



Balcones Heights Police Department

3300 Hillcrest Drive, Balcones Heights, Tx. 78201

210-735-6244 Phone / 210-735-4954 Fax

RACIAL PROFILING PROHIBITED

This policy establishes the Balcones Heights Police Department's requirements for compliance, reporting, and preventing racial profiling by police officers.

Definitions:

Racial Profiling:

"Racial Profiling" is the initiation of a Law enforcement action (such as a traffic or pedestrian stop, a detention, a search, issuance of a citation, or an arrest), based on an individual's race, ethnicity or national origin rather than the individual's behavior, information identifying the individual as having possibly engaged in criminal activity, or information that a person may be witness to possible criminal activity; or other lawful reasons for law enforcement action.

Acts Constituting Racial Profiling:

Acts of "Racial Profiling" include, but are not limited to, the following examples:

- a. Ticketing or citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the ticketed driver's race, ethnicity or national origin.
- b. Detaining the operator of a vehicle, based on the determination that a person of his race, ethnicity or national origin, is unlikely to own or possess the type of vehicle he is operating.
- c. Detaining an individual based on the determination that a person of his race, ethnicity or national origin does not belong in a specific part of town or place.

Policy:

Balcones Heights Police Officers shall not engage in racial profiling. Any and all police officer initiated acts, using racial or ethnic stereotypes as factors in selecting persons to be stopped, searched, or investigated, are prohibited.

Complaint/Corrective Action:

Balcones Heights Police Department shall accept complaints from any person who believes he/she has been the victim of racial profiling by a Balcones Heights Police officer.

All complaints of racial profiling against a Balcones Heights police officer shall be thoroughly investigated.

If a video and/or audio recording exists as evidence in a racial profiling investigation, the officer investigated shall be provided with a copy of the recording along with a copy of the complaint filed against him.

If a complaint of racial profiling is sustained against a Balcones Heights police officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.

Corrective/disciplinary action shall be administered in accordance with City policy and the current Collective Bargaining Agreement.



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Video and Audio Recording Equipment:

The City of Balcones Heights shall install video and audio recording equipment in each of its police vehicles regularly used to make traffic and/or pedestrian stops.

Recordings and Data Collection:

All Balcones Heights Police Officers, operating police vehicles capable of producing audio and video recordings, shall employ such recording equipment to document each and every officer initiated law enforcement action involving a vehicle and/or pedestrian stop.

All recordings made are the property of the Balcones Heights Police Department. All recordings must be retained for not less than ninety days, unless a complaint is filed, which requires the recording to be kept until the final disposition of the complaint and/or action filed.

Supervisory officers shall periodically review all recordings of vehicle and pedestrian stops.

Any Balcones Heights officer operating a police vehicle that is not equipped with audio and video recording equipment or if such equipment is inoperative, shall comply with the following reporting method "a".

Reporting:

- a. Each officer shall complete and submit a department approved Field Contact/Racial Profiling card for each vehicle and/or pedestrian stopped or detained.
- b. The chief of police, or his designee, shall submit all statistical reports to the City Council, as required by law.

Training:

All officers must comply with TCOLE mandated training on racial Profiling.

Public Awareness/Education:

Balcones Heights Police department shall post public notice on bulletin boards and public/civilian service areas to inform the public regarding the police department policy on racial profiling.

The City of Balcones Heights shall make public notification in a local newspaper, serving the City of Balcones Heights, as to the existence of the police department policy on "Racial Profiling."

The City of Balcones Heights shall include written notice, regarding the police department policy on racial profiling, on all Municipal Court summons provided to Balcones Heights Police Officers.

Attachments:

1. Balcones Heights Racial Profiling Complaint Form
2. Public Notice



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PUBLIC NOTICE

RACIAL PROFILING IS PROHIBITED

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Balcones Heights police officers shall not engage in "Racial Profiling". Any and all police officer initiated acts, using racial or ethnic stereotypes as factors in selecting persons to be stopped, searched, or investigated, are prohibited.

The Balcones Heights Police Department encourages any person who feels that he/she has been the victim of "Racial Profiling", by a Balcones Heights police officer, to bring the matter to the attention of the Balcones Heights Police Department and register the proper complaint.