

GEORGETOWN POLICE DEPARTMENT

2023

RACIAL PROFILING ANALYSIS



PREPARED BY:

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Introduction

Since the year 2001, the Georgetown Police Department, along with all other Texas law enforcement agencies, has collected data regarding stops of motor vehicles in order to analyze whether the agency has engaged in racial profiling contrary to Texas law. That data and analysis has been codified into a written report which is presented annually to the Georgetown City Council for review and possible discussion.

Recent legislative changes to the laws governing the collection and reporting of racial profiling data are worthy of note. Effective in 2018, agencies are now required to collect data regarding stops that result in a warning as well as citation and/or arrest, the location of the stop, the reason for the stop, and whether or not force resulting in bodily injury was used during the stop. With the exception of the force question, the Georgetown Police Department has historically collected and reported this data already.

In 2023, the Georgetown Police Department did not use force resulting in bodily injury during any traffic stops.

This report is an analysis of the Georgetown Police Department's policies, training, and statistical information on racial profiling for the year 2023. This report complies with Article 2.132 of the Texas Code of Criminal Procedure.

The report is divided into relevant sections. The first section covers the applicable statutes and laws governing racial profiling to set forth the framework in which data is collected, analyzed, and reported. The second section covers the Georgetown Police Department's policy as it relates to racial profiling. The third section addresses the training of Georgetown Police Department officers on topics relating to racial profiling and cultural diversity. The fourth section concerns itself with the Georgetown Police Department's public education measures to ensure that the public is aware of our commitment to not engage in racial profiling and what to do if they feel that they have been a victim of racial profiling. The final section of the report contains the data collected for year 2023 and an analysis of that data.

Racial Profiling Statutes and Laws

The applicable laws regarding the prohibition of racial profiling, collection of data, reporting, and training for peace officers is contained in the Texas Code of Criminal Procedure and the Texas Occupations Code. Those laws, with their most recent amendments, have been set forth below in their entirety.

Code of Criminal Procedure

Art. 3.05. RACIAL PROFILING.

In this code, "racial profiling" means a 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.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 2, eff. Sept. 1, 2001.

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 the following categories:

- (A) Alaska native or American Indian;
- (B) Asian or Pacific Islander;

- (C) black;
- (D) white; and
- (E) Hispanic or Latino.

(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 compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;
- (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 ticket, citation, or warning 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;
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section [1.07](#), Penal Code, during the stop;
 - (E) the location of the stop; and
 - (F) the reason for the stop; 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.

(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. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section [1701.651](#), Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras 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 Texas Commission on Law Enforcement 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.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

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

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 25, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. [686](#)), Sec. 2.05, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 173 (H.B. [3051](#)), Sec. 1, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.01, eff. September 1, 2017.

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;

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b) to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

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

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. 3389), Sec. 26, eff. September 1, 2009.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. 1849), Sec. 5.02, eff. September 1, 2017.

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 Texas Commission on Law Enforcement 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;

(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

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; 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 Texas Commission on Law Enforcement, 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 Texas Commission on Law Enforcement 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 (H.B. [3389](#)), Sec. 27, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. [686](#)), Sec. 2.06, eff. May 18, 2013.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.03, eff. September 1, 2017.

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 in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, 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 in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras. 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 in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras, 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 in law enforcement motor vehicles and

motorcycles or equipping peace officers with body worn cameras, 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 taken the necessary actions to use and is using video and audio equipment and body worn cameras for those purposes.

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

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.04, eff. September 1, 2017.

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 an amount not to exceed \$5,000 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 (H.B. [3389](#)), Sec. 29, eff. September 1, 2009.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 5.05, eff. September 1, 2017.

Occupations Code

Sec. 1701.253. SCHOOL CURRICULUM.

(a) The commission shall establish minimum curriculum requirements for preparatory and advanced courses and programs for schools subject to approval under Section [1701.251\(c\)\(1\)](#).

(b) In establishing requirements under this section, the commission shall require courses and programs to provide training in:

(1) the recognition, investigation, and documentation of cases that involve child abuse and neglect, family violence, and sexual assault, including the use of best practices and trauma-informed response techniques to effectively recognize, investigate, and document those cases;

(2) issues concerning sex offender characteristics; and

(3) crime victims' rights under Chapter [56A](#), Code of Criminal Procedure, and Chapter [57](#), Family Code, and the duty of law enforcement agencies to ensure that a victim is afforded those rights.

(b-1) The commission shall consult with the Sexual Assault Survivors' Task Force established under Section [772.0064](#), Government Code, regarding minimum curriculum requirements for training in the investigation and documentation of cases that involve sexual assault or other sex offenses.

(b-2) This subsection and Subsection (b-1) expire September 1, 2023.

(c) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on civil rights, racial sensitivity, and cultural diversity for persons licensed under this chapter.

(d) Training in documentation of cases required by Subsection (b) shall include instruction in:

(1) making a written account of the extent of injuries sustained by the victim of an alleged offense;

(2) recording by photograph or videotape the area in which an alleged offense occurred and the victim's injuries;

(3) recognizing and recording a victim's statement that may be admissible as evidence in a proceeding concerning the matter about which the statement was made; and

(4) recognizing and recording circumstances indicating that a victim may have been assaulted in the manner described by Section [22.01\(b\)\(2\)\(B\)](#), Penal Code.

(e) As part of the minimum curriculum requirements relating to the vehicle and traffic laws of this state, the commission shall require an education and training program on laws relating to the operation of motorcycles and to the wearing of protective headgear by motorcycle operators and passengers. In addition, the commission shall require education and training on motorcycle operator profiling awareness and sensitivity training.

(f) Training for officers and recruits in investigation of cases required by Subsection (b)(1)(B) shall include instruction in preventing dual arrest whenever possible and conducting a thorough investigation to determine which person is the predominant aggressor when allegations of family violence from two or more opposing persons are received arising from the same incident.

(g) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on asset forfeiture under Chapter [59](#), Code of Criminal Procedure, for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

(h) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

(i) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on identity theft under Section [32.51](#), Penal Code, for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

(j) As part of the minimum curriculum requirements, the commission shall require an officer to complete a 40-hour statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer may not satisfy the requirements of this subsection or Section [1701.402](#)(g) by taking an

online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(k) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program for officers licensed under this chapter that covers the laws of this state and of the United States pertaining to peace officers.

