- .3.4%
ALASKAN NATIVE/ AMERICAN INDIAN	28	.2%	0.7%	- .5%
TOTAL	12,318		*Source: 2010 U.S. Census Bureau Census does NOT equal 100%	

Analysis of Bell County Census

(Chart 2 with CITATION)

RACE/ETHNICITY	# of Citations	% OF Total	2010 BELL COUNTY CENSUS	Comparison
BLACK	2,588	21.0%	21.8%	- .8%
ASIAN/PACIFIC ISLANDER	273	2.2%	4.1%	-1.9%
WHITE (Non-Hispanic)	6,924	56.2%	50.7%	+5.5%
HISPANIC/LATINO	2,505	20.3%	21.6%	- 1.3%
ALASKAN NATIVE/ AMERICAN INDIAN	28	.2%	1.0%	- .8%
TOTAL	12,318		*Source: 2010 U.S. Census Bureau Census does NOT equal 100%	

**Hispanic is considered a race according to the Texas Racial Profiling Act. However, the U.S. Census does not use the same distinction. The U. S. Census recognizes Hispanic as an ethnicity that can be related to any race.

NOTE: The TPD Records Management System captures race **and** ethnicity. Race can be listed as white, black, Asian/Pacific Islander or Indian/Alaskan Native, and Middle Eastern. Also, the records management system captures ethnicity. Ethnicity can be (N) for Non-Hispanic or (H) for Hispanic. Thus, a person can be listed as white (W) in the race block **and** (H) in the ethnicity block. The total above for Hispanics can include white, black, Asian/Pacific Islander or Indian/Alaskan Native. Any person (regardless of race), listed as Hispanic, is automatically added to the Hispanic total.

As one might expect, there are slight deviations between the census population estimates and the citations issued for each race/ethnicity/descent. The column labeled Comparison in the charts above shows the difference between police activity and population distribution. Example: In chart two, the Hispanic population was given 20.3% of the citations. The 2010 Hispanic population for Bell County is 21.6%. With the comparison (1.3%) listed, the Hispanic population was given less citations than the population.

Motor Vehicle Stops Resulting in a WRITTEN warning:

Written warnings were added to the 2018 requirement in the racial profiling reporting process. See charts one and two to view the written warning data, percentages, and comparisons. Again, we listed city of Temple and Bell County censuses for comparison purposes.

Analysis of Temple Census

(Chart 1 with WRITTEN warning)

RACE/ETHNICITY	# of Warnings	% of Total	2010 CITY OF TEMPLE CENSUS	Comparison
BLACK	398	22.7%	17.4%	+ 5.3%
ASIAN/PACIFIC ISLANDER	32	1.8%	2.5%	- .7 %
WHITE (Non-Hispanic)	989	56.4%	55.5%	+ .9%
HISPANIC/LATINO	331	18.9%	23.7%	- 4.8%
ALASKAN NATIVE/ AMERICAN INDIAN	4	.2%	0.7%	- .5%
TOTAL	1,754		*Source: 2010 U.S. Census Bureau Census does NOT equal 100%	

Analysis of Bell County Census

(Chart 2 with WRITTEN warning)

RACE/ETHNICITY	# of Warnings	% OF Total	2010 BELL COUNTY CENSUS	Comparison
BLACK	398	22.7%	21.8%	+ .9%
ASIAN/PACIFIC ISLANDER	32	2.2%	4.1%	-1.9%
WHITE (Non-Hispanic)	989	56.2%	50.7%	+5.5%
HISPANIC/LATINO	331	20.3%	21.6%	- 1.3%
ALASKAN NATIVE/ AMERICAN INDIAN	4	.2%	1.0%	- .8%
TOTAL	1,754		*Source: 2010 U.S. Census Bureau Census does NOT equal 100%	

**Hispanic is considered a race according to the Texas Racial Profiling Act. However, the U.S. Census does not use the same distinction. The U. S. Census recognizes Hispanic as an ethnicity that can be related to any race.

