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**FORT BEND COUNTY    FY 2010**  
**COMMISSIONERS COURT AGENDA REQUEST FORM**  
 Return Completed Form by E-Mail to: Agenda Coordinator, County Judge's Office

Date Submitted: March 4, 2010

Submitted By: Milton Wright, Sheriff

Court Agenda Date: March 9, 2010

Department: Sheriff's Office

Phone Number: 281-341-4700

**SUMMARY OF ITEM:** Request Commissioners Court accept, as a matter of Record, the attached 2009 Racial Profiling Report.

RENEWAL AGREEMENT/APPOINTMENT YES NO X

REVIEWED BY COUNTY ATTORNEY'S OFFICE: YES NO X

List Supporting Documents Attached: 2009 Racial Profiling Report

**FINANCIAL SUMMARY:**

BUDGETED ITEM: YES X NO

FUNDNG SOURCE: Accounting Unit: Account Number:  
 Activity (If Applicable):

DESCRIPTION OF LAWSOM ACCOUNT:

**Instructions to submit Agenda Request Form:**

- Completely fill out agenda form: incomplete forms will not be processed.
- Agenda Request Forms should be submitted by e-mail, fax, or inter-office mail, and all back-up information must be provided by Wednesday at 2:00 p.m. to all those listed below.
- All original back-up must be received in the County Judge's Office by 2:00 p.m. on Wednesday.

**DISTRIBUTION:**

Original Form Submitted with back up to County Judge's Office X (✓ when completed)

If by E-Mail to [ospindon@co.fort-bend.tx.us](mailto:ospindon@co.fort-bend.tx.us)

If by Fax to (281) 341-8609

Distribute copies with back-up to all listed below. If by fax, send to numbers below:

X	Auditor	(281-341-3774)	X	Comm. Pct. 1	(281-342-0587)
X	Budget Officer	(281-344-3954)	X	Comm. Pct. 2	(281-403-8009)
X	Facilities/Planning	(281-633-7022)	X	Comm. Pct. 3	(281-242-9060)
X	Purchasing Agent	(281-341-8642)	X	Comm. Pct. 4	(281-980-9077)
X	Information Technology	(281-341-4526)	X	County Clerk	(281-341-8697)
<input type="checkbox"/>	Other:		X	County Atty	(281-341-4557)

**RECOMMENDATION / ACTION REQUESTED:**

Special Handling Requested (specify):



### Partial Exemption Racial Profiling Reporting (Tier 1)

<b>Department Name</b>	<u>Patrol</u>
<b>Agency Number</b>	<u>TX0790000</u>
<b>Chief Administrator Name</b>	<u>Sheriff Milton Wright</u>
<b>Reporting Name</b>	<u>Rhonda Rainey</u>
<b>Contact Number</b>	<u>281-341-8716</u>
<b>E-mail Address</b>	<u>raineyrh@co.fort-bend.tx.us</u>

#### Certification to Report 2.132 (Tier 1) – Partial Exemption

**Policy Requirements (2.132(b) CCP):**

**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.

These policies are in effect

Milton Wright  
Chief Administrator

2-23-10  
Date



**Partial Exemption Racial Profiling Reporting  
(Tier 1)**

**Video and Audio Equipment Exemption**

**Partial Exemption Claimed by (2.135(a) CCP):**

☒ all cars regularly used for motor vehicle stops are equipped with video camera and transmitter-activated equipment and each motor stop is recorded and the recording of the stop is retained for at least 90 days after the stop.

**OR**

☐ In accordance with 2.135(a)(2) the agency has requested and not received funds to install the recording equipment

I claim this exemption

Mark A. J. [Signature]  
Chief Administrator

2-3-10  
Date



### Partial Exemption Racial Profiling Reporting (Tier 1)

(This is the TCLEOSE recommended form. The form is not mandatory. The information contained in this form, however, is mandatory. You may use your form, but all information must be provided.)