(l) As part of the minimum curriculum requirements, the commission shall require an officer licensed by the commission on or after January 1, 2016, to complete a canine encounter training program established by the commission under Section [1701.261](#). An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter unless the officer completes the program as part of the officer's basic training course.

(m) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on procedures for interacting with drivers who are deaf or hard of hearing, as defined by Section [81.001](#), Human Resources Code, including identifying specialty license plates issued to individuals who are deaf or hard of hearing under Section [504.204](#), Transportation Code. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

(n) As part of the minimum curriculum requirements, the commission shall require an officer to complete a statewide education and training program on de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury.

(o) As part of the minimum curriculum requirements, the commission shall require an officer to complete the civilian interaction training program developed under Section [1701.268](#). An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter unless the officer completes the program as part of the officer's basic training course.

(p) As part of the minimum curriculum requirements, the commission shall require an officer to complete the basic education and training program on the trafficking of persons developed under Section [1701.258\(a\)](#). An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter unless the officer completes the program as part of the officer's basic training course.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 657, Sec. 4, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 897, Sec. 1, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 929, Sec. 5, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 947, Sec. 4, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 1034, Sec. 14, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 1276, Sec. 14.007, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1326, Sec. 8, eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 393 (S.B. [1473](#)), Sec. 3, eff. September 1, 2005.

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 12, eff. September 1, 2009.

Acts 2015, 84th Leg., R.S., Ch. 31 (H.B. [593](#)), Sec. 1, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 642 (S.B. [1987](#)), Sec. 2, eff. January 1, 2016.

Acts 2017, 85th Leg., R.S., Ch. 324 (S.B. [1488](#)), Sec. 24.001(31), eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 513 (S.B. [30](#)), Sec. 5, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 4.02, eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 76 (S.B. [971](#)), Sec. 1, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 107 (S.B. [586](#)), Sec. 1, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 411 (H.B. [1590](#)), Sec. 4, eff. June 4, 2019.

Acts 2019, 86th Leg., R.S., Ch. 467 (H.B. [4170](#)), Sec. 21.001(38), eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 469 (H.B. [4173](#)), Sec. 2.57, eff. January 1, 2021.

Acts 2019, 86th Leg., R.S., Ch. 715 (H.B. [292](#)), Sec. 1, eff. September 1, 2019.

Sec. 1701.352. CONTINUING EDUCATION PROGRAMS.

(a) The commission shall recognize, prepare, or administer continuing education programs for officers and county jailers.

(b) The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

(1) topics selected by the agency; and

(2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:

(A) civil rights, racial sensitivity, and cultural diversity;

(B) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments;

(C) de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and

(D) unless determined by the agency head to be inconsistent with the officer's assigned duties:

(i) the recognition, documentation, and investigation of cases that involve child abuse or neglect, family violence, and sexual assault, including the use of best practices and trauma-informed techniques to effectively recognize, document, and investigate those cases; and

(ii) issues concerning sex offender characteristics.

(c) A course provided under Subsection (b) may use instructional materials developed by the agency or its trainers or by entities having training agreements with the commission in addition to materials included in curricula developed by the commission.

(d) A peace officer who is appointed or will be appointed to the officer's first supervisory position must receive in-service training on supervision as part of the course provided for the officer under Subsection (b) not earlier than the 12th month before the date of that appointment or later than the first anniversary of the date of that appointment.

(e) The commission may require a state, county, special district, or municipal agency that appoints or employs a reserve law enforcement officer, county jailer, or public security officer to provide each of those persons with education and training in civil rights, racial sensitivity, and cultural diversity at least once every 48 months.

(f) Training in documentation of cases required by Subsection (b) shall include instruction in:

(1) making a written account of the extent of injuries sustained by the victim of an alleged offense;

(2) recording by photograph or videotape the area in which an alleged offense occurred and the victim's injuries;

(3) recognizing and recording a victim's statement that may be admissible as evidence in a proceeding concerning the matter about which the statement was made; and

(4) recognizing and recording circumstances indicating that a victim may have been assaulted in the manner described by Section [22.01\(b\)\(2\)\(B\)](#), Penal Code.

(g) The training and education program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments under Subsection (b)(2)(B) may not be provided as an online course. The commission shall:

(1) determine best practices for interacting with persons with mental impairments, in consultation with the Bill Blackwood Law Enforcement Management Institute of Texas; and

(2) review the education and training program under Subsection (b)(2)(B) at least once every 24 months.

(h) The commission shall require a state, county, special district, or municipal agency that employs telecommunicators to provide each telecommunicator with 24 hours of crisis communications instruction approved by the commission. The instruction must be provided on or before the first anniversary of the telecommunicator's first day of employment.

(i) A state agency, county, special district, or municipality that appoints or employs a telecommunicator shall provide training to the telecommunicator of not less than 20 hours during each 24-month period of employment that includes:

(1) telecommunicator cardiopulmonary resuscitation as described by Section [1701.3071\(a-1\)](#); and

(2) other topics selected by the commission and the employing entity.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 1157, Sec. 2, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 16, eff. September 1, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 855 (H.B. [3823](#)), Sec. 8, eff. September 1, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 968 (H.B. [1951](#)), Sec. 8, eff. January 1, 2014.

Acts 2015, 84th Leg., R.S., Ch. 418 (H.B. [3211](#)), Sec. 1, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 4.04, eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 76 (S.B. [971](#)), Sec. 2, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 107 (S.B. [586](#)), Sec. 2, eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 15 (H.B. [786](#)), Sec. 2, eff. September 1, 2021.

Sec. 1701.402. PROFICIENCY CERTIFICATES.

(a) The commission shall issue certificates that recognize proficiency based on law enforcement training, education, and experience. For this purpose the commission shall use the employment records of the employing agency.

(b) As a requirement for a basic proficiency certificate, the commission shall require completion of local courses or programs of instruction on federal and state statutes that relate to employment issues affecting peace officers, telecommunicators, and county jailers, including:

- (1) civil service;
- (2) compensation, including overtime compensation, and vacation time;
- (3) personnel files and other employee records;
- (4) management-employee relations in law enforcement organizations;
- (5) work-related injuries;
- (6) complaints and investigations of employee misconduct; and
- (7) disciplinary actions and the appeal of disciplinary actions.

