

Corsicana Police Department Police Contact Data Annual Report January 1, 2015 - December 31, 2015

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To: Corsicana City Council
From: Randy S. Bratton, Chief of Police
Subject: Racial Profiling Report
Date: February 22, 2016

The Corsicana Police Department, in accordance with the Texas Racial Profiling Law, Art. 2.134 Code of Criminal Procedure, has been collecting police data to comply with the law. Throughout the past year, the Police Department, working closely with the Municipal Court, has striven to ensure that the numbers reported, via citations and arrest reports, were as accurate as possible. The information reported in this report applies to what is referred to as Tier I information only (stops that resulted in a citation or arrest). Although there are limitations as to the interpretation of the data contained in the report, I am confident that the analysis is as accurate as possible.

The report does not include Tier II information (more detailed information about every traffic stop, every pedestrian stop, and every search regardless of whether a citation is issued or an arrest is made). The department has met all state requirements allowing it to be exempt from Tier II reporting requirements.

In this report are several sections, which are intended and designed to provide background information regarding the Texas Racial Profiling Law. Other sections contain information relevant to the policies adopted by the Corsicana Police Department prohibiting the practice of racial profiling among its officers, providing for a complaint system, and requiring the use of video or voice recordings on all traffic and pedestrian stops.

The Department, in an effort to ensure that our personnel are not participating in racial profiling practices, adopted a policy in 2002, prohibiting racial profiling by members of the Police Department, implemented a consent search policy in 2004 and began reviewing video recordings made by officers of traffic stops.

The final components of this report provide statistical data relevant to the public contacts made during the period of 1/1/15 through 12/31/15. This information has been analyzed and compared to the 2010 U.S. Census data concerning the population demographics of the City of Corsicana. Other analysis compares searches and traffic arrests to the total number of traffic stops conducted over the listed time period.

Assessment of the Data Analysis:

The Corsicana Police Department is enforcing the traffic laws of this city and state along the lines represented by the various percentages of the population. According to our analysis 46.6% (11,077) of our population is white and 43.16% (1,111 of 2,558) of our enforcement activity (citations/arrests) was of Whites. The analysis shows that Blacks compose 21% (4,992) of our population and 25.33% (648 of 2,558) of our activity. Hispanics compromise 31.1% (7,392) of the population and were 29.52% (755 of 2,558) of our enforcement activity. Asians make up .7% (166) of our population and 1.33% (34 of 2,558) of our enforcement activity. American Indians compose approximately .6% (143) of our population and were .27% (7 of 2,558) of our activity. In 2010 Middle Eastern was added to the ethnic category for data collection. Middle Eastern are not represented in the city's population, however; .08% (2 of 2,558) of the stops were Middle Eastern descent. See Chart I and Graph I for details regarding citations and arrests.

A process involving active overview by Police Department staff and the Municipal Court Administrator audits the data contained in the report, which makes up the core of the report. Additionally, independently of this data auditing process, the traffic stops are regularly reviewed to determine if the conduct of the officers performing traffic stops is in accordance with city policy. This is done to indicate that the process and the activities meant to be reviewed by this report are reliable.

The total number of stops, where traffic citations were issued or arrests were made (the only data that had to be accounted for under the law) was 2,558. In comparison there were 2,816 stops made in 2014 that resulted in citations being issued or arrests being conducted. Please refer to Chart III for comparison and analysis. These numbers do not indicate the number of violations but only the number of people cited. It is possible to file more charges on a person, either by arrest or citation, during a stop but it counts as one stop. Our numbers also do not include people where the officer was unable to determine what race a person was at the time of the stop. However, this number is so small as to not adversely affect or skew the analysis nor are these numbers required for this report under the state law. See Chart I for a visual depiction of citations issued.

Included in the collection of data is documentation on whether the officer knew the race of the individual prior to the traffic stop. Of the 2,558 traffic stops, officers knew the race of 227 which equals 8.87%

Please refer to Charts I, II, and III along with Graphs I, II, and III for further details and analysis.

Summary Statement:

The Findings indicate that the Corsicana Police Department does not engage in racial profiling.

