

Memorandum



DATE: February 7, 2014

TO: Honorable Members of the Public Safety Committee: Sheffie Kadane (Chair), Adam Medrano (Vice Chair), Dwaine Caraway, Jennifer S. Gates, Sandy Greyson, Scott Griggs

SUBJECT: **2013 Dallas Police Department Annual Traffic Contact Data Report**

Attached is the briefing material on the "2013 Dallas Police Department Annual Traffic Contact Data Report" to be presented to the Members of the Public Safety Committee on Monday, February 10, 2014.



Ryan S. Evans
Interim First Assistant City Manager

Attachment

cc: Honorable Mayor and Members of the Dallas City Council
A.C. Gonzalez, City Manager
Warren M. S. Ernst, City Attorney
Daniel F. Solis, Administrative Judge
Rosa A. Rios, City Secretary
Craig D. Kinton, City Auditor
Jill A. Jordan, P. E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Theresa O'Donnell, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor and Council



2013 Dallas Police Department Annual Traffic Contact Data Report

Public Safety Committee

February 10, 2014



Purpose

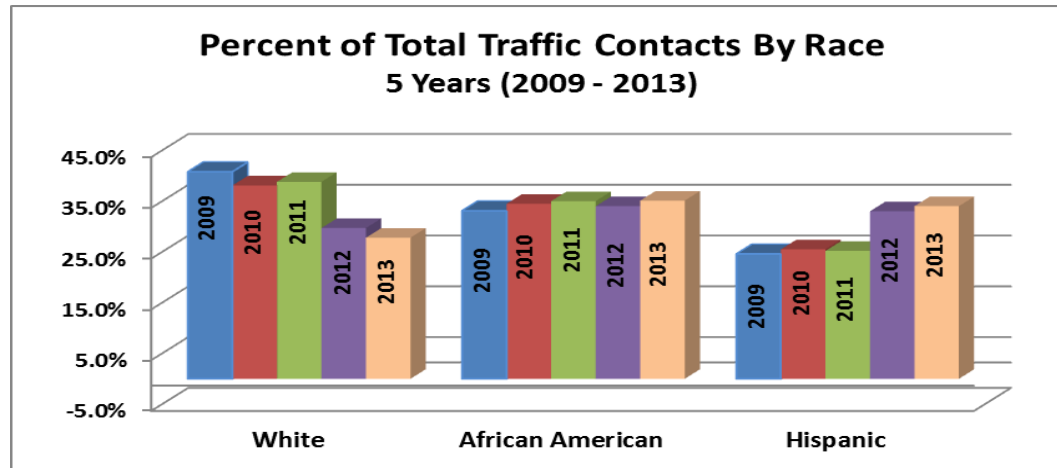
To provide a comprehensive 2013 Traffic Contact Data Annual Report for the City of Dallas and give an overview of statistical citizen contacts made by police.

Goals

Conducting a yearly analysis of Departmental statistical data helps to increase citizen confidence by:

- Showing that the Department is in compliance with applicable Texas law on the collection of racial profiling data.
- Providing recommendations as needed to ensure the Department continues to follow state guidelines regarding racial profiling.

Total Traffic Contacts



Total Traffic Contacts - Five Year Comparison

RACE	2009		2010		2011		2012		2013	
	Number of Contacts	Percent of Total	Number of Contacts	Percent of Total	Number of Contacts	Percent of Total	Number of Contacts	Percent of Total	Number of Contacts	Percent of Total
White	77,049	40.8%	75,752	38.1%	78,864	38.8%	39,982	29.7%	31,273	27.8%
African American	62,489	33.1%	68,511	34.5%	70,994	35.0%	45,664	34.0%	39,489	35.1%
Hispanic	46,469	24.6%	50,717	25.5%	51,220	25.2%	44,403	33.0%	38,227	34.0%
Asian	1,749	0.9%	1,670	0.8%	1,703	0.8%	1,622	1.2%	1,424	1.3%
Native American	95	0.1%	98	0.0%	100	0.0%	128	0.1%	261	0.2%
Middle Eastern	n/a	n/a	26	0.0%	32	0.0%	289	0.2%	387	0.3%
Other	1181	0.6%	1834	0.9%	101	0.0%	2,401	1.8%	1,470	1.3%
Total	189,032	100.0%	198,608	100.0%	203,014	100.0%	134,489	100.0%	112,531	100.0%

2013 Traffic Contact Data

Race	Traffic Contacts		Searches From Contacts		Consensual Searches		Race Known Prior To Stop		Custody Arrests	
	Number	% of Total	Number	% of Total	Number	% of Total	Number	% of Total	Number	% of Total
White	31,273	27.8%	1,357	20.8%	400	21.0%	642	24.2%	821	21.0%
African American	39,489	35.1%	2,681	41.2%	805	42.2%	1,173	44.1%	1,674	42.7%
Hispanic	38,227	34.0%	2,393	36.8%	686	35.9%	814	30.6%	1,372	35.0%
Asian	1,424	1.3%	53	0.8%	11	0.6%	20	0.8%	38	1.0%
Native American	261	0.2%	2	0.0%	1	0.1%	5	0.2%	1	0.0%
Middle Eastern	387	0.3%	13	0.2%	1	0.1%	4	0.2%	12	0.3%
Other	1,470	1.3%	11	0.2%	5	0.3%	0	0.0%	0	0.0%
Total	112,531	100.0%	6,510	100.0%	1,909	100.0%	2,658	100.0%	3,918	100.0%

Racial Profiling Complaints

- In 2013, the Dallas Police Department made 112,531 documented traffic contacts and responded to 595,903 calls for service.
- Out of these 708,434 documented contacts, only 10 (.001%) resulted in complaints being filed with the Internal Affairs Unit alleging racial profiling.

DISPOSITION OF RACIAL PROFILING COMPLAINTS	
Unfounded	6
Not Sustained	2
Pending	2
Total	10

RACIAL PROFILING COMPLAINTS BY TYPE	
Traffic Stop	5
Other	5
Total	10

- Citizens wishing to make a racial profiling complaint may call:
 - **Internal Affairs 214-671-3986 Monday – Friday 8am – 5am or after hours:**

Central Patrol	214-670-4413	Northeast Patrol	214-670-4415
Southeast Patrol	214-670-8345	Southwest Patrol	214-670-7470
Northwest Patrol	214-670-6178	North Central Patrol	214-670-7253
South Central	214-671-4500		

Review of Data

- Lieutenant Mark Stallo, Caruth Police Institute, conducted a review of the data, complaints, and training of the Dallas Police Department in regards to racial profiling.
- The analysis of the Dallas Police Department report showed that the Department is in compliance with applicable Texas law on the collection of racial profiling data.

