



# An Evaluation of Harris County Traffic Stop Data in Compliance with the Sandra Bland Act

*July 20, 2021*

# June 9, 2020, Motion

Commissioners Court unanimously passed a motion, proposed by Commissioner Garcia, for “the Justice Administration Department to analyze existing racial profiling data produced by law enforcement”  
(Supplemental Item 18, June 9<sup>th</sup>, 2020).

How the request aligns to County and Departmental Goals:

**County:** Justice and Safety

**Justice Administration Department:** (1) Reduce Racial and Ethnic Disparities, (2) Increase Transparency, Accountability, Public Trust, and Confidence, (3) Improve the Effectiveness of Policies, Services, and Operations County-Wide, and (4) Minimize Criminal Justice System Exposure and Reduce Reliance on Incarceration

# TCOLE Data and Key Limitations

- JAD acquired the data used for this analysis from the “racial profiling reports” TCOLE makes publicly available each year
  - Data in this report is from the May 26, 2021, update.
- **Limitations**
  - The data only includes summary data, not incident level data.
  - Until this year, TCOLE did not require disaggregated data.
  - JAD cannot use population demographics to compare stop rates to population demographics.
  - Some traffic stop characteristics are rare occurrences.
  - Results only indicate a difference between Departments.

## Racial Profiling Reports

### Law Enforcement Agency Requirements

**PLEASE NOTE:** The Reporting for the 2020 RACIAL PROFILING REPORT is currently CLOSED. Reporting for the 2021 racial profiling report will open January 1, 2022, and March 1, 2022, for traffic stops conducted in 2021. Some of the questions may have changed and will be mandatory for stops conducted beginning January 1, 2022. ([click here for a sample of the questions](#))

All agencies are **REQUIRED** to submit both the TCOLE fill form report and the Comparative Analysis report (unless filling EXEMPT)

Need help with your submission? [Click here for support](#)

Texas Occupations Code 1701.164 specifies that TCOLE collect incident-based data in accordance with the Code of Criminal Procedure Article 2.131 – 2.138 . Chief administrators of law enforcement agencies that meet the criteria must submit racial profiling reports to their governing body, as well as TCOLE.

**Each agency must file an annual online report** by selecting and completing the reporting option that applies to their particular situation. Reports are filed online through **TCLEDDS**. The reporting period for the **previous** year begins on January 1<sup>st</sup> and ends March 1<sup>st</sup>.

The Reporting options are:

1. **Exempt** - Agencies that do not routinely make motor vehicle stops should fill out the 1 page online exempt status form. The exempt status report contains agency general public contact information for questions about its racial profiling filing status. Some agencies are not required to file annual reports. A statistical analysis is not required on EXEMPT STATUS.
2. **Full Reporting** - Agencies that routinely perform traffic stops or motor vehicle stops must file by online report. **The online report requires the completion of agency general public contact information and requires completion of both:**
  - A. An **online form** about the numbers of motor vehicles stops made and
  - B. **uploading a separate PDF comparative analysis document containing a statistical analysis of its motor vehicle stops compared to the gender and ethnic population of the agency's reporting area**. The second document must also contain a statement as to if racial profiling complaints were made against the agency and if so, a listing of all racial profiling complaints and the corresponding resolutions. [Click here for more information](#)

Please be advised that failure to submit the required report within the designated reporting period may result in license action against the chief administrator and/or civil penalties against the agency under **CCP 2.134(g)** and **2.1385(a)**, respectively.

For questions, please contact your agencies Field Service Agent. [Click here to find your FSA](#)

# Report Methodology

Data Source: Texas Commission on Law Enforcement's Racial Profiling Reports (2020)

## Analytical Method:

- JAD examined the rates at which specific racial and ethnic groups experienced traffic stop outcomes, as a percentage of all traffic stops.
  - For more specific events, such as searches, JAD examined the rate at which a racial or ethnic group experienced an event (consent search) as a percentage of the racial or ethnic group's representation in all possible events (searches).

$$\left( \frac{\text{Total Number of Hispanic Drivers Stopped}}{\text{Total Number of Drivers Stopped}} \right) \times 100 \quad \left( \frac{\text{Total Number of Consent Searches on White Drivers}}{\text{Total Number of Searches on White Drivers}} \right) \times 100$$

- JAD used an equality of proportions test to identify if disparities are statistically significant. This test identifies that the proportions between departments are equivalent and statistical significance indicates that they are not equivalent.

# Key Findings from Traffic Stop Data

- Overall, JAD did not find many noteworthy racial disparities among most variable comparisons
  - Ex. Consent Searches, Search Rates, Contraband Discovery
- **Traffic Citations**
  - Hispanic Drivers overrepresented in traffic citations in 2/3rds of Departments.

**TO VIOLATOR:** For information to help you decide how to take care of your traffic citation, see the NOTICE TO VIOLATOR given to you by the officer.