Chart I 2015 Activity

Demographics:

	Number	Percentage
Hispanic	7,392	31.1%
White	11,077	46.6%
Black	4,992	21.0%
Asian	166	.7%
American Indian	143	.6%
Middle Eastern	0	0%
Total	23,770	100%

Numbers obtained from the U.S. Census Bureau 2010 U.S. Census

Traffic Stops- Citations:

	Citations	Percentage	Race Known
Hispanic	684	30.58%	23
White	1015	45.37%	72
Black	497	22.22%	37
Asian	33	1.48%	0
American Indian	7	.31%	0
Middle Eastern	1	.04%	0
Total	2,237	100%	132

Citation count obtained from Corsicana Municipal Court. Data does not include non-traffic citations or traffic accident citations.

Traffic Stops – Arrests:

	Arrest/Result of Stop	Percentage	Race Known
Hispanic	71	22.12%	11
White	96	29.91%	45
Black	151	47.04%	39
Asian	2	.62%	0
American Indian	0	0%	0
Middle Eastern	1	.31%	0
Total	321	100%	95

Data was obtained from CPD racial profile forms.

Chart II 2015 Activity

Searched:

	Number Searched	Percentage of Total
Hispanic	56	27.72%
White	66	32.67%
Black	80	39.60%
Asian	0	0%
American Indian	0	0%
Middle Eastern	0	0%
Total	202	100%

Data was obtained from the Corsicana Municipal Court.

Not Searched:

	Not Searched	% Not Searched
Hispanic	699	29.67%
White	1,045	44.40%
Black	568	24.11%
Asian	35	1.44%
American Indian	7	.30%
Middle Eastern	2	.08%
Total	2,356	100%

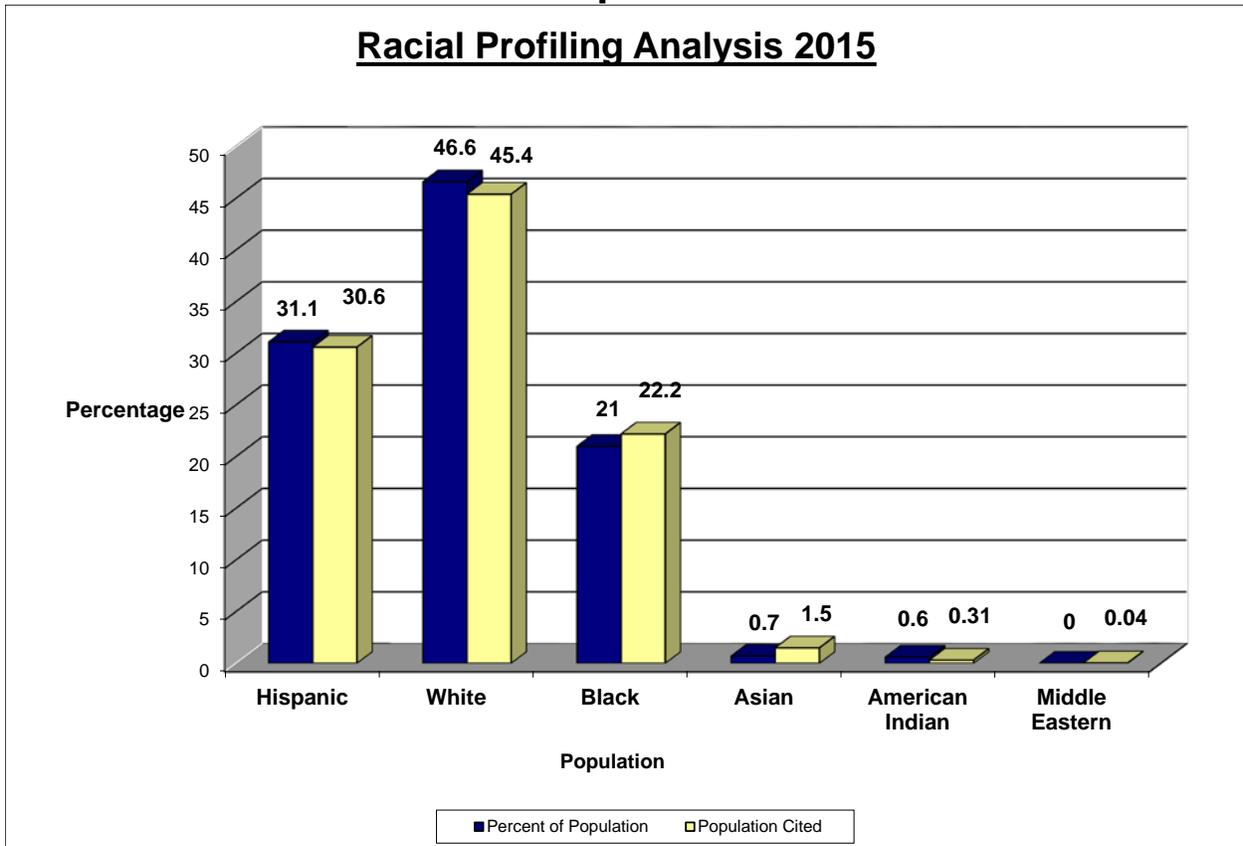
Data was obtained from the Corsicana Municipal Court.

