

CORSICANA POLICE DEPARTMENT



Police Contact Data Annual Report (Tier 1 Data)

January 1, 2010 - December 31, 2010

CORSICANA POLICE DEPARTMENT
Police Contact Data
Annual Report
January 1, 2010---December 31, 2010

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To: Corsicana City Council
From: Randy S. Bratton, Chief of Police
Subject: Racial Profiling Report
Date: February 15, 2011

The Corsicana Police Department, in accordance with the Texas Racial Profiling Law (SB No. 1074), Art. 2.134 CCP, has been collecting police contact data to comply with the law. Throughout the past year, the Police Department, working very closely with the Municipal Court, has striven to ensure that the numbers reported, via citations, 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 this 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 ticket 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 tapes made by officers of traffic stops. A copy of the Consent Search Policy has been attached to this report and may be found at Attachment 1. This policy has proven effective.

The final components of this report provide statistical data relevant to the public contacts made during the period of 1/1/2010 and 12/31/2010. This information has been analyzed and compared to the U.S. Census data (2005-2009 American Community Survey 5-Year Estimates) 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 appears to be enforcing the traffic laws of this city and state along the lines represented by the various percentages of the population. According to our analysis, 39.9% (10,391) of our population is white and 49.26% (2,318 of 4,706) of our enforcement activity (citations) was of whites. The analysis shows that Blacks compose 23.2% (6,025) of our population and 22.55% (1,061 of 4,706) of our activity. Hispanics comprise 32.4% (8,422) of the population and were 27.41% (1,290 of 4,706) of our activity. Asians make up 1.4% (374) of our population and .53% (25 of 4,706) of our enforcement activity. American Indians compose approximately 3.1% (809) of our population and were 0.04% (2 of 4,706) 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; .21% (10 of 4,706) of the stops were of Middle Eastern descent. See Chart I and Graph I for details.

It would appear that the percentages of Whites stopped versus their relative population would seem a bit elevated. However, I would remind the reader that the population percentages are based on a five year estimate and not on the actual 2010 U.S. Census which will not be released until later in 2011. It is believed that the Hispanic population has risen in number but we will not know what affect this has had on the rest of the population until the numbers are released later this year.

A process involving active overview by the Assistant Chief of Police and the Municipal Court Administrator audits the numbers contained in this report, which make up the core of the report. Additionally, independently of this number 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 numbers that had to be accounted for under the law) was 4,706. In comparison, there were 4,162 stops made in 2009 that resulted in citations being issued or arrests being conducted. Please refer to Chart III for further details 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 citation or arrest, 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. Also, traffic stops where warnings were issued are not recorded in our analysis nor are these numbers required for this report under state law. See Chart I for a visual depiction of this data.

Included in the collection of data for 2010 was whether the officer knew the race of the individual prior to the traffic stop. Of the 4,706 traffic stops, officers knew the race of 670 which equals 14.2%.

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 practices.

Acknowledgements:

I wish to thank the following individuals for their individual and combined efforts to make this report meaningful, complete, concise, and correct:

Judge Mike Russell, Municipal Court Judge for the City of Corsicana
Asst. Chief Ladena Baggett, Corsicana Police Dept.
Sharon Jennings, Municipal Court Clerk, City of Corsicana
Lindy Cooper, Records Manager, Corsicana Police Dept.

Chart I 2010 Activity

DEMOGRAPHICS:

	Number	Percentage
Hispanic	8,422	32.4%
White	10,391	39.9%
Black	6,025	23.2%
Asian	374	1.4%
American Indian	809	3.1%
Middle Eastern	0	0
Total	26,021	100%

Numbers obtained from the U.S. Census Bureau, 2005-2009 American Community Survey 5-yr Estimates.

TRAFFIC STOPS:

	Citations	Percentage	Race Known	
Hispanic	1,290	27.41%	132	10.2%
White	2,318	49.26%	398	17.2%
Black	1,061	22.55%	136	12.8%
Asian	25	.53%	4	.6%
American Indian	2	.04%	0	0
Middle Eastern	10	.21%	0	0
Total	4,706	100%	670	14.2%

Citation count obtained from Corsicana Municipal Court, non-traffic citations removed.