**If you claim a partial exemption you must submit a report that contains the following data or use this format to report the data.**

**Instructions: Please fill out all boxes. If zero, use 0.**

1. Total on lines 4, 11, 14, and 17 Must be equal
2. Total on line 20 Must equal line 15

**Number of motor vehicle stops:**

Mark only 1 category per vehicle stop

1. <u>158852</u> citation only	
2. <u>763</u> arrest only	
3. <u>**</u> both **	This was not required data for 2009.
4. <u>59615</u> Total	

**Race or Ethnicity:**

5. <u>16143</u> African	
6. <u>6428</u> Asian	
7. <u>21337</u> Caucasian	
8. <u>15699</u> Hispanic	
9. <u>**</u> Middle Eastern	**This was not required data for 2009.
10. <u>8</u> Native American	
11. <u>59615</u> Total	

**Race or Ethnicity known prior to stop?**

12. <u>**</u> Yes	**This was not required data for 2009.
13. <u>**</u> No	
14. <u>0</u> Total	

**Search conducted?**

15. <u>4691</u> Yes	
16. <u>54924</u> No	
17. <u>59615</u> Total	

**Was search consented?**

18. <u>2673</u> Yes	
19. <u>2018</u> No	
20. <u>4691</u> Total Must equal #15	



**Partial Exemption Racial Profiling Reporting  
(Tier 1)**

**Option to submit required data by utilizing agency report**

**You must submit your report in PDF format**

**Electronic Submission of data required by 2.132(b)(6) CCP**

(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

This report meets the above  
requirements

*Matta Wright*  
Chief Administrator

*2-23-10*  
Date

***Send entire documents electronically to this website***

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**[www.tcleose.state.tx.us](http://www.tcleose.state.tx.us)**

AS PER ORIGINAL

**Fort Bend County Sheriff's Office**  
**Racial Profiling Statistical Report**  
 January 1, 2009 to December 31, 2009

**Table 1: Detention Disposition by Race**

Disposition	Asian/Pacific Islander	% of Race	% of Disposition	African	% of Race	% of Disposition
Arrested	28	0.4%	3.4%	245	1.5%	32.1%
Released	185	2.8%	8.1%	839	5.2%	27.5%
Cited	1187	18.2%	11.6%	2810	17.4%	28.0%
Warned (Written)	5050	78.6%	11.0%	12249	75.9%	28.8%
Total	6428	100.0%	10.8%	18143	100.0%	27.1%

Disposition	Hispanic	% of Race	% of Disposition	Caucasian	% of Race	% of Disposition
Arrested	281	1.8%	38.8%	211	1.0%	27.7%
Released	810	5.2%	26.5%	1217	5.7%	39.8%
Cited	3202	20.4%	32.0%	2839	13.3%	28.3%
Warned (Written)	11408	72.7%	24.9%	17070	80.0%	37.3%
Total	15699	100.0%	26.3%	21337	100.0%	36.8%

Disposition	Native American	% of Race	% of Disposition
Arrested	0	0.0%	0.0%
Released	0	0.0%	0.0%
Cited	1	12.5%	0.0%
Warned (Written)	7	87.5%	0.0%
Total	8	100.0%	0.0%

Disposition	Total %	Number
Arrested	1.3%	763
Released	5.1%	3061
Cited	18.8%	10019
Warned (Written)	78.6%	48782
Total	100.0%	69615

AS PER ORIGINAL

**Table 2: Search Status by Race**

SearchStatus	Asian	% of Race	% of Search	African	% of Race	% of Search
Consent Search	100	1.6%	3.7%	855	4.1%	24.5%
No Search	6240	97.1%	11.4%	14832	91.9%	27.0%
Probable Cause Search	88	1.4%	4.4%	656	4.1%	32.5%
	6428	100.0%	10.8%	16143	100.0%	27.1%
	Total	of Race	of all Detentions	Total	of Race	of all Detentions

SearchStatus	Hispanic	% of Race	% of Search	Caucasian	% of Race	% of Search
Consent Search	1247	7.9%	46.7%	871	3.1%	25.1%
No Search	13710	87.0%	25.0%	20134	24.4%	36.7%
Probable Cause Search	742	4.7%	38.8%	532	2.5%	28.4%
	15699	100.0%	26.3%	21337	100.0%	35.8%
	Total	of Race	of all Detentions	Total	of Race	of all Detentions

SearchStatus	Native American	% of Race	% of Search
Consent Search	0	0.0%	0.0%
No Search	8	100.0%	0.0%
Probable Cause Search	0	0.0%	0.0%
	8	100.0%	0.0%
	Total	of Race	of all Detentions

SearchStatus	Total %	Number
Consent Search	4.5%	2873
No Search	92.1%	64824
Probable Cause Search	3.4%	2018
	100.0%	69615