(c) An employing agency is responsible for providing the training required by this section.

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on asset forfeiture established by the commission under Section [1701.253\(g\)](#).

(e) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section [1701.253\(h\)](#).

(f) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on identity theft established by the commission under Section [1701.253\(i\)](#).

(g) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program described by Section [1701.253](#) regarding de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(h) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on investigative topics established by the commission under Section [1701.253\(b\)](#).

(i) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on civil rights, racial sensitivity, and cultural diversity established by the commission under Section [1701.253\(c\)](#).

(j) As a requirement for an intermediate or advanced proficiency certificate issued by the commission on or after January 1, 2011, an officer must complete the basic education and training program on the trafficking of persons described by Section [1701.258\(a\)](#).

(k) As a requirement for an intermediate or advanced proficiency certificate issued by the commission on or after January 1, 2015, an officer must complete an education and training program on missing and exploited children. The commission by rule shall establish the program. The program must:

(1) consist of at least four hours of training;

(2) include instruction on reporting an attempted child abduction to the missing children and missing persons information clearinghouse under Chapter [63](#), Code of Criminal Procedure;

(3) include instruction on responding to and investigating situations in which the Internet is used to commit crimes against children; and

(4) include a review of the substance of Chapters [20](#) and [43](#), Penal Code.

(l) As a requirement for an intermediate or advanced proficiency certificate issued by the commission on or after January 1, 2016, an officer must complete the canine encounter training program established by the commission under Section [1701.261](#).

(m) As a requirement for an intermediate or advanced proficiency certificate issued by the commission on or after January 1, 2016, an officer must complete an education and training program on the Texas Crime Information Center's child safety check alert list established by the commission under Section [1701.266](#).

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section [1701.253\(n\)](#).

(o) The commission shall adopt rules to allow an officer who has served in the military to receive credit toward meeting any training hours required for an intermediate, advanced, or master proficiency certificate based on that military service.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 929, Sec. 6, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 947, Sec. 5, eff. Sept.

1, 2001; Acts 2003, 78th Leg., ch. 1276, Sec. 14.008, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1326, Sec. 9, eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 393 (S.B. [1473](#)), Sec. 4, eff. September 1, 2005.

Acts 2009, 81st Leg., R.S., Ch. 1002 (H.B. [4009](#)), Sec. 6, eff. September 1, 2009.

Acts 2009, 81st Leg., R.S., Ch. 1172 (H.B. [3389](#)), Sec. 17, eff. September 1, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 91 (S.B. [1303](#)), Sec. 27.001(48), eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 855 (H.B. [3823](#)), Sec. 9, eff. September 1, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 571 (S.B. [742](#)), Sec. 9, eff. September 1, 2013.

Acts 2015, 84th Leg., R.S., Ch. 31 (H.B. [593](#)), Sec. 3, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1056 (H.B. [2053](#)), Sec. 8, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 324 (S.B. [1488](#)), Sec. 24.002(12), eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 950 (S.B. [1849](#)), Sec. 4.05, eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 222 (H.B. [971](#)), Sec. 1, eff. September 1, 2019.

Georgetown Police Department Policy on Racial Profiling

Article 2.132 of the Texas Code of Criminal Procedure requires that each law enforcement agency have a detailed written policy in regard to the topic of racial profiling. That policy must define racial profiling, prohibit the act of racial profiling, implement a complaint process, provide for public education, require corrective action if racial profiling occurs, require collection of data, and require the submission of an annual report.

The updated policy revised by the Georgetown Police Department in July 2020 fully complies with Article 2.132.

The policy is set forth below in its entirety.

401.1 PURPOSE AND SCOPE TPCA 2.01

This policy provides guidance to department members that affirms the Georgetown Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach and partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based profiling - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any other non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Tex. Code of Crim. Pro. art. 3.05).

401.2 POLICY

The Georgetown Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any known instances of racial- or bias-based policing to a supervisor. Members should, whenever reasonable to do so, intervene to prevent any biased-based actions by another member.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS

Any officer conducting an enforcement stop on any motor vehicle shall collect the following information relating to the stop (Tex. Code of Crim. Pro art. 2.132 (Tier One); Tex. Code of Crim. Pro. art. 2.133 (Tier Two)):

1. The location of the stop
2. The initial reason for the stop
3. The physical description of the driver, including:
 - a. The person's gender
 - b. The person's race or ethnicity as stated by the person or as best as can be determined by the officer
4. Whether the officer knew the race or ethnicity of the detained person before the stop
5. Whether the officer used physical force against the detained person, which resulted in bodily injury
6. Whether a citation or a warning was issued as a result of the stop
7. Whether an arrest was made and, if so, for what offense
8. Whether the officer conducted a search and, if so, whether the search was based on consent, probable cause or reasonable suspicion, incident to arrest, contraband or evidence in plain view, the result of towing the vehicle for evidence or safekeeping or any other reason
9. Whether any contraband or evidence was discovered and whether it was in plain view
10. A description of any contraband or evidence located

The above data shall be collected and completely and properly reported using the racial profiling module in the Records Management System or the Mobile Computing System.

401.5 SUPERVISOR RESPONSIBILITIES TPCA 2.01

Supervisors shall monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

1. Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner. Supervisors should document these discussions in the prescribed manner.
2. Supervisors of officers who record their public contacts either by MAV or ICVS shall review three (3) random recordings per officer each calendar quarter (3 months), to ensure compliance with racial profiling laws (Tex. Code Crim. Pro. art. 2.132(d)) and this policy.
 - a. Supervisors shall document these periodic reviews on the Monthly Inspection Report.
 - b. Recordings that capture a potential instance of bias-based profiling should be appropriately retained for administrative investigation purposes.
3. Supervisors shall initiate investigations of any actual or alleged violations of this policy.
4. Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning racial- or bias-based policing.

401.6 STATE REPORTING

The Chief of Police shall annually submit a report of the information required in Tex. Code of Crim. Pro. art 2.132 to the Texas Commission on Law Enforcement (TCOLE) and to each governing body served by the Department.

