



Every law enforcement agency in Texas which makes routine traffic stops must collect and report on Tier 1 data.

Your law enforcement agency must also collect and report on Tier 2 data if:

- You do **not** have audio-visual (A/V) equipment in every motor vehicle regularly used to make traffic stops, or
- You did **not** apply for funding for A/V equipment for those vehicles from DPS between 2001 and 2003.

TIER 1 DATA includes the following information relating to **traffic stops in which a citation is issued or an arrest made:**

- the race or ethnicity of the individual detained (Caucasian, African American, Hispanic, Asian, Native American, or Other); and
- whether a search was conducted and, if so, whether the person detained consented to the search.

TIER 2 DATA includes the following information relating to **traffic and pedestrian stops:**

- a physical description of each person detained as a result of the stop, including the person's gender, and 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;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
- whether any contraband was discovered in the course of the search and the type of contraband discovered;
- whether probable cause to search existed and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.



Tier 2 reports must include compiled Tier 2 data, as well as an analysis of the data, including:

- a determination of the prevalence of racial profiling by departmental officers,
- an examination of the disposition of stops made, and
- information on each complaint filed with the department.

TIER 1 OR TIER 2 DATA REPORTS MUST BE SUBMITTED TO YOUR LOCAL GOVERNING BODY BY MARCH 1ST OF THE FOLLOWING CALENDAR YEAR.

Your law enforcement agency does NOT need to include any of the following in its annual calendar-year reports:

- a copy of the state racial profiling law
- TCLEOSE's racial profiling training curriculum
- a history of your town or county
- a history of your department
- personnel charts
- photos of your department's vehicles
- maps
- un-compiled, raw data

Also: Your law enforcement agency **ABSOLUTELY CANNOT INCLUDE** any identifying information about an officer who makes a stop or about an individual who is stopped or arrested by an officer.

You **MAY** want to include a copy of your racial profiling policy (just as a reference), but it is not required to be submitted to your governing body.