

**STATE OF TEXAS
COUNTY OF TARRANT**

TARRANT COUNTY RACIAL PROFILING POLICY

WHEREAS, Senate Bill 1074 was recently passed by the Legislature of the State of Texas prohibiting a peace officer from engaging in racial profiling;

WHEREAS, Senate Bill 1074 requires that not later than January 1st, 2002, a law enforcement agency covered by the law must adopt and implement a policy and begin collecting information under the policy;

WHEREAS, the Tarrant County Sheriff and the Constables of Tarrant County are now adopting, before the Tarrant County Commissioners Court, a policy prohibiting racial profiling by their agencies;

NOW, THEREFORE, the Tarrant County Sheriff and the Constables of Tarrant County (hereinafter collectively referred to as "agencies") adopt the following policy:

Section 1.

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.

Section 2.

All peace officers employed by the agencies are strictly prohibited from engaging in racial profiling. All law enforcement-initiated actions, which include all investigative detentions, traffic stops, arrests, searches and seizures of persons and/or property shall be based on a standard of reasonable suspicion or probable cause as required by law. All peace officers of the agencies must be able to articulate specific facts, circumstances and conclusions, which support probable cause or reasonable suspicion for the investigative detention, traffic stop or arrest.

Section 3.

All peace officers employed by the agencies shall not consider an individual's race, ethnicity, or national origin in establishing either reasonable suspicion, probable cause or as a basis for requesting consent to search the individual or his or her property.

Section 4.

All peace officers employed by the Tarrant County Sheriff's Office must "check out" via radio on every vehicle or subject stop. At the conclusion of each stop, the peace officer will complete either a computerized or written form, capturing all data elements required to be obtained by law. This information will then be uploaded from the MDC to a computer database (if a computerized form) or manually inputted into a computer database (if a written form).

Section 5.

No peace officer employed by the agencies will conduct a search of a person or vehicle after peace officer-initiated contact without completing a written report detailing the search and the facts supporting it. In the event no offense or arrest report is appropriate, a Miscellaneous Incident report will be completed.

Section 6.

If an individual believes that a peace officer employed by any of the agencies has engaged in racial profiling with respect to the individual then the following complaint process shall govern:

- A. Sheriff: If an individual believes that a peace officer employed by the Sheriff's Office has engaged in racial profiling with respect to the individual then the individual must file a written complaint before the 180th day after the alleged violation with the Tarrant County Sheriff's Department Internal Affairs Division located at 200 Taylor Street, Fort Worth, Texas 76102.
- B. Constable: Refer to [Constable Contact Page](#)

Section 7.

The agencies will provide public education relating to the agencies complaint process via the Tarrant County web site located at www.tarrantcounty.com.

Section 8.

Appropriate corrective action will be taken against a peace officer employed by the agencies who, after an investigation, is shown to have engaged in racial profiling in violation of this policy.

Section 9.

The agencies will collect information as required by law relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

- A. The race or ethnicity of the individual detained; and
- B. Whether a search was conducted and, if so, whether the person detained consented to the search.

Section 10.

Each agency will submit to the Tarrant County Commissioners Court an annual report of the information collected pursuant to Section 9 above. Each agency shall first submit information to the Tarrant County Commissioners Court on March 1, each year. The first submission of information shall consist of information compiled by each agency during the period beginning January 1, each year, and ending December 31, each year. The report may not include identifying information about a peace officer who makes a traffic stop or about an individual who is stopped or arrested by a peace officer.

THIS POLICY is effective this the 18th day of December, 2001