Review of Data, cont'd

- The Department is committed to providing all information required and complying with the Racial Profiling Law.
- To ensure that the data collected is as accurate as possible, it is recommended that continued training of officers include understanding and distinguishing the difference between the Texas Driver License/Identification Card race/ethnicity codes and the codes to be used on the citations. Officers do not ask drivers for their race or ethnicity, but use the appropriate code based on observation only.

Race/Ethnicity	Traffic Court System Code
African American	B
Asian	A
Caucasian	W
Hispanic	H
Middle Eastern	C
Native American	I

Review of Data, cont'd

- The Dallas Police Department has established procedures for accepting complaints regarding Racial Profiling from citizens, and provides public education relating to the process for filing such complaints through the Department's website (www.dallaspolice.net), Internal Affairs Division, and the Office of Community Affairs.
- DVR (Digital Video Recorder) Management Control provides accountability and review.
 - 100% of all marked squad cars (935) that routinely make traffic stops are equipped with in-car video cameras.
 - Regular reviews by supervisors and the DVR Review Team ensure departmental accountability by identifying conduct that might bring discredit to the Department, training opportunities for improvement, development of field operating procedures, and observances of commendable behavior.

QUESTIONS?



*Dallas Police
Department*

**2013 Dallas Police
Department Annual Traffic
Contact Data Report**

City of Dallas, Texas
February 10, 2014

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I. Letter to the Citizens of Dallas from Chief of Police David O. Brown



February 07, 2014

Dear Citizens:

The 2013 Police Traffic Contact Data report is the twelfth annual report issued by the Dallas Police Department.

The report summarizes traffic contacts between Dallas police officers and citizens. It provides an overview of contacts distributed by race and the number of arrests and searches. The report also summarizes citizens' complaints of alleged racial or other profiling investigated by the department's Internal Affairs Division.

We are confident the information contained in this report will serve as further evidence of our commitment to fair and equitable treatment of all citizens and will serve as a foundation to strengthen our bond within the community.

We believe the Dallas Police Department is a professional organization made up of caring and hardworking individuals. We will continue to expect the very best from our employees while providing law enforcement services to the community.

A handwritten signature in black ink, appearing to read 'D.O. Brown'.

David O. Brown
Chief of Police



II. Background

TEXAS COMMISSION ON LAW ENFORCEMENT

What does it mean when an Agency Reports as Racial Profiling-Tier 1-Partially Exempt?

Each agency must select the reporting option that applies to their particular situation.

When an agency chooses to report as **Partial Exemption** or **Tier 1 Reporting**, the agency is stating it routinely performs traffic stops or motor vehicle stops and the vehicles that routinely perform these stops are equipped with video and audio equipment. Law enforcement agencies that routinely perform traffic stops or motor vehicle stops and who have their vehicles that routinely perform these stops equipped with video and audio equipment can report under the [Texas State Code of Criminal Procedure Article 2.135](#). To report under this option, the Agency vehicles that conduct motor vehicle stops must be equipped with video and audio equipment and the agency must maintain videos for 90 days after the stop. Optionally, in accordance with [2.135\(a\)\(2\)](#) the agency can also file under Tier 1 if it has requested and not received funds to install the recording equipment.

The data collected for **Tier 1 (Partial Exemption)** reports must include:

- the number of motor vehicle stops
- the number of types of race or ethnicity of the person(s) who were stopped was
- the number of stops that the race or ethnicity was known prior to the stop
- the number of stops in which a search was conducted
- number of searches that consent was received prior to search

The Chief Administrator of the Agency must also certify that they have adopted 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 motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - (A) the Texas Commission on Law Enforcement; and
 - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

Racial Profiling Reporting To Texas Commission on Law Enforcement (TCOLE)

House Bill 3389 changed several portions of the Code of Criminal Procedures Article 2.131 – 2.138. The major change that is now in the law is that all agencies must report racial profiling data to TCOLE as well as their governing body.

The attached documents outline three options. Every law enforcement agency must select the option that applies to their particular situation.

These options are:

1. **Exempt** - Law enforcement agencies that do not routinely make motor vehicle stops can be fully exempt from reporting.
2. **Partial Exemption** - Law enforcement agencies that routinely perform traffic stops or motor vehicle stops and who have their vehicles that routinely perform these stops equipped with video and audio equipment can report under CCP 2.135. (This is called Tier 1 Reporting)
3. **Full Reporting** - Law enforcement agencies that routinely perform traffic stops or motor vehicle stops and who do not equip their vehicles with video or audio equipment must report under CCP 2.133 and perform an analysis as required by CCP 2.134.

CODE OF CRIMINAL PROCEDURE

TITLE 1: CODE OF CRIMINAL PROCEDURE

CHAPTER 2. GENERAL DUTIES OF OFFICERS

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

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 motor vehicle stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern 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 motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement Officer Standards and Education; and

(B) the governing body of each county or municipality served by the agency, 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 motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle 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 motor vehicle 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.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 25, eff. September 1, 2009.

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS.

(a) In this article, "race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is 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 initial reason for the stop;

(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 or other evidence was discovered in the course of the search and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a written warning or a citation as a result of the stop.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 26, eff. September 1, 2009.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED. (a) In this article:

(1) "Motor vehicle stop" has the meaning assigned by Article 2.132(a).

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(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 law enforcement agency shall submit a report containing the incident-based data compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; and

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches

resulting from stops within the applicable jurisdiction;
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 motor vehicle 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, in accordance with Section 1701.162, Occupations Code, 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.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 27, eff. September 1, 2009.

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or

appointed, 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 motor vehicle stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle 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 motor vehicle 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 motor vehicle 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.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 28, eff. September 1, 2009.

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.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

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).

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.1385. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each

violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

Added by Acts 2009, 81st Leg., R.S., Ch. 1172, Sec. 29, eff. September 1, 2009.



III. Responding to the Texas Racial Profiling Law

DALLAS POLICE DEPARTMENT PHILOSOPHY STATEMENT

- It is the goal of the Dallas Police Department to provide public safety service that is both effective and fair.
- To achieve this goal, racial profiling is strictly forbidden and will never be tolerated in the Dallas Police Department.
- The reality and the perception by all citizens must be that police officers do not stop, detain, or take enforcement action based solely upon race, color, or ethnicity.
- Racial profiling incurs the cost of eroding the trust between police and citizens, thus undermining the legitimacy of police actions.
- Through determination, vigilance, and training, the Police Department will foster and maintain the confidence of all citizens in the integrity and professionalism of its police officers.
- All citizens must believe that the administration of justice is applied fairly and that racial profiling is never used as a means of enforcement.
- They must also believe that they will be judged solely on their own conduct and never on racial generalizations.
- The Dallas Police Department is committed to protecting the rights of all citizens. This commitment extends to maintaining the trust and confidence of citizens through fair application of the law.