Motor Vehicle Stops Resulting in a VERBAL warning:

Verbal warnings were added to the 2018 requirement in the racial profiling reporting process. See charts one and two to view the verbal warning data, percentages, and comparisons. Again, we listed city of Temple and Bell County censuses for comparison purposes.

Analysis of Temple Census

(Chart 1 with VERBAL warning)

RACE/ETHNICITY	# of Verbals	% of Total	2010 CITY OF TEMPLE CENSUS	Comparison
BLACK	690	24.6%	17.4%	+ 7.2%
ASIAN/PACIFIC ISLANDER	48	1.7%	2.5%	- .8 %
WHITE (Non-Hispanic)	1447	51.5%	55.5%	- 4.0%
HISPANIC/LATINO	620	22.1%	23.7%	- 1.6%
ALASKAN NATIVE/ AMERICAN INDIAN	5	.2%	0.7%	- .5%
TOTAL	2,810		*Source: 2010 U.S. Census Bureau Census does NOT equal 100%	

Analysis of Bell County Census

(Chart 2 with VERBAL warning)

RACE/ETHNICITY	# of Verbals	% OF Total	2010 BELL COUNTY CENSUS	Comparison
BLACK	690	24.6%	21.8%	+ 2.8%
ASIAN/PACIFIC ISLANDER	48	1.7%	4.1%	- 2.4%
WHITE (Non-Hispanic)	1447	51.5%	50.7%	+ .8%
HISPANIC/LATINO	620	22.1%	21.6%	+ .5%
ALASKAN NATIVE/ AMERICAN INDIAN	5	.2%	1.0%	- .8%
TOTAL	2,810		*Source: 2010 U.S. Census Bureau Census does NOT equal 100%	

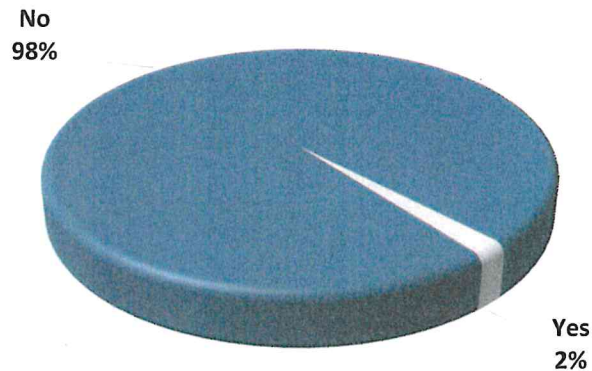
**Hispanic is considered a race according to the Texas Racial Profiling Act. However, the U.S. Census does not use the same distinction. The U. S. Census recognizes Hispanic as an ethnicity that can be related to any race.

Breakdown of traffic stops leading to arrests, citations, written warnings, or verbal warnings

Race or ethnicity known:

Table 3: Was race or ethnicity known prior to stop?
CCP 2.132(b)(6)(c)

3.1 Yes: 317
3.2 No: 17,384



Texas law requires the department to report whether an officer knew the race of an individual prior to conducting a stop. It is unreasonable to assume that a police officer, especially in an urban setting, would never know the race of the person being stopped prior to making a decision to stop a vehicle. Frequently, officers receive radio information about certain situations that include the race of a person driving or occupying a vehicle. In fact, officers may even know the actual identity of a person being stopped prior to or simultaneous with a decision to make a motor vehicle stop. Again, the law requires the department to track vehicle stops for all violations of law, not just traffic violations.