AS PER ORIGINAL

Table 3: Stop Reason and Disposition by Race

StopReason	StopDisposition	Asian	% of Race	% of Stop	African	% of Race	% of Stop
Hazardous Traffic	Arrested	6	0.1%	1.8%	103	0.6%	30.8%
Hazardous Traffic	Released	1	0.0%	2.3%	19	0.1%	44.2%
Hazardous Traffic	Cited	784	12.4%	14.0%	1348	8.4%	23.8%
Hazardous Traffic	Warned (Written)	3465	54.4%	11.7%	7127	44.1%	23.8%
Investigation	Arrested	3	0.0%	2.0%	27	0.2%	17.6%
Investigation	Released	179	2.8%	8.1%	801	5.0%	27.1%
Investigation	Cited	13	0.2%	10.2%	19	0.1%	15.0%
Investigation	Warned (Written)	5	0.1%	4.5%	24	0.1%	21.4%
Non-Hazardous Traffic	Arrested	17	0.3%	8.2%	115	0.7%	41.7%
Non-Hazardous Traffic	Released	5	0.1%	9.3%	19	0.1%	35.2%
Non-Hazardous Traffic	Cited	980	5.6%	8.5%	1443	8.9%	34.1%
Non-Hazardous Traffic	Warned (Written)	1550	24.1%	8.9%	5098	31.6%	32.5%
Total		6425	100.0%	10.8%	18143	100.0%	27.1%

StopReason	StopDisposition	Hispanic	% of Race	% of Stop	Caucasian	% of Race	% of Stop
Hazardous Traffic	Arrested	132	0.8%	39.5%	93	0.4%	27.8%
Hazardous Traffic	Released	11	0.1%	25.6%	12	0.1%	27.9%
Hazardous Traffic	Cited	1884	11.9%	32.9%	1659	7.6%	29.3%
Hazardous Traffic	Warned (Written)	7413	47.2%	24.7%	11826	55.9%	38.8%
Investigation	Arrested	62	0.4%	40.5%	61	0.3%	38.9%
Investigation	Released	782	5.0%	26.5%	1182	5.6%	40.4%
Investigation	Cited	41	0.3%	32.3%	54	0.3%	42.5%
Investigation	Warned (Written)	36	0.2%	32.1%	47	0.2%	42.0%
Non-Hazardous Traffic	Arrested	87	0.6%	31.5%	57	0.3%	20.7%
Non-Hazardous Traffic	Released	17	0.1%	31.5%	13	0.1%	24.1%
Non-Hazardous Traffic	Cited	1287	8.3%	30.7%	1128	5.3%	26.6%
Non-Hazardous Traffic	Warned (Written)	3857	25.2%	25.2%	5087	23.9%	32.5%
Total		18845	100.0%	26.3%	21837	100.0%	33.8%



AS PER ORIGINAL

Stop Reason	Stop Disposition	Native American	% of Race	% of Stop
Hazardous Traffic	Arrested	0	0.0%	0.0%
Hazardous Traffic	Released	0	0.0%	0.0%
Hazardous Traffic	Cited	1	12.5%	0.0%
Hazardous Traffic	Warned (Written)	4	50.0%	0.0%
Investigation	Arrested	0	0.0%	0.0%
Investigation	Released	0	0.0%	0.0%
Investigation	Cited	0	0.0%	0.0%
Investigation	Warned (Written)	0	0.0%	0.0%
Non-Hazardous Traffic	Arrested	0	0.0%	0.0%
Non-Hazardous Traffic	Released	0	0.0%	0.0%
Non-Hazardous Traffic	Cited	0	0.0%	0.0%
Non-Hazardous Traffic	Warned (Written)	3	37.5%	0.0%
Total		8	100.0%	0.0%

Stop Reason	Stop Disposition	Total %	Number
Hazardous Traffic	Arrested	0.6%	334
Hazardous Traffic	Released	0.1%	43
Hazardous Traffic	Cited	0.5%	698
Hazardous Traffic	Warned (Written)	50.3%	29965
Investigation	Arrested	0.3%	159
Investigation	Released	5.0%	2854
Investigation	Cited	0.2%	127
Investigation	Warned (Written)	0.2%	112
Non-Hazardous Traffic	Arrested	0.0%	278
Non-Hazardous Traffic	Released	0.1%	84
Non-Hazardous Traffic	Cited	7.1%	4226
Non-Hazardous Traffic	Warned (Written)	26.3%	18706
Total		100.0%	69516