David O. Brown
Chief of Police



Dallas Police Department General Order

431.00 Discrimination and Sexual Harassment

DAVID O. BROWN
CHIEF OF POLICE

Revised 06/19/09

431.07 Racial Profiling

- A. Racial Profiling" is defined as any 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.
- B. "Race or Ethnicity" is defined as a person's particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.
- C. Examples of "Racial Profiling" including, but are not limited to:
 - 1. Initiating a traffic stop on a particular vehicle because of the race, ethnicity, or national origin of the driver or of a passenger in a vehicle.
 - 2. Stopping or detaining the driver of a vehicle or passenger in a vehicle based on the determination that a person or that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle.
 - 3. Stopping or detaining an individual based upon the determination that a person of that race, ethnicity, or national origin is unlikely to be in that place or part of town.
 - 4. Stopping a driver when looking for a suspect if the only commonality between the suspect and the driver or a passenger is their race, ethnicity, or national origin.
 - 5. Singling out an individual for enforcement who is part of a group of individuals exhibiting similar behavior (for example, a group of drivers exceeding the speed limit) because of the individual's race, ethnicity, or national origin.
 - 6. The unlawful seizure and/or forfeiture of a person's assets based on ethnicity or a person's descent.
- D. "Racial Profiling" is strictly prohibited. At no time will a sworn employee rely upon racial profiling in any probable cause or reasonable suspicion determination.
- E. Acceptance and Investigation of "Racial Profiling" Complaints.
 - 1. "Racial Profiling" complaints will be handled in accordance with Texas Government Code, Section 614.021-614.023, as interpreted by the City Attorney.
 - 2. Procedures for accepting "Racial Profiling" complaints from citizens are described in General Order 505.02 Externally Originated Complaints. Procedures include complaints made by telephone, in writing, and in person.
 - 3. The Police Department will be responsible for providing public education relating to the process for filing "Racial Profiling" complaints. This includes:
 - a. Internal Affairs Division pamphlets;
 - b. Public service announcements on local radio stations, television stations, and newspaper; and
 - c. New/press releases.
 - 4. An allegation of "Racial Profiling" against any officer will be investigated in the manner described in General Order 507.00 COMPLAINT PROCESSING AND INVESTIGATION. A sustained complaint for "Racial Profiling" will result in corrective action described in General Order 510.00 TYPES OF CORRECTIVE ACTION from summary discipline to discharge.
- F. Data Collection
 - 1. On January 1, 2002 Court and Detention Services of the City of Dallas began collecting data on all traffic stops and providing the information to the Dallas Police Department for compilation and analysis, in accordance with Article 2.132 of the Texas Code of Criminal Procedure.
 - 2. The most recent census data for the City of Dallas will be used as the basis for the presumed ethnic composition of the population. Other available data, such as the effect of commuters or other non-residents on the ethnical composition of the population, may be considered.
 - 3. The information will be reported in a format that may include, but is not limited to the reporting of the data in numerical and/or percentage categories of race or ethnicity of the individual detained, whether a search was conducted, and if so, whether the person detained consented to the search.
 - 4. The information collected will be submitted to the governing body of the City of Dallas on March 1 of the subsequent years.
 - 5. It is the intention of the Dallas Police Department to fulfill the data collection requirements of Article 2.132 of the Texas Code of Criminal Procedure to be effective January 1, 2003 through the utilization of video equipment.
- A. Training
 - 1. All officers will receive formal, documented training in the "Racial Profiling" policy and procedures.
 - 2. Training will be included in basic and in-service classes for all sworn personnel and will include examples of racial profiling.
 - 3. All new and current officers must complete training by September 1, 2003.
- B. Supervisors have the responsibility of monitoring the activities of subordinates to ensure that "Racial Profiling" is not being practiced. Supervisors will take immediate corrective action if these practices are observed and will document the infraction accordingly.



Dallas Police Department General Order

328.00 Digital Video Recorder Program

DAVID O. BROWN
CHIEF OF POLICE

Revised 02/05/13

328.00 DIGITAL VIDEO RECORDER (DVR) PROGRAM

328.01 Program Objectives

- A. It is the intention of the Dallas Police Department to utilize Digital Video Recorder systems in a manner that is fair and equitable toward employees and citizens.
- B. The Dallas Police Department has adopted the use of in-car video/audio recording systems in order to accomplish several objectives. These objectives include, but are not limited to:
 1. Enhancement of officer safety,
 2. Enhancement of officer reporting, evidence collection, and court testimony,
 3. Protection from false claims of impropriety,
 4. Officer evaluation and training, and
 5. Compliance with Texas State Law regarding Racial Profiling data collection.

328.02 Definitions

- A. DVR- Digital Video Recorder system provided by the Dallas Police Department.
- B. Division DVR Administrator – The supervisor assigned primary responsibility for the DVR program at the Division level.
- C. DVR Coordinator – A supervisor on any watch trained to handle DVR responsibilities. Includes the Division DVR Administrator.
- D. DVR System Administrator- Individual with Department – wide responsibility for the DVR program.
- E. DVR Resource Manual- The Department's Standard Operating Procedure for the DVR program.
- F. Division- When used in this General Order includes any Division, Section, or Unit, operating DVR systems.
- G. Enforcement Activity- Law Enforcement activity including: issuing a citation or giving a warning, questioning, arresting, detaining, frisking, or searching a person or vehicle.
- H. DVR Review Team – Assigned to the Administrative and Accountability Unit and conducts strategically selected reviews of in-car video.