The Chief of Police shall also provide to TCOLE and each governing body served by the Department a report containing an analysis of the information required by Tex. Code of Crim. Pro. art 2.133. The report must be submitted by March 1 of each year (Tex. Code of Crim. Pro. art 2.134).

These reports may not include identifying information about any officer who made the contact or about any individual who was stopped or arrested (Tex. Code of Crim. Pro. art. 2.132; Tex. Code of Crim. Pro. art 2.134).

401.7 ADMINISTRATION

Each year, the Professional Standards Lieutenant shall review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information regarding any specific complaint, member of the public, or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service (Tex. Code of Crim. Pro. art 2.132).

Supervisors shall review the annual report submitted to TCOLE and the governing body and discuss the results with those they are assigned to supervise.

401.8 COMPLIMENTS AND COMPLAINTS

The Professional Standards Lieutenant is responsible for educating the public on the Department's compliment and complaint process (see Personnel Complaints Policy).

This education may be achieved by information provided through the Department website. This information shall include the telephone number, mailing address and e-mail address to make a compliment or complaint regarding a ticket, citation or warning issued by an officer.

In the event that an investigation is initiated against an officer for a violation of this policy, the Professional Standards Lieutenant should ensure that a copy of any related recording is provided as soon as practicable to the officer upon written request (Tex. Code of Crim. Pro. art. 2.132)

401.9 TRAINING

All sworn members of this department will complete all TCOLE-approved and required training on the subject of and bias-based policing.

Georgetown Police Department Training and Education on Racial Profiling

The Texas Occupations Code requires that all peace officers in the State of Texas receive a course of instruction on the topic of racial profiling. According to Section 1701.253 this training is to be received either before the second anniversary of licensure or application for the intermediate proficiency certificate, whichever date is earlier.

The Texas Occupations Code further requires that all peace officers receive training on racial diversity and cultural sensitivity.

Georgetown Police Department Complaint Process and Public Education on Racial Profiling

During the year of 2023, there were no racial profiling complaints related to motor vehicle stops.

Pursuant to the Texas Code of Criminal Procedure and Georgetown Police Department policy, the Department will provide public education on the filing of compliments and complaints, the department's stance on the practice of racial profiling, and how to file a racial profiling complaint. In the age of the Internet, the primary method for delivering this information will be the City of Georgetown Police Department website.

Data Analysis

Before contemplating a review of the data and attempting to analyze said data, some important caveats must be mentioned. Given the nature of the data collection required by law, it is nearly impossible to make an easy determination that racial profiling has occurred or not occurred within the Georgetown Police Department. The law dictates that law enforcement agencies in Texas compile aggregate level data. Using aggregate level data to make inferences regarding racial profiling by individual officers is not methodologically sound. This error is referred to as the “ecological fallacy”. The fallacy assumes that individual members of a group have the average characteristics of the group.

The law currently does not require the presentation of individual officer data in the annual report and prohibits the naming of individual officers. It should be noted that this does not affect the ability of the Georgetown Police Department to review individual officer data if the need arises.

A proper analysis is further hampered by the census treatment of Hispanics versus the racial profiling law’s treatment of Hispanics. The 2020 census properly separates race and ethnicity as two distinct categories. An individual can be of Hispanic ethnicity but belong to different races such as white or black. The racial profiling law does not differentiate between race and ethnicity and has Hispanics classified as if they are a distinct race. Officers are required to make subjective determinations regarding someone’s race and ethnicity. The State of Texas does not provide this information objectively within the driver’s license and identification card system.

Selecting an appropriate population base rate measure is also problematic. One of the most common choices used by law enforcement agencies is the data compiled by the United States Census Bureau. In addition to the race versus ethnicity problem stated above, as each year passes, the census data becomes less and less reliable due to population fluctuations.

Choosing which census data to use presents challenges for analysis. Part of the data collected involves whether the person stopped was a resident of the City of Georgetown. Beyond knowing that, only speculation is possible. If the answer is no, it is not known if the person is a resident of Williamson County, Texas, another state, or even another country. The City of Georgetown is bisected by IH 35 which runs from Mexico to Duluth, Minnesota. A significant portion of the Georgetown Police Department’s contacts can occur on IH 35 leaving non-resident origin open to many possibilities.

Finally, we record the gender and race/ethnicity of the vehicle drivers and that is the information reported herein. However, information regarding searches and stop dispositions relate to the entire vehicle and all its occupants. This has the potential for some data to be unintentionally misleading. For example, a black male driver may be stopped for a speeding infraction. If that vehicle had a white male passenger who was identified and discovered to have an arrest warrant, that stop would be cleared with a

search incident to arrest and a warrant arrest. The black male driver may have been released with a verbal warning for the speeding infraction. The racial profiling record will however reflect an arrest and search for a black male even though the actual arrest and search was of a white male because searches and dispositions apply to the vehicle and not just the driver. This will result in some level of data confidence issues as long as the law maintains its current structure.

Understanding the caveats listed above is crucial to fully understanding the data presented and its limitations.

Table 1 listed below details the racial/ethnic and gender breakdown of the sworn members of the Georgetown Police Department including the Chief and Assistant Chief.

	Demographics of Georgetown Police Sworn Personnel					
	Male	%	Female	%	Total	Total %
White	73	70.87%	13	12.62%	86	83.50%
Black	4	3.88%	0	0.00%	4	3.88%
Hispanic/Latino	10	9.71%	0	0.00%	10	9.71%
Asian/Pacific Islander	2	1.94%	1	0.97%	3	2.91%
Alaska Native/American Indian	0	0.00%	0	0.00%	0	0.00%
Total	89	86.41%	14	13.59%	103	100.00%

33% of the new hires for sworn in 2023 have been either female and/or minority. The sworn supervisory ranks of the Georgetown Police Department are currently 18.5% female and/or minority.

In 2009, the racial profiling law was amended to require the collection of data about whether the officer knew the race/ethnicity of the driver before making the stop. This question addresses the issue of pre-stop racial profiling. As can be seen from the table below, in 97.75% of all contacts, the officer was not aware of the race/ethnicity prior to making the stop.