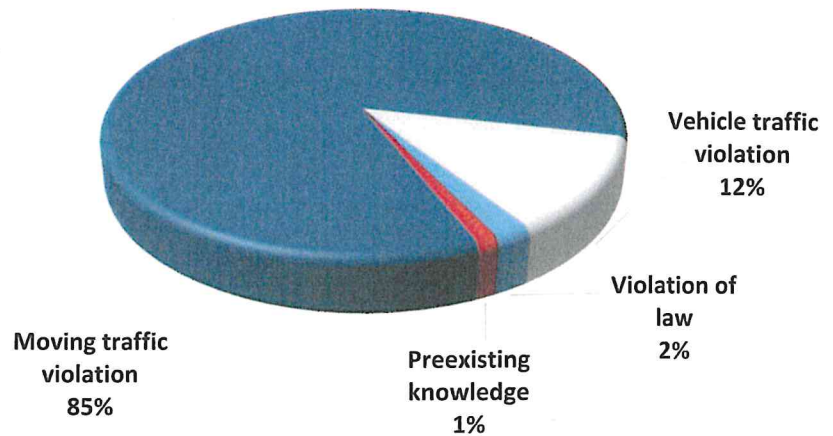
Race Known Prior to Stop

Action	Yes	No	Total	% Known
CITATION	111	12,207	12,318	.9%
WRITTEN WARNING	27	1,727	1,754	1.5%
VERBAL WARNING	47	2,763	2,810	1.7%
ARREST	130	675	803	16.2%
ARREST WITH CITATION	2	12	14	14.3%
TOTAL	317	17,3834	17,701	1.8%

Breakdown of traffic stops leading to arrests, citations, written warnings, or verbal warnings
Reason for stop:

Table 4: Reason for Stop
 CCP 2.132(b)(6)(F), 2.133(b)(2)

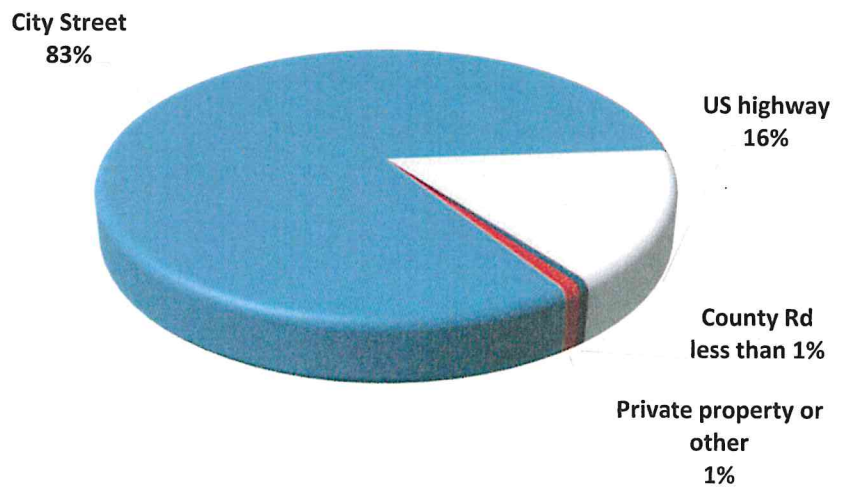
4.1 Violation of law: 350
 4.2 Preexisting knowledge: 199
 4.3 Moving traffic violation: 14,998
 4.4 Vehicle traffic violation: 2,154



Breakdown of traffic stops leading to arrests, citations, written warnings, or verbal warnings
Street address or approximate location of stop:

Table 5: Type of location
 CCP 2.132(b)(6)(E), 2.133(b)(7)

5.1 City Street: 14,674
 5.2 US highway: 2,781
 5.3 County Rd: 87
 5.5 Private property or other: 159



Breakdown of traffic stops leading arrests, citations, written warnings, or verbal warnings

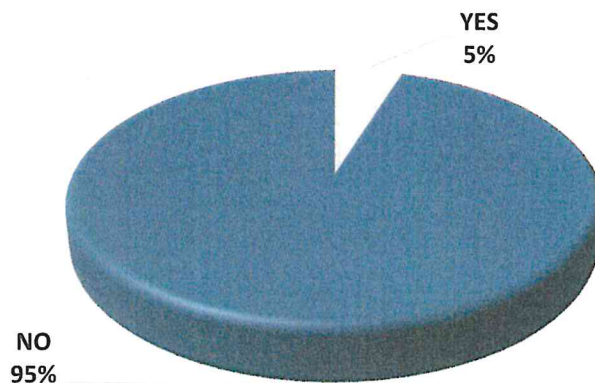
Search conducted:

Table 6: Was a search conducted

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

6.1a Yes: 866

6.2a No: 16,835



Breakdown of traffic stops leading arrests, citations, written warnings, or verbal warnings

Reason for the search:

Table 7: Reason for Search

CCP 2.132(b)(6)(B),
2.133(b)(3); CCP
2.133(b)(5)(A); CCP
2.133(b)(5)(B); CCP
2.133(b)(5)(C)

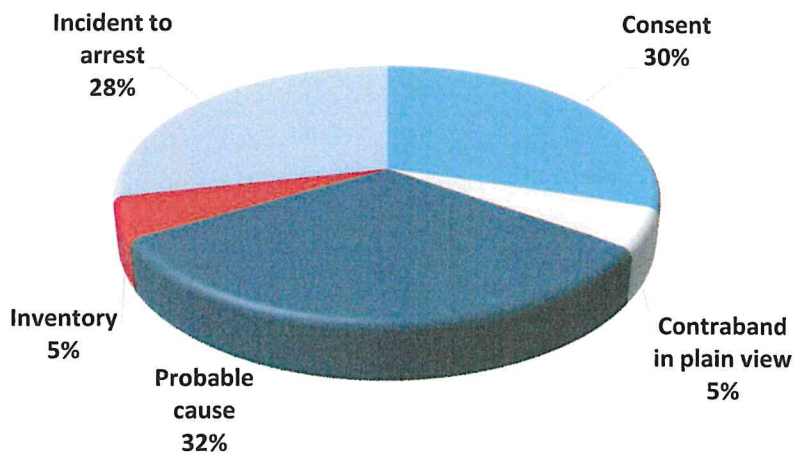
7.1 Consent: 259

7.2 Contraband in plain view: 43

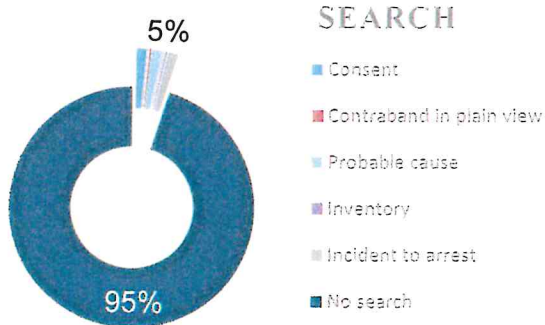
7.3 Probable cause: 274

7.4 Inventory: 44

7.5 Incident to arrest: 246



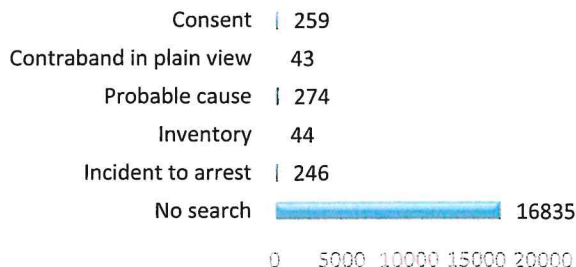
There were 17,701 traffic stops leading to arrests, citations, written warnings, or verbal warnings and during these stops, 866 (5%) searches were made.