TRAFFIC STOP ARRESTS:

	Arrest/ Result of Stop	Percentage Arrested
Hispanic	73	43.2%
White	46	27.2%
Black	49	29.0%
Asian	0	0%
American Indian	0	0%
Middle Eastern	1	.59%
Total	169	100%

Numbers obtained from Corsicana Municipal Court records.

Chart II 2010 Activity

SEARCHED:

	Number Searched	Percentage of Total
Hispanic	22	30.1%
White	24	32.9%
Black	26	35.6%
Asian	0	0%
American Indian	0	0%
Middle Eastern	1	1.4%
Total	73	100%

Information recorded on citations, numbers obtained from Corsicana Municipal Court records.

NOT SEARCHED:

	Not Searched	% Not Searched
Hispanic	1,268	27.4 %
White	2,294	49.5 %
Black	1,035	22.3 %
Asian	25	.54%
American Indian	2	.04%
Middle Eastern	9	.19%
Total	4,633	100 %

Information recorded on citation, numbers obtained from Corsicana Municipal Court records.

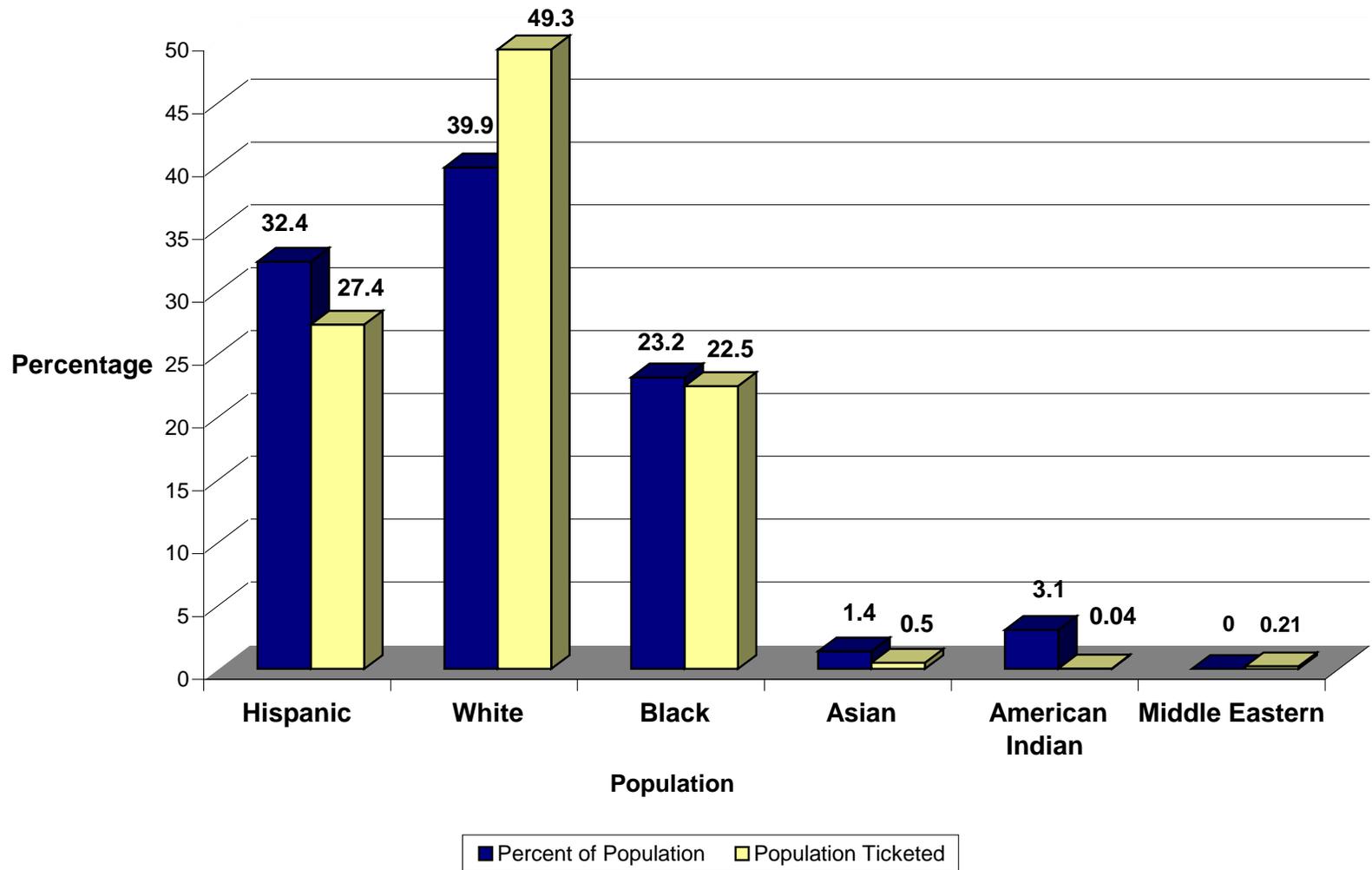
SEARCHED - COMPARISON:

	Number Searched		Consensual Search		Non-Consent/ *PC	
Hispanic	22	30.1%	7	29.2%	15	30.6%
White	24	32.9%	9	37.5%	15	30.6%
Black	26	35.6%	8	33.3%	18	36.7%
Asian	0	0	0	0	0	0
American Indian	0	0	0	0	0	0
Middle Eastern	1	1.4%	0	0	1	2.04%
Total	73	--	24	--	49	--

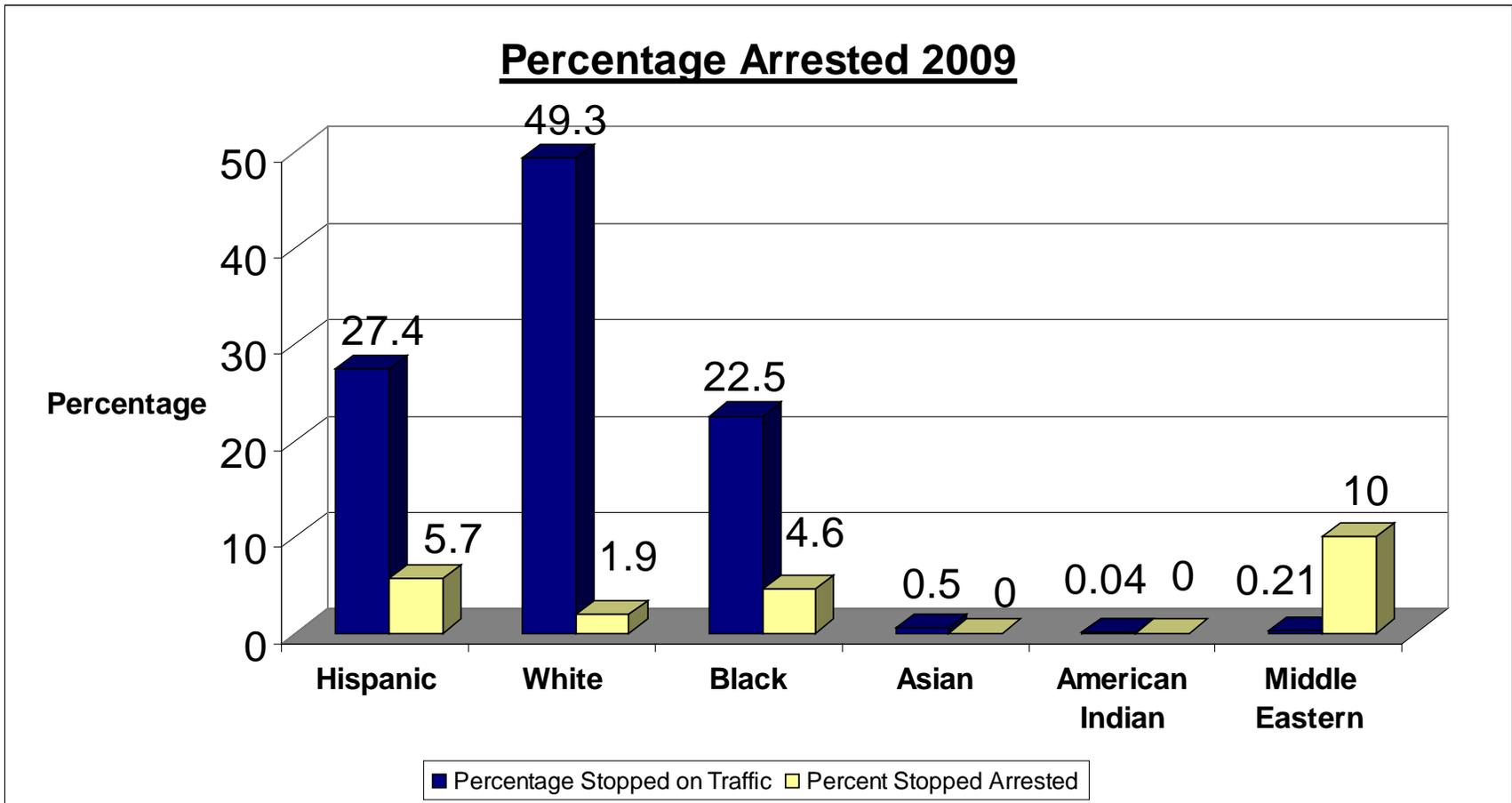
Information recorded on citation, numbers obtained from Corsicana Municipal Court records.