This is supported by the fact that many violations are moving violations where, due to distance, the decision to stop is made long before an officer is able to identify the driver. There are also a significant number of stops that occur at night where in many cases the officer cannot see the driver until the officer has contacted the driver at the window.

Based on the data collected, there is no evidence of pre-stop racial profiling in the Georgetown Police Department.

Was Race/Ethnicity Known Prior to Stop? (Total)			
Yes	%	No	%
198	2.25%	8,617	97.75%

Table 2

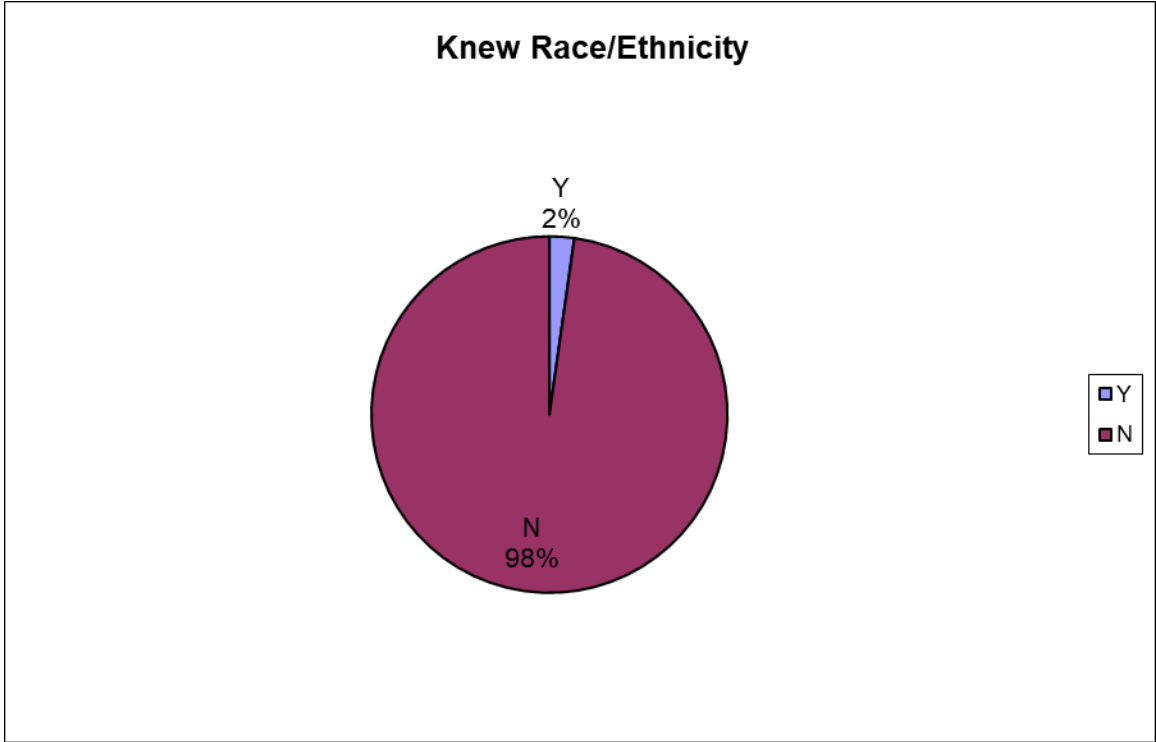


Chart 2

In reviewing 2020 census data for the City of Georgetown, Williamson County, and the State of Texas, males and females were equally represented. As can be seen from Table 3 males were stopped at a greater frequency than females. This holds true with all race/ethnicity groups.

Gender (Total)	
Male	Female
5,499	3,316

Table 3

Table 4 details the highest order of aggregate data for contacts by race/ethnicity of the Georgetown Police Department in 2023. This includes all types of contacts such as stops of motor vehicles, bicycles, pedestrians, and even golf carts. Even though it is no longer legally required to collect data on anything other than a motor vehicle stop, all records in the racial profiling system were included for completeness and transparency purposes. The table includes residents and non-residents alike.

	Stops by Race/Ethnicity	
	N	%
White	5,357	60.77%
Black	1,130	12.82%
Hispanic or Latino	2,005	22.75%
Asian or Pacific Islander	275	1.03%
Alaska Native or American Indian	48	0.54%