SEARCH



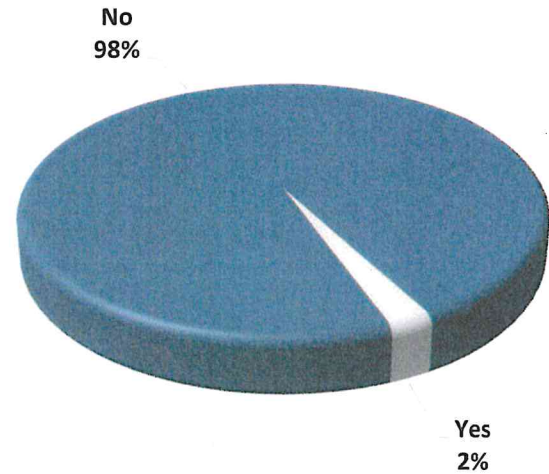
Reason for Search



Breakdown of traffic stops leading to arrests, citations, written warnings, or verbal warnings
Contraband discovered:

Table 8: Was contraband discovered
 CCP 2.133(b)(4)

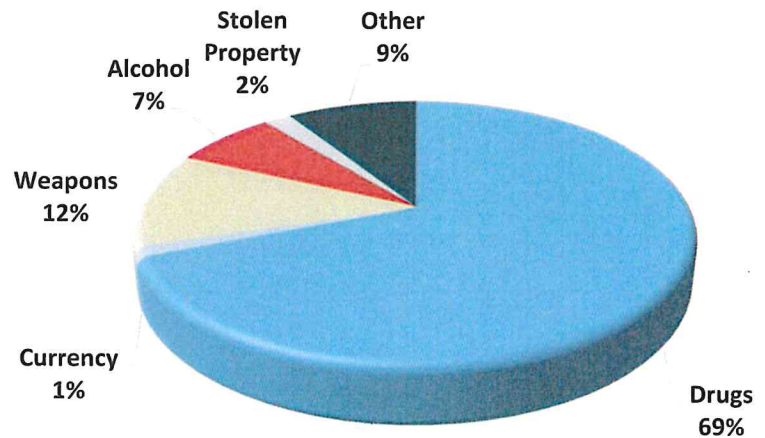
6.1a Yes: 416
 6.2a No: 17,285



Breakdown of traffic stops leading to arrests, citations, written warnings, or verbal warnings
Description of contraband:

Table 9: Description of contraband
 CCP 2.133(b)(4)

9.1 Drugs: 290
 9.2 Currency: 5
 9.3 Weapons: 49
 9.4 Alcohol: 30
 9.5 Stolen Property: 8
 9.6 *Other: 38



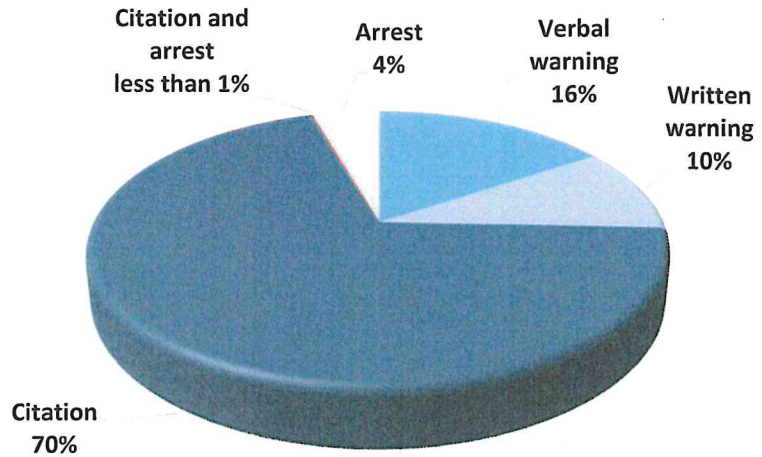
*NOTE: "Other" means contraband with potential evidence not included in the categories above.
 Example: Drug paraphernalia

Breakdown of traffic stops leading to arrests, citations, written warnings, or verbal warnings

Result of stop:

Table 10: Result of Stop
CCP 2.133(b)(8), CCP 2.133 (b)(6)

10.1 Verbal warning: 2,810
10.2 Written warning: 1,754
10.3 Citation: 12,318
10.4 Written warning and arrest: 0
10.5 Citation and arrest: 14
10.6 Arrest: 805

