

CREATE A UNIFORM, STANDARDIZED REPORTING FORMAT TO HELP LAW ENFORCEMENT AGENCIES COMPLY WITH TEXAS' RACIAL PROFILING LAW

ISSUE

Each year since S.B. 1074 passed, more and more agencies have been complying with the law's requirements to collect and report certain data elements.

- Of the 221 surveyed agencies who issued 3,000 or more citations in 2005, only 21 agencies (9.5%) did not report all required Tier 1 data elements (stop, search, and arrest data), down from 16% in 2004.
- The number of agencies that did not break out all required Tier 1 data elements by race dropped slightly from 21% in 2004 to 19.9% in 2005.

The majority of non-compliant agencies are failing to meet the law's requirements because **the law did not create a standardized reporting format** (like a template or chart) to assist agencies in their data collection and reporting processes, nor did it empower any state agency to do so through rulemaking. As a result, agencies continue to interpret the data collection and reporting provisions of the law differently. This, in addition to the lack of resources (like computers or copy machines) at many agencies, causes problems with non-comparable data in certain situations.

For instance, some agencies are collapsing different sets of data together (e.g., combining citation stops with arrest stops, or Anglo contacts with Latino contacts). Likewise, some agencies are still not reporting basic Tier 1 elements (e.g., the number of consent searches, or racial designations for each ticketed motorist). In addition, agencies are not referring to "contacts" or "citations" in a uniform manner (with some agencies using those terms interchangeably).

SOLUTION

To have a clearer understanding of what is happening at Texas traffic stops, data collection and reporting procedures must be streamlined. **Policy-makers should confront the problems posed by inadequate reporting procedures and provide agencies with a framework for consistent data submission** that will produce usable and cost-effective data analysis. Law enforcement agencies and taxpayers invest significant resources in data collection and deserve accurate data comparisons and analysis.

- Empowering a state agency through rulemaking to create a uniform system or template – with standardized definitions for data elements – would be the simplest and most precise way to coordinate data and allow for apples to apples comparisons, in turn making it more clear which agencies may need to make some improvements.
- A standardized reporting format will prevent agencies from submitting unnecessary information in their reports (like a history of their city or agency, personnel charts, or photos of their agency's vehicles) – which only wastes the agency's time and resources. Additionally, it will

prevent agencies from having to spend time re-compiling their data when the public determines that their initial report was not done correctly.

I have seen so many different variations of reporting racial profiling data. It is my hope that the state of Texas would take the initiative in developing a computer program that is uniform for every agency in the state.

– Chief Charles Barron, Alto Police Department

To help agencies understand their reporting requirements, TCJC created a chart in mid-2006 for agencies to use when compiling and reporting Tier 1 data; it drew from the best practices we have seen in reports from dozens of different agencies. We enclosed it with the open records requests we mailed to Texas' law enforcement agencies later that year. In response to our requests, 116 agencies submitted their information on the chart provided, and we received numerous calls from agencies thanking us for supplying them with a simple, easy to use format that clarifies the law's reporting requirements. This indicates that a uniform format would not only improve the data analysis process but also ease agencies' data reporting practices.

- Both agencies and the community benefit when data is sound, reliable, and uniform. Providing agencies with a standardized format can show that officers are acting *properly* – and can help counter allegations of racism. On the other hand, it can also provide data that assists police supervisors in making informed, internal policy changes to improve the way they protect the public and better ensure an ongoing, mutual relationship of confidence and community trust.