Table 4

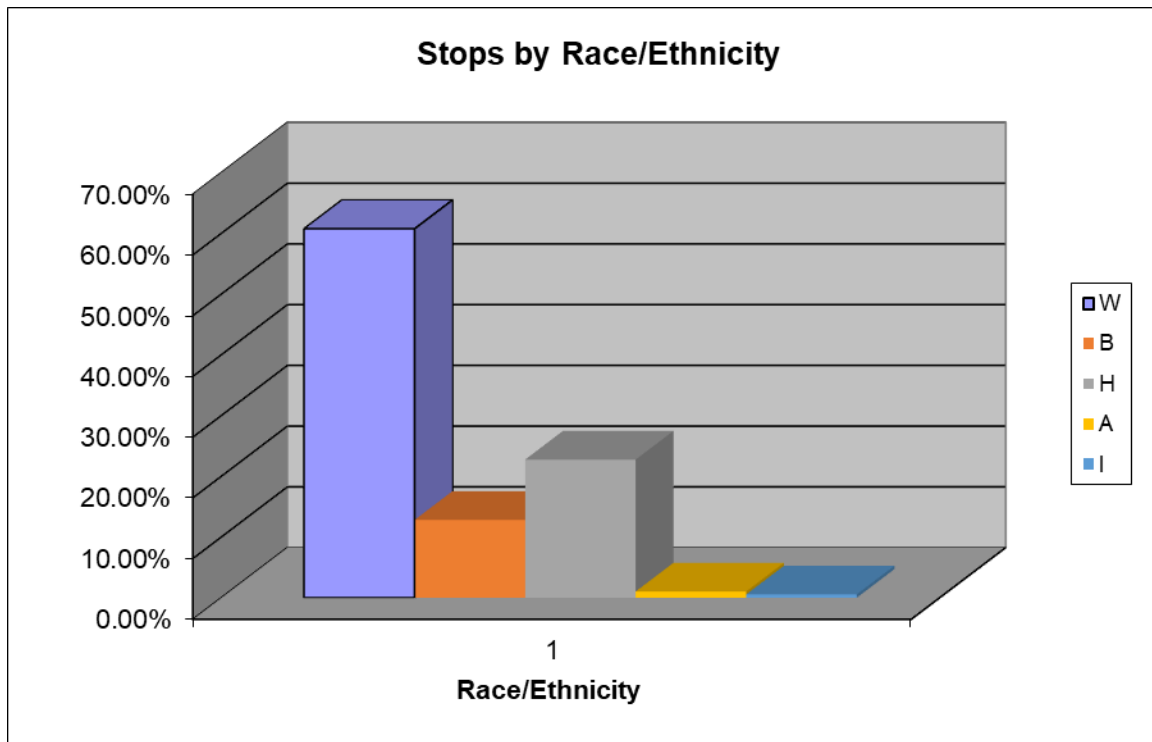


Chart 4

Chart 5 takes the data in Table 4 and begins to break it down by stop type. As is evident, the vast majority of all stops involve motor vehicles. The remaining percentage is divided between commercial vehicles, motorcycles, golf carts, bicycles, and pedestrians.

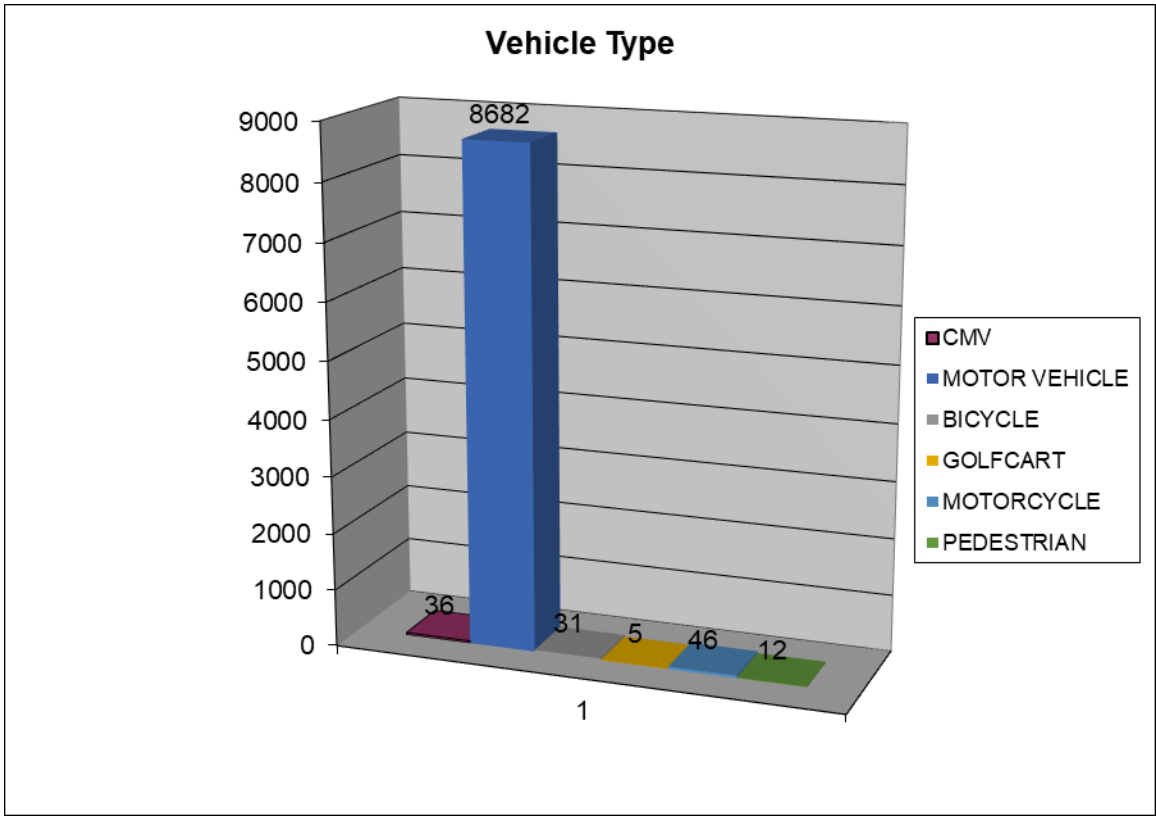


Chart 5

Census 2020 Population by Ethnicity (Georgetown)	
	%
Hispanic or Latino	21.8%
Non Hispanic or Latino	78.2%
Census 2020 Population by Ethnicity (Georgetown)	
	%
White	89.2%
African American	4.0%
Asian	0.9%
American Indian and Alaska Native	0.1%
Native Hawaiian and Pacific Islander	0.2%
Identified by two or more	3.2%

Table 6a

Census 2020 Population by Ethnicity (Williamson County)	
	%
Hispanic or Latino	24.8%
Non Hispanic or Latino	75.2%
Census 2020 Population by Ethnicity (Williamson County)	
	%
White	80.6%
African American	7.4%
Asian	8.0%
American Indian and Alaska Native	0.9%
Native Hawaiian and Pacific Islander	0.2%
Identified by two or more	2.9%

Table 6b

Census 2020 Population by Ethnicity (Texas)	
	%
Hispanic or Latino	39.7%
Non Hispanic or Latino	62.38%
Census 2020 Population by Ethnicity (Texas)	
	%
White	78.7%
African American	12.9%
Asian	5.2%
American Indian and Alaska Native	1.0%
Native Hawaiian and Pacific Islander	0.1%
Other	10.45%
Identified by two or more	2.1%

Table 6c

Table 7 details the reasons why persons were stopped and contacted by officers of the Georgetown Police Department. This table must be viewed in the context of Table 2 where it was stated that in 97.75% of the stops, the officer did not know the race/ethnicity of the driver. This is corroborated by Table 7 where the majority of stop reasons are for moving violations such as speeding, stop sign and red light violations, fail to signal violations, and others where it is not likely that the officer saw the driver before seeing the violation. The other category of traffic violation, Vehicle Traffic Violations, includes those violation that are considered non-moving violations such as equipment violations and expired registration violations.

Since Table 2 must be considered in context with Table 7, nothing can logically be inferred from the data presented. The percentages presented are fairly equal across all racial/ethnic boundaries.