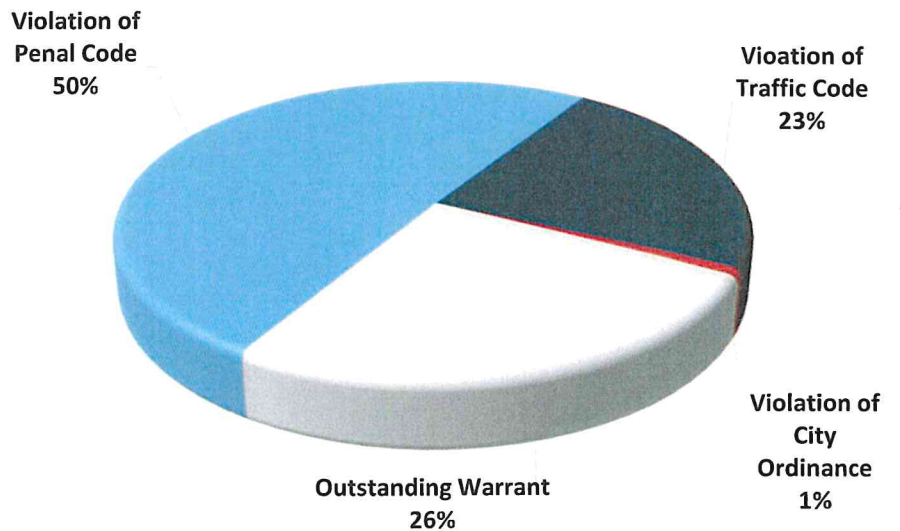


Breakdown of traffic stops leading to arrests, citations, written warnings, or verbal warnings

Arrest based on:

Table 11: Arrest based on
CCP 2.133(b)(6)

11.1 Violation of Penal Code: 414
11.2 Violation of Traffic Law: 186
11.3 Violation of City Ordinance: 7
11.4 Outstanding Warrant: 212



Motor vehicle Stop Leading to an Arrest

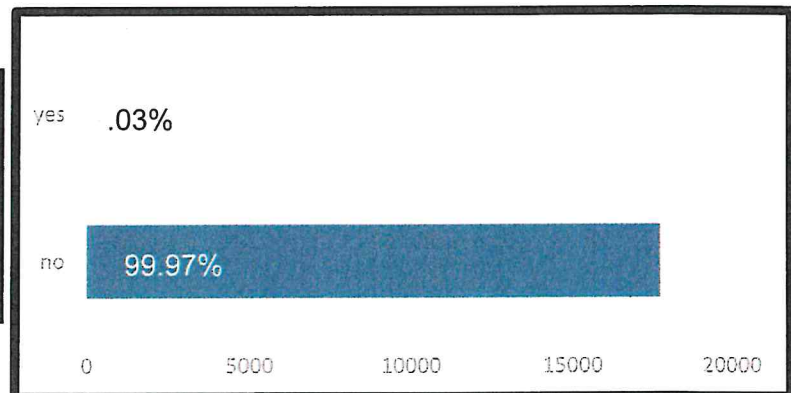
In 2018, Temple police officers made 3,512 arrests of which 819 were the result of a motor vehicle stop.

Traffic stop leading to arrest - 2018		
DESCENT	# of arrests	% of total arrests
BLACK	318	38.8%
ASIAN/PACIFIC ISLANDER	2	.2%
WHITE (Non-Hispanic)	288	35.2%
HISPANIC/LATINO	210	25.6%
ALASKAN NATIVE/ AMERICAN INDIAN	1	.1%
TOTAL	819	

Breakdown of traffic stops leading to arrests, citations, written warnings, or verbal warnings *Physical force resulting in bodily injury used during stop:*

Table 12: Was physical force resulting in bodily injury used during stop?
CCP 2.132(b)(6)(D), 2.133(b)(9)

12.1 Yes: 5
12.2 No: 17,696



Employee Training and Public Education

Police officers receive extensive training about racial profiling as required by the Texas Commission on Law Enforcement (TCOLE). In addition to the TCOLE requirements, our policy requires bi-annual training on racial profiling, cultural diversity, and other social issues with the last training conducted in 2017. Officers are initially trained in these topics during the basic police academy. Following that training, police officers receive continuing education on these topics during regularly scheduled intervals established by TCOLE and department policy.