Searched – Comparison:

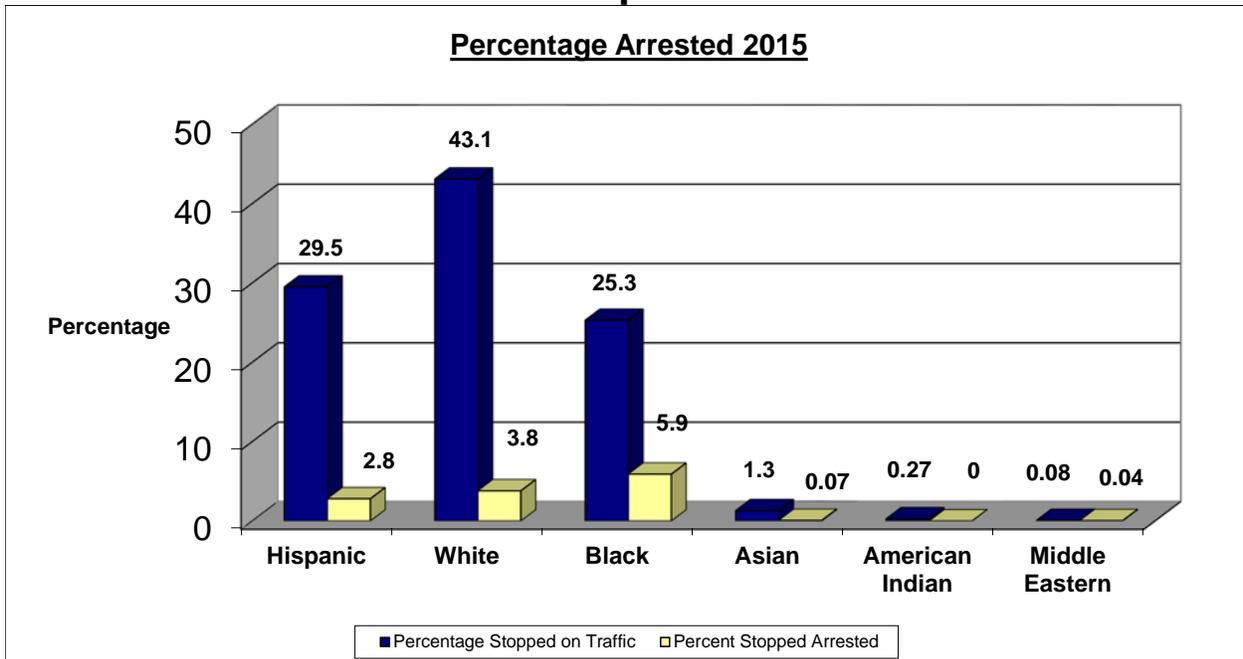
	Number Searched	Consensual Search	Non-Consent/*PC
Hispanic	56	15	41
White	66	30	36
Black	80	11	69
Asian	0	0	0
American Indian	0	0	0
Middle Eastern	0	0	0
Total	202	56	146