	Stop Reasons							
	Violation of Law		Pre-Existing Knowledge		Moving Traffic Violation		Vehicle Traffic Violation	
	N	%	N	%	N	%	N	%
White	163	3.04%	17	0.32%	3,660	68.32%	1,517	28.32%
Black	49	4.34%	5	0.44%	705	62.39%	371	32.83%
Hispanic or Latino	83	4.14%	13	0.65%	1,178	58.75%	731	36.46%
Asian or Pacific Islander	8	2.91%	0	0.00%	202	73.45%	65	23.64%
Alaska Native or American Indian	5	10.42%	0	0.00%	25	52.08%	18	37.50%

Table 7

Table 8 details the dispositions of all stops by the Georgetown Police Department. The majority of stops are cleared with a warning. Blacks and Hispanics were arrested in greater percentages than Whites but that must be viewed in context with Table 9 which details the reasons for arrests. Warrant arrests, most drug violations, and subsequent suspended license offenses would generally be considered non-discretionary and therefore a mandatory arrest by the officer. The most common violations of the penal law

from traffic stops are DWI and drug violations. The most common violation of the traffic law from traffic stops where arrests are made is DWLI.

Hispanics were cited at a greater percentage than other ethnicities. This has historically been the case in years past as well. Hispanics tend to be cited at significantly higher rates than Whites and Blacks in the category of license violations. This is likely due to the presence of non-resident aliens who are operating vehicles without valid driver's licenses.

	Stop Dispositions									
	Warning		Citation		Warning and Arrest		Citation and Arrest		Arrest	
	N	%	N	%	N	%	N	%	N	%
White	3,994	74.56%	1,300	24.27%	0	0.00%	4	0.07%	59	1.10%
Black	882	78.05%	215	19.03%	0	0.00%	3	0.27%	30	2.65%
Hispanic or Latino	1,313	65.49%	652	32.52%	0	0.00%	8	0.40%	32	1.60%
Asian or Pacific Islander	202	73.45%	70	25.45%	0	0.00%	1	0.36%	2	0.73%
Alaska Native or American Indian	33	68.75%	15	31.25%	0	0.00%	0	0.00%	0	0.00%

Table 8

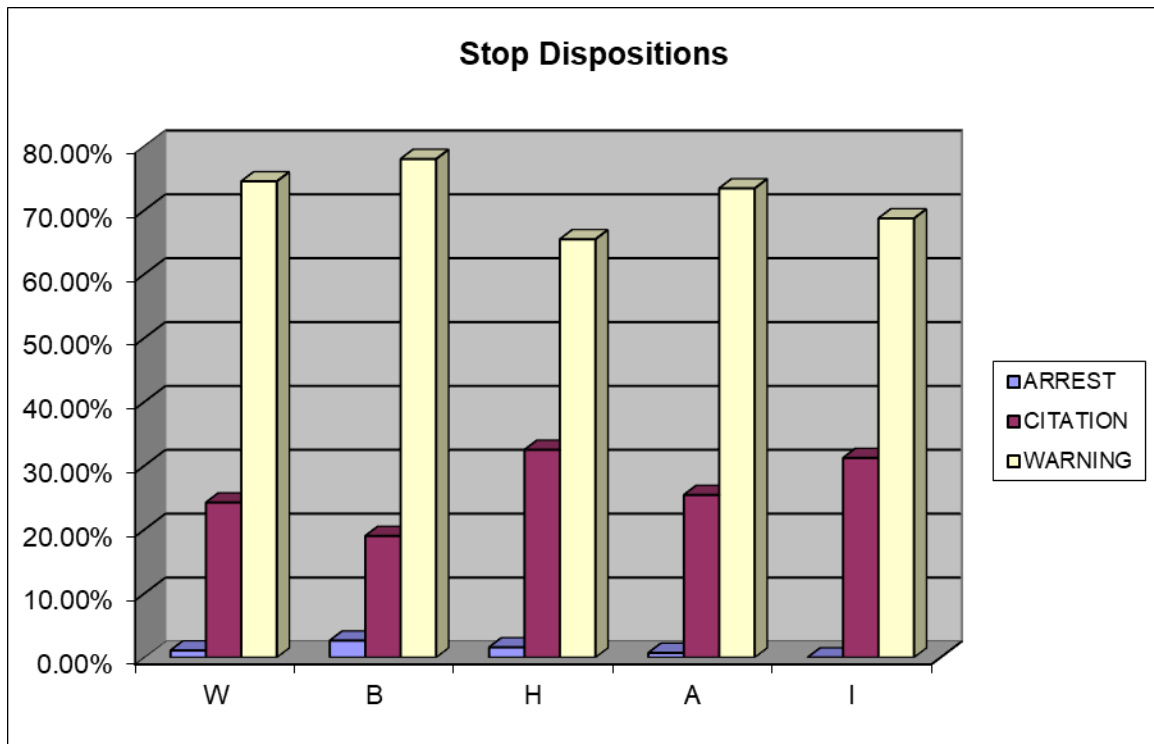


Chart 8

	Arrest Charges							
	Violation of Penal Law		Violation of Traffic Law		Violation of City Ordinance		Outstanding Warrant	
	N	%	N	%	N	%	N	%
White	34	53.97%	9	14.29%	0	0.00%	20	31.75%
Black	19	57.58%	6	18.18%	0	0.00%	8	24.24%
Hispanic or Latino	18	45.00%	1	2.50%	0	0.00%	21	52.50%
Asian or Pacific Islander	2	66.67%	0	0.00%	0	0.00%	1	33.33%
Alaska Native or American Indian	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!

Table 9

In addition to pre-stop profiling concerns, much of the racial profiling debate has revolved around the topic of searching. Searches are broken down between non-discretionary searches and discretionary searches. Non-discretionary searches are those searches where the circumstances dictate that an officer shall or should conduct a search. Searching someone after arresting them and before placing them in a secure facility such as a jail is an example of a mandatory type search. Seeing obvious contraband or smelling obvious contraband, marijuana for example, is another example where a search should be conducted.