** PC- Probable Cause*

Racial Profiling Analysis 2010

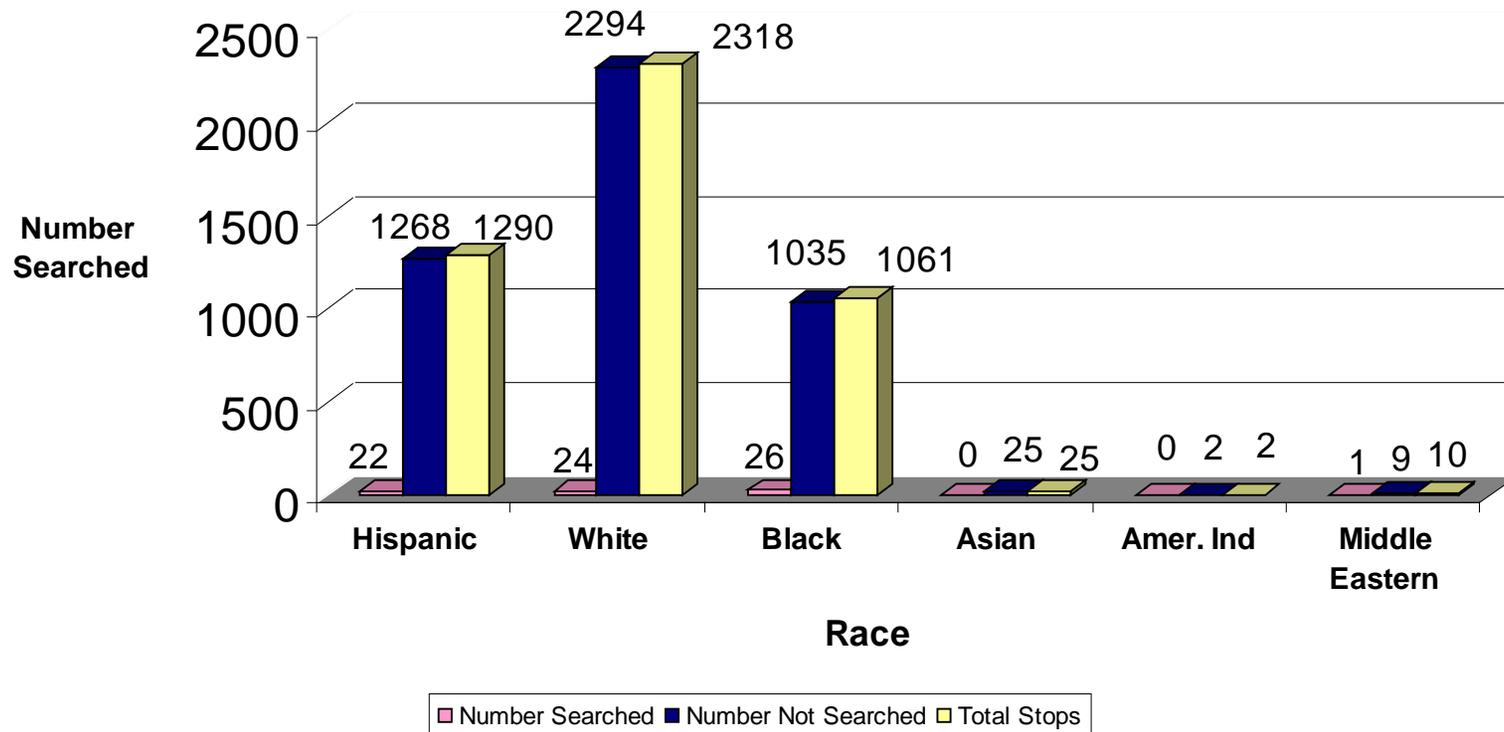


Graph I



Graph II

Search Analysis 2010



Graph III

CHART III
Traffic Stop Comparison 2010 - 2009

COMPARISON	2010		2009	
	Citations	%	Citations	%
Hispanic	1,290	27.4%	1,055	25.3%
White	2,318	49.3%	2,130	51.2%
Black	1,061	22.5%	950	22.8%
Asian	25	.5%	19	.5%
American Indian	2	0%	8	.2%
Middle Eastern	10	.2%	0	0%
Total	4,706	---	4,162	---

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 a number of community meetings 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, public service announcements have been presented by all outlets of the local media providing information to the public on the department's efforts to educate and inform the public on this very important subject. The department's complaint process has been previously published on the department's Web page and will again in the near future after it has been reviewed and updated.

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

A pamphlet has been designed; printed, and distributed that fully explains the Internal Affairs/Complaint system of the department. The following information is from the pamphlet, the complaint form, and the procedure for investigating complaints received:

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 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, forgoing a formal investigation.

If the supervisor is not able to satisfactorily answer the citizen's complaint, they will assist them in filing a formal complaint, if they wish. 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 it.

THE INVESTIGATION:

After a formal complaint is filed, the Corsicana Police Department will investigate the alleged misconduct. The Internal Affairs Investigator is responsible for investigating all formal complaints and will talk to witnesses and visit the site of the incident if necessary.

- The Chief of Police receives all formal complaints, reviews them, logs them into the IA Log and assigns the investigation to the Internal Affairs Investigator.
 - Although it is impossible to estimate how long the investigation will take, the complainant is advised that they can usually expect a report as to the outcome of 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 conclusion included.
 - The Chief of Police will review the report of 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 FINDINGS:

The results of a 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 sustained** - There was insufficient evidence to prove the complaint true or false and no further action will be taken.

The Police Chief will decide on a finding after the complaint has been reviewed. Further, the Chief will inform the complainant through an official letter of the final decision, along with the corrective action administered, if applicable.