*Data was obtained from the Corsicana Municipal Court. *PC-Probable Cause*

Graph I



Graph II



Graph III

Search Analysis 2015

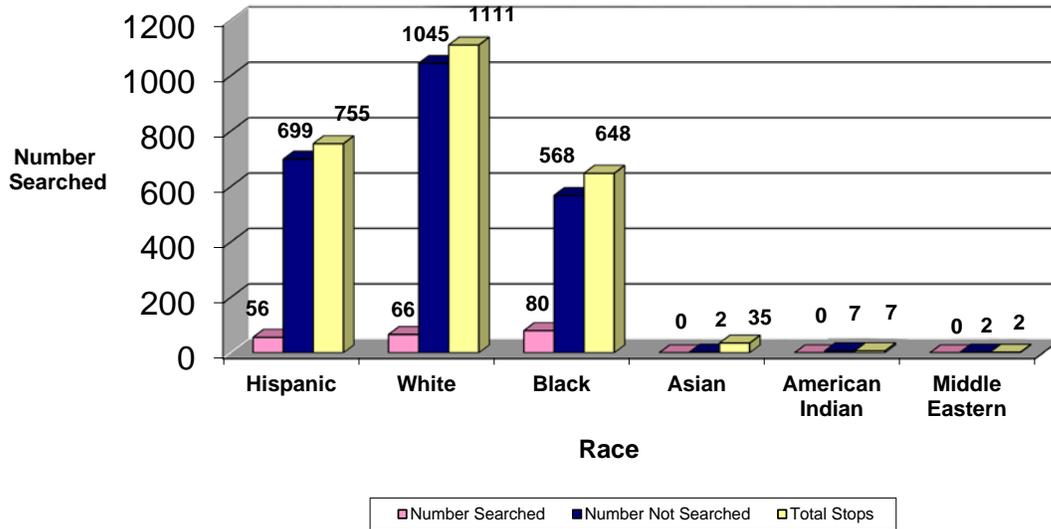


Chart III

Traffic Stop Citation Comparison 2014-2015

Traffic Stops	2014 Citations	%	2015 Citations	%
Hispanic	736	29.7%	684	30.6%
White	1114	44.9%	1015	45.4 %
Black	592	23.9%	497	22.2%
Asian	32	1.3%	33	1.5%
American Indian	3	.12%	7	.31%
Middle Eastern	2	.08%	2	.09 %
Total	2,479	100%	2,237	100%

II. Police Department's Vision, Mission, and Value Statements

Vision Statement of the Corsicana Police Department

The Corsicana Police Department strives to become one of the most professional and effective police departments in the State by aggressively suppressing crime to create a safe community and to improve the quality of life for everyone.

Mission Statement of the Corsicana Police Department

The Corsicana Police Department is committed to serving the community and protecting life and property with integrity and professionalism.

Value Statements of the Corsicana Police Department

1. The employees of the Corsicana Police Department will consistently use **TEAMWORK** to accomplish our goals.
2. The employees of the Corsicana Police Department will consistently demonstrate **COMPASSION** while serving the community
3. The employees of the Corsicana Police Department will consistently demonstrate **INTEGRITY** both on and off duty
4. The employees of the Corsicana Police Department will consistently engage in open **COMMUNICATION** with citizens, visitors and co-workers.

III. Responding to the Texas Racial Profiling Law

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

(A) Educational Campaign:

In accordance with Senate Bill 1074, the Corsicana 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 Chief of Police has spoken at various community meetings where community members have been informed that the police department prohibits racial profiling practices among its officers.

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

A pamphlet has been created and distributed that explains the Police Department's Citizen Complaint Procedure.

Filing a Complaint:

A citizen may contact any police department supervisor to receive a Complaint Form. The citizen may also directly contact Assistant Chief of Police Ronny McGaha at 903-654-4922, rmcgaha@ci.corsicana.tx.us or Chief of Police Randy Bratton at 903-654-4900 or by email at rbratton@ci.corsicana.tx.us.

The Interview:

A police supervisor (rank of corporal or higher) may interview the individual filing the complaint. The supervisor will ask the complainant questions about what happened. It is possible that the supervisor may be able to explain the officer(s)' actions to the complainant's satisfaction; thereby, foregoing a formal investigation.

If the supervisor is not able to satisfactorily answer the citizen's complaint, the supervisor will assist them in filing a formal complaint. If the citizen does not wish to be assisted by the supervisor, they will be given a formal complaint pamphlet and given instructions on completing the complaint form.

The Investigation:

After a formal complaint is filed, the Corsicana Police Department will investigate the alleged misconduct. The Internal Affairs Investigator (Assistant Chief Ronny McGaha) is responsible for investigating all formal complaints.

- The Chief of Police receives all formal complaints, reviews them, logs them into the IA Log and formally assigns the investigation to the Internal Affairs Investigator.

