

# Racial Profiling Report

**Agency Name:** Ovilla Police Department

**Reporting Date:** Jan 1, 2020 - Dec 31, 2020

**TCOLE Agency Number:** 139209

**Chief Administrator:** Brian Windham

**Agency Contact Information:**

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**Mailing Address:** 105 S. Cockrell Hill, Ovilla, TX 75154

By submitting, the chief administrator affirms that the agency has a policy in place in accordance with Texas Code of Criminal Procedure §2.132, and that the policy:

- (1) clearly defines acts constituting racial profiling;
- (2) strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provides public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and email address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;
- (5) requires appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) requires collection of information relating to motor vehicle stops in which a ticket, citation, or warning 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;
  - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
  - (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
  - (E) the location of the stop; and
  - (F) the reason for the stop; and
- (7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
  - (A) the Texas Commission on Law Enforcement; and
  - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

**Executed by:** Brian Windham Chief of Police

**Date:** 01/06/2021

Agency Racial Profiling Information

Total stops: 1721

**1. Gender** (Must equal total number of stops) Total: 1721

CCP 2.133(b)(1)(a)

- a) Female: 634
- b) Male: 1087

**2. Race or ethnicity** (Must equal total number of stops) Total: 1721

CCP 2.132(a)(3), 2.132(b)(6)(A), 2.133(b)(1)(B)

- a) Black: 585
- b) Asian/Pacific Islander: 8
- c) White: 979
- d) Hispanic/Latino: 148
- e) Alaska Native/American Indian: 1

**3. Was race or ethnicity known prior to stop?** (Must equal total number of stops) Total: 1721

CCP 2.132(b)(6)(C)

- a) Yes: 3
- b) No: 1718

**4. Reason for stop?** (Must equal total number of stops) Total: 1721

CCP 2.132(b)(6)(F), 2.133(b)(2)

- a) Violation of law: 34
- b) Preexisting knowledge (i.e. warrant): 27
- c) Moving traffic violation: 1109
- d) Vehicle traffic violation (Equipment, Inspection or Registration): 551

**5. Street address or approx. location of stop** (Must equal total number of stops) Total: 1721

CCP 2.132(b)(6)(E), 2.133(b)(7)

- a) City street: 1528
- b) US highway: 0
- c) State highway: 2
- d) County road: 186
- e) Private property or other: 5

**6. Was a search conducted?** (Must equal total number of stops) Total: 1721

CCP 2.132(b)(6)(B), 2.133(b)(3)

- a) Yes: 89
- b) No: 1632

**7. Reason for Search?** (Must equal searches conducted - Line 6a) Total: 89

a) Consent:	18	CCP 2.132(b)(6)(B), 2.133(b)(3)
b) Contraband/evidence in plain sight:	4	CCP 2.133(b)(5)(A)
c) Probable cause or reasonable suspicion:	62	CCP 2.133(b)(5)(B)
d) Inventory search performed as a result of towing:	1	CCP 2.133(b)(5)(C)
e) Incident to arrest/warrant:	4	CCP 2.133(b)(5)(C)

**8. Was Contraband discovered?** (Must equal searches conducted - Line 6a) Total: 89  
 CCP 2.133(b)(4)

a) Yes:	54
b) No:	35

**9. Description of contraband** (Must equal number of contraband discovered - Line 8a) Total: 54  
 CCP 2.133(b)(4)

a) Illegal drugs/drug paraphernalia:	48
b) Currency:	0
c) Weapons:	2
d) Alcohol:	4
e) Property stolen:	0
f) Other:	0

**10. Result of the stop** (Must equal total number of stops) Total: 1721

a) Verbal warning:	1327	CCP 2.133(b)(8)
b) Written warning:	6	CCP 2.133(b)(8)
c) Citation:	365	CCP 2.133(b)(8)
d) Written warning and arrest:	0	
e) Citation and arrest:	1	
f) Arrest:	23	CCP 2.133(b)(6)

Arrest Total = 23

**11. Arrest based on** (Must equal line 10f) Total: 23  
 CCP 2.133(b)(6)

a) Violation of Penal Code:	14
b) Violation of Traffic Law:	0
c) Violation of City Ordinance:	0
d) Outstanding Warrant:	9

**12. Was physical force resulting in bodily injury used during stop?** Total: 1721  
 CCP 2.132(b)(6)(D), 2.133(b)(9) (Must equal total number of stops)

a) Yes:	0
b) No:	1721

OVILLA POLICE DEPARTMENT  
MEMO  
(Form 7.01-1)

Date: February 1, 2021

To: Ovilla Mayor and City Council

Fr: B. Windham, Chief of Police

Ref.: 2020 Racial Profiling

Cc: TCOLE

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According to the Texas Code of Criminal Article 2.134, the Ovilla Police Department is required to submit a report to the Commission and the municipal governing body concerning the following information:

- (1) a comparative analysis of the information compiled under Article 2.133 to:
  - (A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;
  - (B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and
  - (C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and
- (2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

According to the Texas Associations of Counties, the demographics for the counties of Dallas and Ellis are as follows:

Dallas

- White-66.7%
- African American-23.5%
- Hispanic-40.4% (Ethnicity)
- Asian/Pacific Islander-6.75%

- Alaska Native/Native American-1.1
- Multi-Racial-1.9

Ellis

- White-84.8%
- African American-11.3%
- Hispanic-26.5% (Ethnicity)
- Asian/Pacific Islander-.95%
- Alaska Native/Native American-.8%
- Multi-Racial-1.94%

Breakdown of stops, Total 1721 (Table 1)

- a) Black: 585
- b) Asian/Pacific Islander: 8
- c) White: 979
- d) Hispanic: 148
- e) Alaska Native/American Indian: 1

The breakdown of motor vehicle contacts as made by the Ovilla Police Department are found in Table 1. The table shows that out of the total stops, more contacts occurred with White individuals than any other. Further, it shows that White contacts were stopped at a rate of 56.9% for their subset while African American contacts were stopped at a rate of 34% and Hispanics at a rate of 8.6%. Asian/Pacific Islander contacts were stopped at a rate of .5% and Native Americans at a rate of .06%. According to the data, White individuals were stopped with more frequency than any others. That percentage however is less than their percentage of the overall population for Ellis County. The percentages are closer in line with those of Dallas County.

Table 2

	Alaska Native/ American Indian	Asian/ Pacific Islander	Black	Hispanic	White	Total:
Citations	0	2	120	17	226	365
Verbal Warnings	1	5	452	126	743	1327
Written Warnings	0	0	1	2	3	6
Searches	0	0	37	10	42	89
Arrests	0	1	12	3	7	23
Contraband	0	0	27	4	23	54

Table 2 concerns motor vehicle stop dispositions and motor vehicle searches. The department conducted 1721 stops and 89 searches of motor vehicles. Of the 365 citations issued, 62% were to White individuals, 33% to Black individuals, 4.7% to Hispanics, and .5% to Asian/Pacific Islanders. Of the arrests made from stops, 30% were White, 52% were Black, 7.7% were Hispanic and 4% were Asian/Pacific Islander. Those arrests could be a combination warrants and the result of searches. 47% of searches conducted were on White individuals with those searches resulting in contraband in 55% of the time. For Black individuals, 42% of searches were conducted resulting in 73% finding of contraband. 11% of searches were conducted on Hispanic individuals which resulted in a finding of contraband 40% of the time.

The Ovilla Police Department reports no complaints of racial profiling for the year 2020.

This report is respectfully submitted.

Brian Windham  
Chief of Police