Table 10a details the non-discretionary searches for the Georgetown Police Department for the year 2023. The percentages next to the number represents the percentage of the time that particular type of search was conducted when any searching was done. It is important to note that a stop may yield multiple types of searches. For example, if an officer stopped a vehicle, noticed marijuana laying on the seat, arrested the driver for the drug offense, and towed the vehicle that stop would involve 3 searches. It would involve a contraband in plain view search (a specific form of probable cause), a search incident to arrest of the driver, and an inventory of the vehicle before impoundment. It is also important to note that the State required that we list ONLY one of the searches. Because of that, only the primary reason that caused an officer to search is listed.

Non-Discretionary Searches (Numbers and Percentages)								
	Incident to Arrest		Plain View		Probable Cause		Inventory	
	N	%	N	%	N	%	N	%
White	9	9.28%	6	6.19%	36	37.11%	7	7.22%
Black	5	7.58%	5	7.58%	39	59.09%	5	7.58%
Hispanic or Latino	11	15.71%	3	4.29%	24	34.29%	5	7.14%
Asian or Pacific Islander	0	0.00%	0	0.00%	0	0.00%	2	66.67%
Alaska Native or American Indian	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!

Table 10a

The primary discretionary search and the one that generates the most debate is the consent search. This is a search where the officer, using their knowledge, experience, and intuition, has a set of facts and circumstances that do not rise to the level of reasonable suspicion or probable cause but give the officer enough suspicion that contraband may be present where the officer feels compelled to ask for consent to search a vehicle or person. Consent searches are often used in drug interdiction stops where drivers and passengers are giving defined verbal and physical cues that can be indicative of smuggling. It should be noted that there are no valid or accepted indicators that rely on race or ethnicity. Narcotics, money, and human smuggling is a criminal activity that crosses all racial/ethnic, socio-economic, and gender boundaries.

Table 10b details the consent searches of the Georgetown Police Department for the year 2023. Of the 8,815 profiling data records collected in 2023, less than 1% of those resulted in a consent search. The rates of consent searches varied from a low of 0.73% for Whites to a high of 1.35% for Hispanics.

It has been argued that a more important statistic than the overall percentage searched is what is called the hit rate percentage. The hit rate percentage is the percentage of consent searches in which some form of illegal contraband was located.

	Discretionary Searches (Consent)			
	N	Contraband Located	Percentage Searched	Hit Rate Percentage
White	39	9	0.73%	23.08%
Black	12	3	1.06%	25.00%
Hispanic or Latino	27	4	1.35%	14.81%
Asian or Pacific Islander	1	0	0.36%	0.00%
Alaska Native or American Indian	0	0	0.00%	#DIV/0!

Table 10b

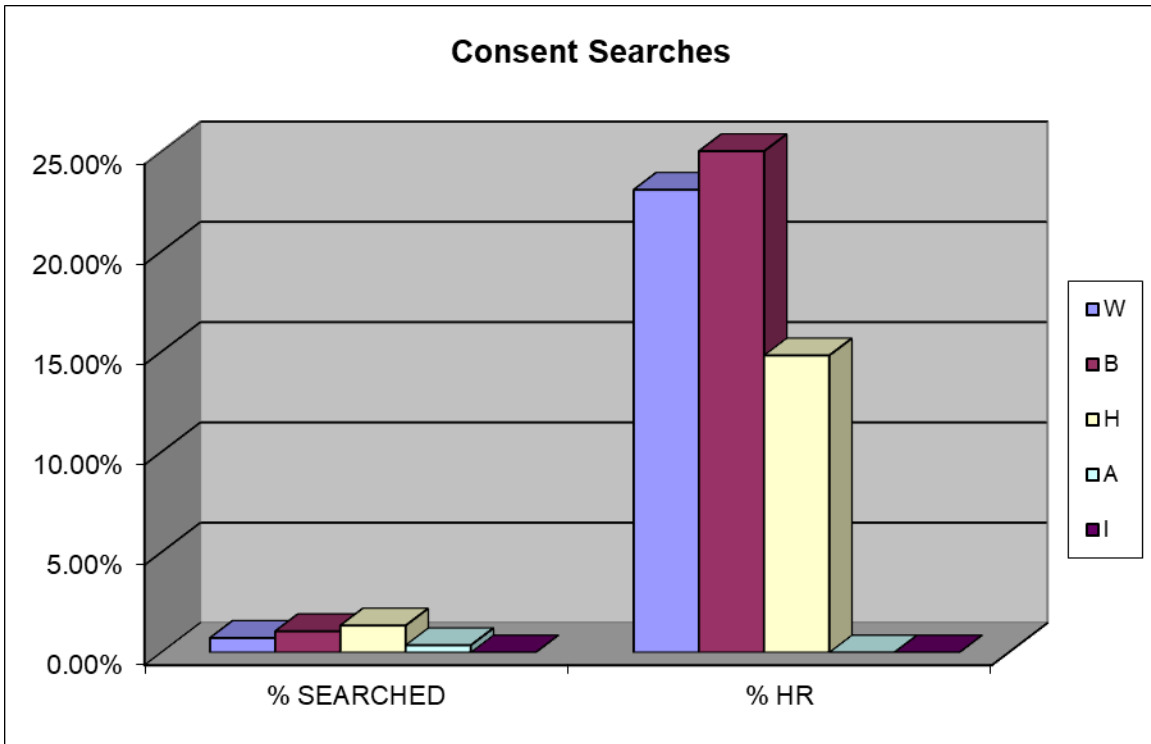


Chart 10

Table 10c lists the types of illegal contraband found during non-discretionary and discretionary searches by the Georgetown Police Department. Illegal drugs are the most prevalent item discovered when contraband is located during a search.

Contraband Located (Numbers and Percentages)												
	Drugs		Currency		Weapons		Alcohol		Stolen Property		Other	
	N	%	N	%	N	%	N	%	N	%	N	%
White	39	78.00%	0	0.00%	0	0.00%	6	12.00%	0	0.00%	5	10.00%
Black	28	71.79%	0	0.00%	2	5.13%	4	10.26%	1	2.56%	4	10.26%
Hispanic or Latino	20	71.43%	0	0.00%	2	7.14%	4	14.29%	1	3.57%	1	3.57%
Asian or Pacific Islander	1	100.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Alaska Native or American Indian	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!

Table 10c