- Although it is difficult to estimate how long the investigation will take, the complainant is advised that they can usually expect an update on the investigation in about four weeks.
- All officers will be interviewed and witnesses whom the complainant has named will be contacted and interviewed, if they agree.
- A report will then be prepared of the investigation and a conclusion is included.
- The Chief of Police will review the report of the investigation to determine if any rule, policy, or regulation has been violated. If it is determined that a violation has occurred it will be the Chief's decision as to the appropriate discipline that will be administered.
- The Chief of Police will then send the complainant a letter regarding the findings of the investigation.

The Findings:

The results of a complaint are called "findings". These include four possible findings:

- **Sustained** - The complaint has been supported: The officer(s) involved acted improperly and may be disciplined.
- **Unfounded** - The investigation found no basis to the complaint filed.
- **Exonerated** - The police officer(s) involved acted properly and will not be disciplined; or
- **Not sustained** - There was insufficient evidence to prove the complaint true or false and no further action will be taken.

A Commitment to Respond to the Needs of the Community:

The Corsicana 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 direct the complainant to a supervisor or offer to provide them with a formal complaint packet. Any employee contacted shall provide to any citizen a copy of the complaint form or inform the citizen of the department's process for

filing a complaint. All employees shall immediately report any allegation of racial profiling to their supervisor.

3. Investigation of a complaint shall be conducted in a thorough and timely manner. All complainants will receive a disposition letter regarding the complaint usually within 30 days. The investigation and findings shall be documented and filed with the Chief of Police. 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 indefinite suspension (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 internal investigation, the officer will be allowed to review the recording.

Discipline:

It is the policy of the Corsicana Police Department that any officer who, after an internal investigation, has been found to have engaged in racial profiling, (as determined by the Chief of Police in accordance with Civil Service laws) may be:

1. Suspended up to 90 days and, as a condition of further employment with the police department, required to undergo cultural sensitivity training
2. Indefinitely suspended (terminated)

Discipline Data:

The following table contains data regarding Corsicana police officers that have been the subject of a formal racial profiling complaint for violations of the Texas Racial Profiling Law, Art. 2.134 of the Code of Criminal Procedure, during the time period of 1/1/15 - 12/31/15, along with the disposition.

Complaint No.	Alleged Violation	Disposition of the Case
15-03	Racial Profiling	Unfounded

(C) Training:

In compliance with the Texas Racial Profiling Law, the Corsicana Police Department required all its officers adhere to all Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

All officers from the Corsicana Police Department have completed a TCOLE training and education program on racial profiling (cultural diversity), as required by law.

(D) Community Partnerships:

Although the Corsicana Police Department enjoys the support of 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 Corsicana community, particularly, members of the minority community.

The Corsicana Police Department, through the City of Corsicana website and local media, has kept the public informed of the department's traffic contact data efforts. Further, the department's Contact Data Report is presented annually in February to City Council. This report is completed to keep community leaders informed on the current practices of the Corsicana Police Department and in accordance with state law. In accordance with Article 2.134(b) of the Code of Criminal Procedures, the data will also be submitted to the Texas Commission on Law Enforcement not later than March 1, 2016.

(E) Checklist:

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

- ✓ Clearly defined actions that constitute racial profiling
- ✓ Statement indicating prohibition of any peace officer employed by the Corsicana 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 officers found in violation of the Texas Racial Profiling Law

- ✓ Collect data (Tier I) 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 probable cause search
 - d) Whether a custody arrest took place
- ✓ Produce an annual report on police contacts (Tier I) and present this to the local governing body by
- ✓ Adopt a mobile video and audio recording policy.

For questions regarding the information presented in this report, please contact Assistant Chief of Police Ronny McGaha at 903-654-4922 or by email at rmcgaha@ci.corsicana.tx.us or Chief of Police Randy Bratton at 903-654-4900 or by email at rbratton@ci.corsicana.tx.us.

Acknowledgements:

Judge Mike Russell, Municipal Court, City of Corsicana
Sharon Jennings, Municipal Court Administrator, City of Corsicana
Captain Nori Rhodes, Corsicana Police Department
Assistant Chief of Police Ronny McGaha, Corsicana Police Department
Shirley Morgan, Secretary to the Chief of Police, Corsicana Police Department