## Harris County Justices of the Peace

|   |              |   |              |
|---|--------------|---|--------------|
| <input type="checkbox"/> PCT 1 PLC 1 7300 N Shepherd, Houston TX 77091            | 713-274-0695 | <input type="checkbox"/> PCT 1 PLC 2 1302 Preston St, Ste 203, Houston TX 77002 | 713-274-0600 |
| <input type="checkbox"/> PCT 2 PLC 1 10851 Scarsdale, Ste 500, Houston TX 77089   | 281-481-9630 | <input type="checkbox"/> PCT 2 PLC 2 101 S Richey #B, Pasadena TX 77506         | 713-274-6104 |
| <input type="checkbox"/> PCT 3 PLC 1 14350 Wallisville Rd, Houston TX 77049       | 713-450-2409 | <input type="checkbox"/> PCT 3 PLC 2 701 W Baker Rd, Baytown TX 77521           | 281-427-7449 |
| <input type="checkbox"/> PCT 4 PLC 1 6831 Cypresswood Dr, Spring TX 77379         | 713-274-6550 | <input type="checkbox"/> PCT 4 PLC 2 7900 Will Clayton Pkwy, Humble TX 77338    | 281-446-7191 |
| <input type="checkbox"/> PCT 5 PLC 1 6000 Chimney Rock, Ste 102, Houston TX 77081 | 713-661-2276 | <input type="checkbox"/> PCT 5 PLC 2 16715 Clay Rd, Ste 4, Houston TX 77084     | 713-274-0800 |
| <input type="checkbox"/> PCT 6 PLC 1 333 Lockwood, Houston TX 77011               | 713-274-3985 | <input type="checkbox"/> PCT 6 PLC 2 1001 Macario Garcia, Houston, TX 77091     | 713-921-6141 |
| <input type="checkbox"/> PCT 7 PLC 1 5737 Cullen, Houston TX 77021                | 713-747-3553 | <input type="checkbox"/> PCT 7 PLC 2 5300 Griggs Rd 2nd, Houston TX 77021       | 713-274-0700 |
| <input type="checkbox"/> PCT 8 PLC 1 7330 Spencer Hwy, Pasadena TX 77505          | 281-479-6900 | <input type="checkbox"/> PCT 8 PLC 2 16603 Buccaneer, Houston TX 77062          | 281-488-8780 |

If you fail to appear in court as provided by law for the prosecution of the offense for which you are being cited, or if you fail to pay or to satisfy a judgment ordering the payment of a fine and the cost in the manner ordered by the court, you may be denied renewal of your driver's license.

You may be able to require that this charge be dismissed by taking a driving safety course. However, you will lose that right if you do not provide a written notice to the court on or before your appearance date of your desire to do so.

A second or subsequent conviction of an offense under the Texas Motor Vehicle Safety Responsibility Act will result in the suspension of your driver's license and motor vehicle registration unless you file and maintain proof of financial responsibility with the Department of Public Safety for two years from the date of the convictions. The Department may waive the requirement to file proof of financial responsibility if you file satisfactory evidence with the Department showing that at the time this citation was issued, the vehicle was covered by a liability insurance policy or that you were otherwise exempt from the requirements to provide evidence of financial responsibility.

In the event you are convicted and are unable to pay the full amount of any fine or costs assessed, tell the Court. The judge can provide you with alternatives to full payment if you are determined to have insufficient resources or income. For more information, consult an attorney or visit [www.jp.hctx.net](http://www.jp.hctx.net).

**If you are convicted of a misdemeanor offense involving violence where you are or were a spouse, intimate partner, parent, or guardian of the victim or are or were involved in another, similar relationship with the victim, it may be unlawful for you to possess or purchase a firearm, including a handgun or long gun, or ammunition, pursuant to federal law under 18 U.S.C. Section 922(g)(9) or Section 46.04(b), Texas Penal Code. If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.**

For compliments or complaints, please contact the Harris County Sheriff's Office at Attn: IAD, 1200 Baker Street, Houston, Texas 77002, 713-274-5003, or [http://www.harriscountysos.org/AboutUs/ContactUs/File\\_a\\_Commendation.aspx](http://www.harriscountysos.org/AboutUs/ContactUs/File_a_Commendation.aspx) or [http://www.harriscountysos.org/AboutUs/ContactUs/Online\\_Complaint](http://www.harriscountysos.org/AboutUs/ContactUs/Online_Complaint).

# Key Findings from Traffic Stop Data, Contd.

## • **Use-of-Force Incidents\***

- Black Drivers are overrepresented in use-of-force situations in 62.5% (5 of 8) of all Departments.
- White Drivers are overrepresented in use-of-force situations in 37.5% (3 of 8) of all Departments.

## • **Racial Profiling Complaints.**


- However, most departments do not have online submission forms and/or forms in multiple languages.

\*Constable Precinct Two did not report use-of-force incidents to TCOLE due to data accessibility issues.

# Recommendations: Public Education

- **Public Education**

- Harris County Law Enforcement Agencies should increase accessibility to complaint and commendation processes.
- Harris County should research the cost and implementation of an on-demand translation services for County Departments.