328.03 General Procedures

- A. The Dallas Police Department DVR Resource Manual will be used as the Standard Operating Procedure (SOP) by all Divisions/Sections/Units operating DVR systems. If a discrepancy exists between the DVR Resource Manual and the General Order, the General Order shall take precedence. The Police Technology Unit in cooperation with the Patrol Bureau will update the DVR Resource Manual as needed.
- B. Division Responsibility
 1. Each Division/Section/Unit utilizing DVRs will designate a Supervisor as the Division DVR Administrator. The Division DVR Administrator is responsible for the overall operation of the DVR program at their level. This Supervisor has primary responsibility for DVR security, operation, video handling, and training.
 2. Each Division will train supervisors on each watch who will serve as DVR Coordinators. DVR Coordinators will be responsible for maintaining DVR security, reporting malfunctioning equipment, transferring video to writeable compact disks, and providing training to DVR users.
 3. In-car video will be uploaded and retained on DVR servers located at each respective Divisional station; Central, Northeast, Southeast, Southwest, Northwest, North Central and South Central. Vehicles from the Central Business District and any Division/Section/Unit assigned to 1400 S. Lamar St will upload video to a DVR server located at the Jack Evans Police Headquarters.
 4. All video will be maintained for a minimum of 90 days in accordance with TX77RSB 1074. If the video has not been identified as one which is to be retained it will automatically be deleted from the server after 90 days.
- C. Officer Responsibilities
 1. Officers will obtain training on the use of DVR systems, and will request additional instruction from a supervisor if they are unsure of the proper operation of the DVR equipment.
 2. At the beginning of each shift, officers operating a DVR equipped vehicle will determine whether the DVR equipment is working properly. Officers will ensure:
 - a. The DVR is powered on and is positioned and adjusted to record events,
 - b. All previously recorded video has been uploaded,
 - c. The wireless microphone and receiver are working properly in order to provide audio recording, and
 - d. The wireless microphone is properly worn and the power switch is turned on.
 3. At the beginning of each shift, officers will start the Record mode by turning on the vehicle's red lights and will leave them on to record an audio/video sample for one minute. After one minute, the "Time



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Remaining" display will show the remaining time in hours and minutes. Stop recording by pushing the Stop button.

- a. In the "tagging dialog" box, the badge number of the officer performing the function check will be entered into the "officer i.d." field.
 - b. Officers will type the words "Equipment Check" into the "Incident number" field.
 - c. Officers will note the time remaining on the equipment check sheet.
4. Officers will verify that the video and audio sample was successfully recorded by clicking on the "Locate File" or "Playback" button, selecting the last recorded file and clicking the Play button. Any problem with the DVR equipment at this or any other time during the shift will be immediately reported to a supervisor.
 5. Supervisors will review videos regularly to ensure that the beginning of shift audio/video sample test procedure is properly conducted.
 6. Throughout the shift, the officer will monitor the operation of the DVR system to ensure it continues to work properly. Officers using DVR equipped vehicles are responsible for the proper use and security of the systems.
 7. One Officer in each DVR equipped vehicle will wear the wireless microphone and ensure that the receiver is working properly during the shift.
 8. When interacting only with other police personnel, outside of the presence of civilians, officers will inform other police personnel if a DVR system is recording.
 9. Officers will enter their badge number into the "officer i.d." field at the conclusion of all recorded citizen interactions.
- D. Patrol Commander Responsibilities
1. Patrol Commanders will designate one or more supervisors to be responsible for conducting random DVR reviews/audits of officers assigned to their division as required by TX77RSB 1074. Division Commanders will ensure that at least two DVR reviews are conducted each year for all patrol officers under their command by the designated supervisors.
 - a. The primary purpose of these reviews is to ensure Departmental accountability and promote officer safety. Observed violations should be brought to the officer's attention and discussed with a focus and emphasis on training. Significant and/or repeated violations may result in disciplinary action.
 - b. In all cases, violations, and the action taken, will be documented to the Division Commander.
 2. Supervisors may request the DVR Team to audit videos on a case by case basis through their Division Commander.
- E. DVR Review Team Responsibilities
1. Review and audit video from all vehicle pursuits and any other videos at the request of a Division Commander. These reviews will be conducted to ensure Departmental accountability by identifying conduct that might bring discredit to the Department, seek training opportunities for improvement and development of field training procedures, as well as reporting observances of commendable behavior.
 2. Until the system allows centralized review, reviews will be conducted at the Substation where the vehicle is assigned.

328.04 Use of the Digital Video Recording System

- A. General use of equipment
1. DVR systems are programmed to record automatically when the vehicle's emergency lights or siren are turned on.
 2. DVR equipment may be manually activated by pushing the Record button on the control panel, or by pushing the remote Record button on the top of the wireless microphone.
 3. Only pushing the Stop button on the laptop software interface can stop the recording phase.
 4. The On/Off slide switch on the side of the wireless microphone will serve as a temporary mute button during recording.
 5. Under no circumstances are officers to erase, reuse, or in any manner alter DVR recordings except as provided under our Records Retention Policy. Such activities may subject officers to disciplinary action and criminal sanctions as these recordings may be considered evidence and/or government records.
 6. Officers will not duplicate DVR video recordings without authorization or tamper with DVR equipment or settings.
 7. Only authorized personnel may service (program, repair, adjust, dismantle, or relocate) DVR equipment. Specific service procedures are contained in the DVR Resource Manual.
- B. DVR equipment will be used:
1. When interacting with citizens during traffic/pedestrian stops normally requiring the use of emergency lights,
 2. During pursuits and Code-3 operation, and
 3. During other activity normally requiring activation of the vehicle's emergency equipment except when deactivation of the DVR systems is authorized.
- C. DVR equipment may be used:
1. To record probable cause/suspicious activity prior to activating the vehicle's emergency lights.



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2. To record the actions of individuals during calls for service or other contacts.
 3. To document crime scenes or other incidents where documentation of actions or events may be essential for court.
- D. DVR equipment deactivation (Stop recording):
1. DVR recording may be stopped when authorized by a Supervisor who determines that continued recording is not required to meet the objectives of the DVR program, or
 2. DVR recordings may be stopped by an officer during non-enforcement activities with limited citizen interaction, such as; when protecting a crime scene or motor vehicle collision scene or waiting for a wrecker to impound a vehicle.
 3. Officers may stop DVR recordings of a Traffic/Pedestrian stop only after contact with the citizen has ended.
 4. Officers may temporarily deactivate the Audio portion of DVR recordings from the wireless microphone only, by engaging the On/Off slide switch on the side of the wireless transmitter, under the following circumstances when no citizen contact is taking place:
 - a. To exchange NCIC/TCIC, DPS, or other law enforcement sensitive data either in person or via the police radio or MDC,
 - b. To facilitate the discussion of training issues or to discuss operational strategy,
 - c. To share information that is not subject to the Public Information Act, telephone numbers, or to exchange personal information (telephone number, home address, etc.) with another officer, and
 - d. To discuss an issue with a supervisor or investigator.
 5. Officers will not deactivate DVR equipment (including the DVR wireless microphone or receiver) at any time during the recording of enforcement activity for which recording has begun.
 6. Once activated for any reason while a pursuit or assist officer is occurring in the division, the DVR will not be deactivated until the incident has been completed.