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 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 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 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.

Corrective Action:

It is the policy of the Corsicana Police Department that any officer who, after an internal investigation, has been found guilty of engaging in racial profiling, that one of the following disciplinary measures is taken (as per the recommendation of the Chief of Police in accordance with Civil Service laws):

- 1) Officer is suspended and as a condition of further employment with the police department is required to undergo racial sensitivity training
- 2) Officer is indefinitely suspended (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 1/1/10--12/31/10, based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.

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

Complaint No.	Alleged Violation			Disposition of the Case
0	0			N/A

(C) Training:

In compliance with the Texas Racial Profiling Law, the Corsicana Police Department required 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 Corsicana Police Department have completed a TCLEOSE training and education program on racial profiling, as required by law. 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, completed a TCLEOSE training and education program on racial profiling not later than September 1, 2003. The department has met or exceeded all training requirements mandated 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 Crime Commission has previously served a vital role in not only providing a forum for input, but also an opportunity for the Chief of Police to disseminate vital information and to discuss salient community issues, including racial profiling.

The Corsicana Police Department, through its Public Information Program and local media outlets has kept the public informed of the traffic contact data collection effort. Further, it plans to present the data analyzed, on February 15, 2011, to members of the City Council. This will be done in an effort 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 this report will also be submitted to the Texas Commission on Law Enforcement Officer Standards and Education not later than March 1, 2011.

Checklist:

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 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 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 the local governing body by March 1, 2011.
- Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation.

For additional questions regarding the information presented in this report, please contact:

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