State law also requires the department to establish a method for citizens to file complaints against police officers that a citizen believes is engaging in racial profiling. Additionally, the department must educate the public on this process. The department has developed a form for citizens to make complaints or commendations regarding police conduct (Appendix A). The department also accepts any written complaint if a citizen prefers to send a letter in lieu of using the form. In accordance with state law, a complaint on a police officer must be in writing.

Diversity within the Temple Police Department

The Temple Police Department strives to maintain a workforce that is representative of the community it serves. Appendix B provides a breakdown of the demographics within the sworn members of the department. Though the hiring processes used by the department are governed by state civil service laws, women, and minorities are continuously recruited and encouraged to apply.

Since 2009, the department's minority ranks have grown. In 2009, minorities (such as those listed in this report) comprised 20.6% of the peace officers employed by the agency. Today, that number is 23.4%.

Addressing Bias-based Policing:

The Temple Police Department remains committed to providing fair and unbiased policing services to the community. To ensure this we will continue to do the following:

- Provide sensitivity training to police personnel and comply with regulations established by the Texas Commission on Law Enforcement.
- Disseminate information to all officers regarding the guidelines of behavior acceptable under the Texas Racial Profiling Law.
- Record vehicle stops and other encounters with citizens as appropriate.
- Keep the City Council, City Manager, and other appropriate officials posted on measures being implemented by the Department.
- Provide an atmosphere in which officers are constantly aware of the inappropriateness of using bias in policing, and that the Department prohibits any practice that is based on improper or illegal foundations.
- Continue to hire qualified minority applicants for police officer positions.
- Monitor data entry to ensure the accuracy of information in police records.

Conclusion:

The information drawn from the motor vehicle stop data shows the Department operates in a fair and consistent manner with the diversity within the population. There is no evidence that racial profiling is used by officers to make enforcement decisions. This is further supported by the fact that in 2018 there were three citizen complaints alleging racial profiling incidents. Investigations into those allegations determined that agency personnel acted lawfully did not engage in racial profiling in any the alleged incidents.

The Department will continue to collect police contact data in its on-going evaluation of the practices of our officers. The intent of this continued vigilance is not only to work within the law, but to provide the citizens of Temple, and others, with highly professional and courteous service while the department strives to operate using the best practices and ethical behaviors that are expected of American law enforcement.

Appendix B – Departmental Demographics

TEMPLE POLICE SWORN PERSONNEL

2009

Race/Ethnicity	Female	Male	Total	% of Dept.
White (Non-Hispanic)	3	101	104	79%
Black	2	9	11	8%
Hispanic/Latino	3	8	11	8%
Asian/Pacific Islander	0	4	4	3%
Alaskan Native/Native American	0	1	1	1%
Totals	8	123	131	

Total Female Sworn: 8 (6.1% of TPD)

Total Sworn Officer Minorities: 27 (20.6% of TPD)

Comparison of 2009 vs 2018

2018

Race/Ethnicity	Female	Male	Total	% of Dept.
White (Non-Hispanic)	8	100	108	77%
Black	4	13	17	12%
Hispanic/Latino	6	3	9	6%
Asian/Pacific Islander	2	1	3	2%
Alaskan Native/Native American	1	3	4	3%
Totals	21	120	141	

Total Female Sworn: 21 (14.9% of TPD)

Total Sworn Officer Minorities: 33 (23.4% of TPD)