328.05 Handling, Duplication and Storage of Videos

- A. Uploading video from vehicles – The DVR Resource Manual will outline specific operational procedures to be followed.
1. Video will be uploaded at the end of every shift by the individual officer.
 2. If an officer cannot upload the DVR due to a Download Port failure, the officer will notify a supervisor immediately, who will then notify the Division DVR Administrator.
 3. The Division DVR Administrator will conduct semi-monthly checks to ensure the Download Ports and cables are working properly.
 4. If the Division DVR Administrator is unable to correct the Download Port problem, he/she will notify the City HELP desk at (214) 670-1234 for repair.
 5. The handling of DVR video will be done in accordance with instructions contained in the DVR Resource Manual.
 6. All offense and arrest actions recorded with a Dallas Police Department DVR will be documented either in an offense, arrest or miscellaneous incident report.
 7. The Police squad car number capturing the video recorded incident and all additional DVR equipped vehicles will be referenced in all related reports.
- B. Duplication and handling of DVR recordings
1. If a recording documents a police incident involving serious injury or death, or if the Special Investigations Unit (SIU)/Crimes Against Persons Division, the Public Integrity Section, the Internal Affairs Division, the Office of the Chief, or the Crime Scene Response Unit requests that a video be seized immediately:
 - a. As soon as it is practical, the vehicle will be brought to its Division station and a DVR Coordinator will upload the video to the DVR server.
 - b. The Division DVR Administrator DVR Coordinator, or patrol supervisor will provide a copy of the requested video.
 - c. A Personal Computer converted video or portion of the video will be made. The PC converted copy will be transferred to a compact disk and provided to, and be maintained by the requesting Division/Section for the required 90-day retention period. Only compact disks will be used for video copy transfers. DVD's are prohibited.
 - d. The DVR Administrator, DVR Coordinator or patrol supervisor will then search for the incident and "mark for non-deletion."
 - e. The request to release a hold must be submitted to the Police Technology unit when it is determined that the original video recording is no longer needed.
 - f. The PC converted copy will be labeled and handled as outlined in the DVR Resource Manual.
 - g. If the vehicle cannot be brought to the station a DVR Coordinator or patrol supervisor will contact the on duty Watch Commander who will determine if the video will be processed during administrative hours or contact On-Call Police Technology Unit personnel.
 2. If a video recording documents an offense or arrest, the original video recording will be marked for non-deletion and documented in the appropriate offense/incident or supplemental report.
 3. Officers will submit a Vehicle Evidence Request form to a supervisor under the following conditions:
 - a. To request a video recording be marked for non-deletion.



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- b. To request a PC converted copy of the video recording for court or administrative investigations.
4. If a recording documents an incident for which a copy is requested, the procedure to be followed is outlined in General Order section 328.06 (Public Information Act) and in the DVR Resource Manual.
5. Original recordings are not to leave the possession of the Dallas Police Department unless authorized by this policy.
6. The Division DVR Administrator, DVR Coordinator, patrol supervisor or other person designated by the Division Commander or higher authority, is responsible for the proper conversion or reproduction of DVR recordings.
- C. Officers who believe that a DVR recording contains usable evidence or important information will notify their supervisor by submitting a Video Evidence Request form. Supervisors will follow the procedures set out in the DVR Resource Manual for obtaining PC converted copies of recordings.
- D. DVR recordings will be duplicated only for official reasons, including the following:
 1. Criminal evidence.
 2. Public Information Act (Open Records) requests.
 3. Internal Affairs Division requests.
 4. Training Section requests.
 5. Other if approved by the Division Commander.
- E. DVR recordings will not be provided to anyone outside of the Dallas Police Department unless the recording is requested through the proper Public Information Act request process or through a Criminal Justice request received on a completed and approved Request for DVR Video Duplication/ Review form.
- F. As required by Texas Senate Bill 1074 – On the commencement of an internal investigation of a complaint described by SB 1074, Subsection (b) (3) (related to Racial Profiling) in which a video or audio recording of the occurrence on which the complaint is based was made, a copy of the recording shall be provided to the peace officer who is the subject of the complaint upon written request by the officer. This duplicate video shall be requested by the person conducting the investigation who shall document compliance with SB 1074.
- G. During any internal investigation not covered by Senate Bill 1074, the person conducting the investigation shall inquire as to whether the incident was documented by a DVR system. If audio or video documentation exists, the person conducting the investigation will review it and, if the incident is documented by the recording, obtain a copy of the incident for the investigation. Upon written request, they will provide a copy to the accused officer and document compliance with this policy.
- H. Copies of recordings not involving pending criminal action, civil litigation, or internal investigations may be used for training purposes with the approval of the Training Section Commander.

328.06 Retention of Recordings and Logs

- A. DVR recordings will be maintained as outlined in 328.03 B.4 for a minimum period of 90 days before automatic deletion from the respective server. (required by TX77RSB 1074).
- B. DVR recordings are subject to Public Information Act requests as any other police departmental record.
 1. Each Division outlined in General Orders section 328.03 B.3 shall be designated as the custodian of record for the video recordings residing on their respective DVR servers.
 2. Only a PC converted copy of the material requested will be transferred onto compact disk, and forwarded to the Open Records Unit. The responding Division will maintain the original video.
 3. Public Information Act requests for videos will be handled in accordance with Chapter 552 of the Texas Government Code and departmental procedures.
 4. The Open Records/Records Management Unit will set charges for duplication of videos for Public Information Act requests.

Training On Racial Profiling

In compliance with the Texas Racial Profiling Law, the Dallas Police Department requires that all officers adhere to Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

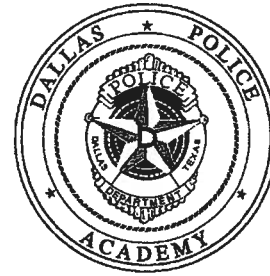
All Dallas Police Department officers are required to complete TCOLE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. All officers who on September 1, 2001, held a TCOLE intermediate proficiency certificate, or who had held a peace officer license issued by TCOLE for at least two years, completed a TCOLE training and education program on racial profiling prior to September 1, 2003.