**SHERIFF ED GONZALEZ**

### Compliment and Complaint Procedures

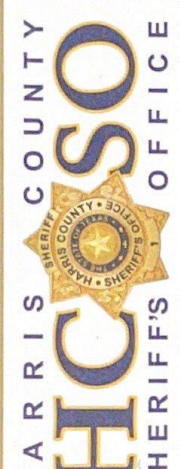
In accordance with Article 2.132 of the Texas Code of Criminal Procedure, referred as the Sandra Bland Act, the following information provides public education relating to the Harris County Sheriff's Office compliment and complaint process, including providing a telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer.

For compliments and complaints, please contact the Harris County Sheriff's Office Internal Affairs Division by:

|  |                              |  |
|--|------------------------------|--|
| <b>Visit:</b><br>IAD, 1200 Baker Street,<br>Houston, Texas 77002 | <b>Call:</b><br>713-274-5003 | <b>Websites:</b><br><a href="http://www.harriscountysoc.org/AboutUs/File_a_Commendation.aspx">http://www.harriscountysoc.org/AboutUs/File_a_Commendation.aspx</a><br>or<br><a href="http://www.harriscountysoc.org/AboutUs/ContactUs/Online_Complainant.aspx">http://www.harriscountysoc.org/AboutUs/ContactUs/Online_Complainant.aspx</a> |
|--|------------------------------|--|

General office hours: 8:00 a.m. - 5:00 p.m., Monday—Friday

|                      |                      |
|----------------------|----------------------|
| <b>Officer Name</b>  | <b>Unit #</b>        |
| <input type="text"/> | <input type="text"/> |



**ALGUACIL ED GONZALEZ**

### Procedimientos para Realizar Reconocimientos y Denuncias

De acuerdo con la cláusula 2.132 del Código de Procedimientos Penales de Texas, referida como la ley de Sandra Bland, la siguiente información proporciona educación pública relacionada con los Procedimientos para Realizar Reconocimientos y Denuncias de la Oficina del Alguacil del Condado de Harris, incluyendo el proporcionar un número telefónico, dirección de correo postal y dirección de correo electrónico, para realizar un reconocimiento o una denuncia con respecto a multas, citatorios o llamadas de atención expedidas por un oficial.

Para reconocimientos y denuncias por favor comuníquese a:  
**La División de Asuntos Internos de la Oficina del Alguacil del Condado de Harris.**

|  |  |  |
|--|--|--|
| <b>Acudiendo a:</b><br>IAD, 1200 Baker Street,<br>Houston, Texas 77002 | <b>Llamando al número:</b><br>713-274-5003 | <b>Visitando el sitio web:</b><br><a href="http://www.harriscountysoc.org/AboutUs/File_a_Commendation.aspx">http://www.harriscountysoc.org/AboutUs/File_a_Commendation.aspx</a><br>o también:<br><a href="http://www.harriscountysoc.org/AboutUs/ContactUs/Online_Complainant.aspx">http://www.harriscountysoc.org/AboutUs/ContactUs/Online_Complainant.aspx</a> |
|--|--|--|

Horario General de Oficina: lunes a viernes de 8:00 a.m. a 5:00 p.m.

|                           |                            |
|---------------------------|----------------------------|
| <b>Nombre del Oficial</b> | <b>Número de la Unidad</b> |
| <input type="text"/>      | <input type="text"/>       |

# Recommendations: Improving Data

- To improve analysis, JAD would need additional data and incident-level data.
- **JAD suggests systemic improvements due to missing data.**
  - Harris County should update Superior to include more mandatory fields to reduce missing data.
  - Harris County should develop a county-wide submission platform for racial profiling reports that can perform analysis and identify missing data.

## Racial Profiling Report | Full report

Agency Name:  
Reporting Date:  
TCOLE Agency Number:  
Chief Administrator:  
Agency Contact Information:  
Phone:  
Email:  
Mailing Address:

This Agency filed a full report

- \_\_\_\_\_ has adopted a detailed written policy on racial profiling. Our policy:
- 1) clearly defines acts constituting racial profiling;
  - 2) strictly prohibits peace officers employed by the \_\_\_\_\_ from engaging in racial profiling;
  - 3) implements a process by which an individual may file a complaint with the \_\_\_\_\_ if the individual believes that a peace officer employed by the \_\_\_\_\_ has engaged in racial profiling with respect to the individual;
  - 4) provides public education relating to the agency's complaint process;
  - 5) requires appropriate corrective action to be taken against a peace officer employed by the \_\_\_\_\_ who, after an investigation, is shown to have engaged in racial profiling in violation of the \_\_\_\_\_ policy;
  - 6) requires collection of information relating to motor vehicle stops in which a warning or 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;



# JAD Next Steps

JAD would like Commissioners Court permission to work with relevant Harris County Departments and Committees, including Harris County Law Enforcement Agencies, Budget Management, and Universal Services, to assist Harris County Law Enforcement Agencies to implement and cover the costs derived from our recommendations.



Thank you!