Racial Profiling training provided by the Dallas Police Department includes:

- The Core Curriculum for the training cycle, September 1, 2003 through August 31, 2005, included an eight hour block of instruction on Racial Profiling, Cultural Diversity, and on Texas Senate Bill 1074. This training was mandatory for all sworn personnel. See Attachment J in Section 5 of this report for lesson plan information and classroom handouts.
- The Police Department produced a video training tape that provided instruction on Senate Bill 1074, and demonstrated examples of actions that would be considered racial profiling. All sworn Dallas Police Department personnel viewed the videotape training.
- Five Roll Call Training Bulletins covering Racial Profiling and Data Collection were distributed to all sworn personnel during 2001 – 2003, 2008, 2010, and 2011 which included a video.
- All recruits are required to complete four (4) hours of racial profiling training prior to graduation from the academy.
- Every officer is required by TCOLE to attend a Core Curriculum training cycle every 2 years. The curriculum agenda is set forth by TCOLE which often times includes some form of racial or ethnic sensitivity training.

ROLL CALL

TRAINING BULLETIN



#2010 – 15

Date: 11/30/10

Document Control # 32-10

RACIAL PROFILING DATA COLLECTION

This Roll Call Training Bulletin supersedes Roll Call Training Bulletin #2008-05, issued February 26, 2008, and Bulletin #2016-16, issued May 16, 2008.

HB 3389 amends the data and circumstances required by law as it relates to the collection of racial profiling data. Some of the key operational changes are listed below:

- The term “*Traffic stop*” was replaced with the term “*Motor vehicle stop*,” thereby removing pedestrian stops from circumstances in which data is required to be collected.
- The race or ethnicity of Middle Eastern descent has been added as a category to be reported.
- The officer must confirm if the race or ethnicity was known prior to the motor vehicle stop.

The data collection process used by the Police Department will be updated with the issuance and use of the new citation series.

Data will be collected when enforcement action is taken as a result of a motor vehicle stop. Data is gathered based on the enforcement action resulting in either a citation(s) or a custodial arrest.

- **Citations** – Changes include answering the yes or no question, “*Race known prior to stop?*” located in the upper right corner of the new citations. Officers will utilize the code of “*C*” to identify defendants of Middle Eastern descent when completing the “*race*” portion of a citation.

The chart below serves as a reminder for the codes to be used for various race and ethnicities. Specifically, the codes identified as the Traffic Court System Code should be utilized for citations.

Race/Ethnicity	Traffic Court System Code
African	B
Asian	A
Caucasian	W
Hispanic	H
Middle Eastern	C
Native American	I

- **Custodial Arrests** – Arresting officers are responsible for completing the electronic form located on the DPD Intranet link under Applications/Tier 1 Data. A jail supervisor’s badge number is a required field on the form. Additionally, the form is available on the Intranet accessible via MDC. The Officers’ Comments section of the arrest report should reflect that the electronic form was completed due to the enforcement action resulting from a motor vehicle stop. Arresting officers should also use the electronic form for Warrants Only arrests resulting from motor vehicle stops and should note that the form was completed in the comments section of the Warrants Only form.

The electronic form is user friendly with most of the data collected by checking option buttons. Please fully complete the form, including Reviewing Supervisor and Arrest Number. When you have completed the form, click on the Submit button and the data will be electronically collected.

Further clarification:

- 1.) The electronic form will be completed only when a custodial arrest occurs as a result of a motor vehicle stop.
- 2.) For citations only, all required data is collected from the correctly completed citation. No electronic form is needed.
- 3.) For arrests resulting from a motor vehicle stop in which the arrested person is also issued a citation, officers are required to enter the citation number and arrest number on the electronic form.

Other reminders:

- 1.) **The proper completion and submission of the Tier I Data form is the sole responsibility of the arresting officer.**
- 2.) Officers **will not** ask the person cited or arrested his/her race or ethnicity. The officer will make the determination to the best of their ability.
- 3.) Officers are required to fully complete each citation, including the question “Race known prior to stop?” when the citations results from a motor vehicle stop.
- 4.) Officers must include the beat and zip code information on all citations and arrest reports.
- 5.) A search resulting from a custodial arrest should be identified as a non-consensual search.

See the attached copy of the new citation series with the addition of “Race Known Prior to Stop?” in the top right corner and a copy of the updated electronic form.

You may contact Lieutenant Gary Tittle at 214-671-3905 if you have questions or concerns.

- [Tier 1 Reporting](#)

Only For Enforcement Taken resulting from Motor Vehicle Stops

Date Open the calendar popup.

Badge

Race Hispanic
 Black
 Caucasian
 Asian
 Native American
 Middle Eastern

Race Known prior to stop? Yes
 No

Search Yes Consensual Yes
 No No

Division CE NE SE SW NW NC SC

Arrest Number

Citation Number

Reviewing Supervisor Badge Number

PROOF 11

1A

4

PERF

PERF

XXX-XXXXXX

CITY OF DALLAS STATION

CONSECUTIVE 3 OF 9 BARCODE
PART 1 & 3 ONLY

LAST NAME	FIRST NAME	MIDDLE NAME	INITIAL	DATE OF BIRTH	SEX	HAIR	EYES	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR	COMPLEXION	SCAR	MARKS	REMARKS

ADDRESS	CITY	STATE	COUNTY	ZIP
STREET ADDRESS				
CITY				
STATE				
ZIP				

DATE OF VIOLATION	TIME OF VIOLATION	LOCATION OF VIOLATION	TYPE OF VIOLATION	CLASSIFICATION	STATUS	REMARKS

VIOLATION	CLASSIFICATION	STATUS	REMARKS

YES NO
 SEARCHED NOT SEARCHED
 TRAFFIC NON-TRAFFIC
 VIOLATION

FACE 1

ROLL CALL TRAINING BULLETIN



#2013 – 20

Date: 11/7/2013

Document Control # 39-13

Blue Team Procedures for Consensual Searches

Consensual Searches with no documentation or audio/video recording are **NO LONGER ALLOWED**

Written Consent to Search is required on all residences and buildings. Verbal Consent to Search may be requested on traffic stops if the consent is recorded on a functioning Departmentally Issued device.

Further detailed information on the policy regarding Consensual Searches may be obtained by reviewing General Order 330.00 or by viewing Every Day Is A Training Day Video – “Consensual Searches”

Officers are required to document all consensual searches that are conducted, even if no seizure or arrest is made. A Blue Team entry will be completed on all consensual searches in addition to the reports required by General Order 330.00. The Blue Team entry must be completed prior to the end of shift.

Blue Team Procedures

- Officers will scan their signed Consent to Search form (if utilized) and save the form to a computer or USB thumb drive to be attached to the Blue Team entry.
- Once logged into Blue Team, officers will click on "Add new Incident" and select "Consent to Search" from the drop down list.
- Officers will enter the Incident Type "Consent to Search" and the date, time, and location of the search.
- Continue to the next page and enter a narrative detailing the events surrounding the consensual search in the "Summary" section.
- On the next page, select "Add Complainant" and enter the citizen's information into the system or select the appropriate citizen if they are already in Blue Team.
- Next, the officer will select "Add me" under the involved officer section.
- Using the "Officer Options" drop-down list, the entering officer will select the type of search conducted.
 - Consent to Search – Residence
 - Consent to Search – Business
 - Consent to Search – Person
 - Consent to Search – Vehicle
- Any witness should be added at this time.
- Continue to the next page and attach the signed Consent to Search that was saved earlier to the USB thumb drive. If audio/video consent was obtained, the recording should be transferred and stored according to General Order 330.00. Do not save the audio/video recording in Blue Team.
- Upon completion of the Blue Team incident, the officer will immediately forward the entry to their immediate supervisor.

If you have any questions, please contact Sergeant Nancy Felix, #5345 at 214-671-3982



IV. Tier One Data

Collection and Reporting Requirements for Tier One Data

The following are the requirements for “Tier One” data collection and reporting as required under Senate Bill 1074.

Tier One data collection reports are to be provided by the Dallas Police Department to the Dallas City Council by March 1st for the previous calendar year’s contact data.

For motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, the department shall report:

1. The race or ethnicity of the individual detained (race and ethnicity as defined by the bill means of “a particular descent, including Caucasian, African, Hispanic, Asian, Native American or Middle Eastern descent”);
2. Whether a search was conducted as a result of the traffic stop, and if there was a search, whether the person detained consented to the search; and
3. Whether there was a custodial arrest as a result of the traffic stop.

The report includes raw contact data as collected under Tier I data collection requirements and percentage contact data distributed by race.

The Dallas Police Department uses the label “Traffic Contacts” in this report when referring to Tier One data.

Caution should be exercised in interpreting percentage data because of statistical distortions caused by small numbers in some categories. For example; if one American Indian is stopped and searched, that data would be reported as 100% of American Indians stopped were searched. If 200 Caucasians were stopped and 100 were searched, that data would be reported as 50% of Caucasians stopped were searched.

Tier One Data:

- Total number of Dallas Police Department discretionary traffic contacts resulting in citation or arrest
- Searches resulting from those traffic contacts
- Custodial arrests resulting from traffic contacts
- Complaints against DPD personnel alleging racial profiling

COMPARATIVE BASELINES:

- Population

Traffic Contact Information

Dallas Police Traffic Contacts Resulting in Citation or Arrest:

- Data provided by Dallas Police Department includes:
 - total traffic contacts,
 - searches during contacts,
 - number of consensual searches, and
 - number of custodial arrests resulting from traffic contacts.
- Consensual searches include only discretionary searches for which the officer reported requesting and receiving permission to search.
- Non-consensual searches include; frisk/pat-down (officer safety), search incident to arrest (required), vehicle inventory (required when vehicle impounded), probable cause without permission.
- All custody arrests were assumed to have non-consensual searches (search incident to arrest) and were so listed.

2013 Traffic Contact Data Report

Race	Traffic Contacts		Searches From Contacts		Consensual Searches		Custody Arrests	
	Number	% of Total	Number	% of Total	Number	% of Total	Number	% of Total
White	31,273	27.8%	1,357	20.8%	400	21.0%	821	21.0%
African American	39,489	35.1%	2,681	41.2%	805	42.2%	1,674	42.7%
Hispanic	38,227	34.0%	2,393	36.8%	686	35.9%	1,372	35.0%
Asian	1,424	1.3%	53	0.8%	11	0.6%	38	1.0%
Native American	261	0.2%	2	0.0%	1	0.1%	1	0.0%
Middle Eastern	387	0.3%	13	0.2%	1	0.1%	12	0.3%
Other	1,470	1.3%	11	0.2%	5	0.3%	0	0.0%
Total	112,531	100.0%	6,510	100.0%	1,909	100.0%	3,918	100.0%

As of January 1, 2010, HB3389 required all agencies to collect additional information on whether the officer knew the race or ethnicity of the individual detained prior to the stop.

Race Known Prior To Stop		
Race	Number	% of Total
White	642	24.2%
African American	1,173	44.1%
Hispanic	814	30.6%
Asian	20	0.8%
Native American	5	0.2%
Middle Eastern	4	0.2%
Other	0	0.0%
Total	2,658	100.0%

All Traffic Contacts and City of Dallas Population Baselines

Dallas Population Baselines:

- Census population data includes all residents of the community sorted by Race/Ethnicity.
- Census data includes all ages regardless of whether they are, or are not, among the driving population.
- Census population baselines do not provide data for comparing contacts with non-residents.
- Officers make an assessment of each individual's ethnicity, they do not ask. Therefore, some Hispanic persons may be listed as White by officers, which would be reflected in the contact statistics.

Traffic Contacts and City of Dallas Population

	2013 Traffic Contacts By Dallas Police Department		City of Dallas Population*	
RACE	NUMBER OF CONTACTS	% OF TOTAL	POPULATION BY RACE	% OF TOTAL POPULATION
White	31,273	27.8%	364,090	29.3%
African American	38,489	35.1%	305,833	24.6%
Hispanic	38,227	34.0%	514,026	41.4%
Asian	1,424	1.3%	39,358	3.2%
Native American	261	0.2%	1,133	0.1%
Middle Eastern	387	0.3%	N/A	N/A
Pacific Islander	n/a	n/a	596	0.0%
Other/Multi-Race	1,470	1.3%	16,072	1.3%
Total	112,531	100.00%	1,241,108	100.00%

*Source: U.S. Census Bureau, 2012 American Community Survey

Complaints Alleging Racial Profiling Filed in 2013

Dallas Police Department Internal Affairs Division

In 2013 Dallas Police Department Officers responded to 595,903 calls for service and made 135,445 traffic stops.

Out of those 731,348 combined contacts, the Internal Affairs Division received ten (10) complaints alleging “Racial” or “Other” profiling. This is a frequency of complaints of .001%. Five (5) of those complaints resulted from discretionary traffic stops, one (1) complaint resulted from an investigation of drug sales, two (2) complaints resulted from a shoplifting investigation, one (1) complaint resulted from a pedestrian stop, and one (1) complaint resulted from the investigation of a minor traffic accident.

CONTROL NUMBER	RACE OF COMPLAINANT	RACE OF OFFICER(S)	ALLEGED VIOLATION	DISPOSITION OF THE CASE
CN2013-26*	Black	White	Racial Profiling	Unfounded
CN2013-29*	Other	Black	Racial Profiling	Not Sustained
CN2013-150*	Black	White/Hispanic	Racial Profiling	Not Sustained
CN2013-205*	Black	Hispanic	Racial Profiling	Unfounded
CN2013-213	Black	White/Hispanic	Racial Profiling	Unfounded
CN2013-233	Black	White/Hispanic	Racial Profiling	Unfounded
CN2013-334	Black	White	Racial Profiling	Unfounded
CN2013-369	Black	White	Racial Profiling	Unfounded
CN2013-383*	Hispanic	White	Racial Profiling	Current Investigation
CN2013-431	Black	Hispanic	Racial Profiling	Current Investigation

*Represents investigations that were not initiated as a result of a traffic stop

*CN2013-26 – Was the result of an investigation into possible drug sales

*CN2013-29 – Was the result of a shoplifting investigation

*CN2013-150 – Was the result of a pedestrian stop for Pedestrian in the Roadway

*CN2013-205 – Was the result of an officer working an off-duty job preventing shoplifting

*CN2013-383 – Was the result of a minor traffic accident investigation

UNFOUNDED -- The investigation determined that the act or acts complained of did not occur.

NOT SUSTAINED -- The investigation failed to disclose sufficient evidence to prove or disprove the allegation.

Current Investigation -- The investigation has not been completed, or is completed but not yet signed off by the Chain of Command.

2013

RACIAL PROFILING ANALYSIS



Prepared By:

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This report reflects motor vehicle stop activities of the Dallas Police Department for the calendar year 2013 as required by Article 2.132 of the Texas Code of Criminal Procedure.

Statistical Data on Racial Profiling

The following data was collected from January 1 – December 31, 2013. It summarizes the number of motor vehicle stops in which a citation was issued or an arrest made; the number of searches made during those stops; the number of consensual searches; and the number of custodial arrests resulting from those stops, as it relates to the race or ethnicity of the individuals detained. In addition, the analysis indicates whether or not the officer knew the race of the individual being stopped.

Officers are to record the race/ethnicity on stops in which enforcement action is taken based on observation to the best of their ability, and not to rely solely on the Texas Driver License or Identification Card issued to the individual, which does not include the same race/ethnicity categories as defined in Art. 2.132 (a) (3). The policy of the Dallas Police Department is that officers will not ask a person for their race or ethnicity.

Race	Traffic Contacts		Searches From Contacts		Consensual Searches		Race Known Prior To Stop		Custody Arrests	
	Number	% of Total	Number	% of Total	Number	% of Total	Number	% of Total	Number	% of Total
White	31,273	27.8%	1,357	20.8%	400	21.0%	642	24.2%	821	21.0%
African American	39,489	35.1%	2,681	41.2%	805	42.2%	1,173	44.1%	1,674	42.7%
Hispanic	38,227	34.0%	2,393	36.8%	686	35.9%	814	30.6%	1,372	35.0%
Asian	1,424	1.3%	53	0.8%	11	0.6%	20	0.8%	38	1.0%
Native American	261	0.2%	2	0.0%	1	0.1%	5	0.2%	1	0.0%
Middle Eastern	387	0.3%	13	0.2%	1	0.1%	4	0.2%	12	0.3%
Other/Unk	1,470	1.3%	11	0.2%	5	0.3%	0	0.0%	0	0.0%
Total	112,531	100.0%	6,510	100.0%	1,909	100.0%	2,658	100.0%	3,918	100.0%

The overall number of traffic contacts decreased from 134,489 in 2012 to 112,531 in 2013. This also corresponds with the decrease of approximately 15% in the number of traffic mark-outs in 2013 compared to the previous year. While the total number of traffic contacts, searches from contacts, number of consensual searches, and traffic related custody arrests declined compared to the previous year, the percentage of traffic contacts by race remained relatively unchanged.

Mobile Video Recorder Program

The Dallas Police Department has been in the forefront of advocating the use of cameras for documentation of police/citizen contacts, and it remains our belief that only through this method will an accurate evaluation of issues relating to these contacts be possible. This philosophy has been entwined in the current legislation, which was collaboratively written by Senator Royce West and the Dallas Police Department.

The Dallas Police Department applied for and received audio/video equipment under Art. 2.137. As of 2013, audio/video cameras have been installed in one hundred percent of the nine hundred thirty-five (935) vehicles that routinely perform motor vehicle stops. The Department is thus exempted from "Tier Two" data collection and reporting requirements.

DVR Review Team

The Mission of the DVR Review Team (Digital Video Recorder) is to preserve the integrity of the Dallas Police Department through regular reviews of the content of police in-car digital video recordings to ensure compliance with Departmental rules and regulations, as well as local, state, and federal laws.

Regular reviews ensure departmental accountability by identifying conduct that might bring discredit to the Department, training opportunities for improvement, development of field operating procedures, and observances of commendable behavior.

Supervisors also conduct regular reviews of videos from officers under their command as required by TX77RSB1074; at a minimum, these reviews are to be conducted at least twice each year for all patrol officers assigned to them to

determine both exemplary and inappropriate behavior, as per General Order 328.03 D1.

DVR Team Reviews	
Reviewed 181 Evading Arrest offenses	181
Reports Generated	61
Commendations Recommended	11
Assist with DVR units	453

As of November 2013, consensual searches with no documentation or audio/video recording are no longer allowed. Officers are required to document all consensual searches that are conducted, even if no seizure or arrest is made.

Complaints Regarding Racial Profiling

The Dallas Police Department has established procedures for accepting complaints regarding Racial Profiling from citizens, and provides public education relating to the process for filing such complaints. Complaints regarding Racial Profiling are handled in accordance with Texas Government Code, Section 614.021-614.023, as interpreted by the City Attorney.

The following are the number of complaints alleging racial profiling for the past five years. All complaints in the previous years have been Unfounded or Not Sustained.

Year	Number of Complaints Related to Racial Profiling	Disposition
2009	28	Unfounded 28
2010	10	Unfounded 8 Not Sustained 2
2011	14	Unfounded 7 Not Sustained 7
2012	15	Unfounded 5 Not Sustained 10
2013	10	Unfounded 6 Not Sustained 2 Pending 2

UNFOUNDED -- the investigation determined that the act or acts complained of did not occur.

NOT SUSTAINED -- the investigation failed to disclose sufficient evidence to prove or disprove the allegation.

Conclusion

The Dallas Police Department is committed to providing all information required and complying with the Racial Profiling Law. The Department continues to take steps to ensure that it also complies with the intent of the law.

Based on the data, number of complaints, training, and philosophy of the Department, no evidence of a pattern of racial profiling by the members of the Dallas Police Department was found. The Department is in compliance with applicable Texas law on the collection of racial profiling data.