



SCHOOL OF LAW

THE UNIVERSITY OF TEXAS AT AUSTIN

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June 17, 2004

President Larry R. Faulkner  
The University of Texas at Austin  
Campus Mail Code: G3400

Re: UTPD Oversight Committee

Dear President Faulkner:

Enclosed is the unanimous final report of the UTPD Oversight Committee. We hope it is responsive to your charge, and useful to you and the next Oversight Committee.

I wish to express my appreciation of the work of the other Committee members. Although our meetings were frequent and relatively lengthy I was most impressed by their faithful attendance and helpful participation in all aspects of our work. This report reflects their active discussion and many suggestions. On the basis of their performance on this task they are worthy of consideration for future committee service.

I also want to note the performance of Chief Van Slyke. Although originally appointed a member his resignation displayed a notable sensitivity to the possible perception that his membership might chill the discussion of his Department. Obviously he was an enormously important source of information and continued to attend meetings in that role. His sensitivity was again shown by his non-attendance at the meeting at which the content of the report was discussed.

Last, but scarcely least, I want to express our appreciation for the efforts of Ms. Ewald of your staff in providing administrative assistance. She was superbly helpful throughout the year.

Sincerely,

A handwritten signature in cursive script that reads "M. Michael Sharlot".

M. Michael Sharlot  
Wright C. Morrow Professor of Criminal Law

MMS/dml

cc: Committee members  
Chief Van Slyke  
Ms. Ewald

TO: President Larry R. Faulkner  
FROM: University of Texas Police Department Oversight Committee  
SUBJECT: Final Report  
DATE: June 10, 2004

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## **I. Background**

In March 2003, you convened a Task Force on Racial Respect and Fairness (hereinafter Task Force). One assignment given the Task Force was to review the relevant procedures of the University of Texas Police Department (hereinafter UTPD) and examine the cross cultural educational programs available to our officers. On April 7, 2003 Dr. Pat Clubb, Vice President for Employee and Campus Services, wrote you to urge the creation of an oversight committee for the purpose of providing faculty, staff and student involvement in matters directly related to the UTPD.

In your letter of July 24, 2003, creating this Committee you stated of policy: "In general, your charge is to serve as the principal institutional channel of communication between members of the University Community and The University of Texas at Austin Police Department." Although acknowledging that the specific work of the committee may vary from year to year, "the consistent task is to assure that the policies, practices, and operations of UTPD promote the security of the University Community effectively and in ways respectful of our constitutional rights and consistent with our academic values."

The Committee was asked to provide you with a report containing 1.) a summary of matters considered, and conclusions that may have been reached; and 2.) recommendations of issues for consideration by next year's Committee. This is that report unanimously approved by the Committee.

## **II. Summary**

Our first meeting was on September 3, 2003, and it was decided to seek input from the campus by sending e-mails on September 19<sup>th</sup> to the entire University Community describing the purpose of the Committee and requesting suggestions as to issues to be considered. Only 43 responses were received and all were acknowledged. Most messages were either positive or critical with respect to matters, such as parking policies, not under the direction of UTPD. About 15 were critical. Examples of the criticisms were that the police were not sufficiently helpful and that they should not carry side arms. Other criticisms concerned the Committee itself, *e.g.* it is a sham. *Appendix A* is a summary of the contents of the messages received. We met nine more times with each meeting continuing for 90 or more minutes. We received presentations on a wide variety of issues such as training both at the academy and in-service for appointed officers. We spoke with other University units which work in tandem with UTPD such as the Voices Against Violence Project. Ashton Cumberbatch, the Monitor of the Austin Police Department, informed us about how the city was dealing with citizen/police conflict and communication issues. We examined the UTPD complaint process and the literature associated

with filing a complaint. Roy Baldrige, Director of Police for The University of Texas System, discussed the relationship of campuses with the System. We had a presentation by UTPD Community Liaison Officers on Community Oriented Policing (hereinafter COPS) with its emphasis on increased communication with those served. We also examined the racial profiling law and statistics collected pursuant thereto comparing vehicular stops with the demographics of the University Community. *Appendix B* contains a complete list of our meetings, the persons who addressed us, and a general description of the agenda.

On the basis of the information gathered and our discussions, our most general conclusion, acknowledging our inevitably limited knowledge, is that there do not appear to be major problems in the relationship of the University Community and UTPD. This does not mean that there are not incidents of police-community interaction perceived by some as displaying insensitivity on the part of officers to the proper exercise of the authority with which they are entrusted. All or most Committee members are personally aware of, or have been told of, incidents which have generated claims of discrimination on the basis of race or ethnicity, or a failure to demonstrate an appreciation of special sensitivities associated with those characteristics or that of gender. These have involved students, faculty and visitors. However, consistent with our understanding of your charge that the Committee "is not intended as a substitute for the established means for handling formal grievances and complaints" no independent investigation of these claims was undertaken. However, we conclude that such charges seem to be infrequent and when they occur appear to be addressed by the UTPD and the responsible administrators with care and a commitment to minimizing their incidence, especially the incidence of apparent discrimination or insensitivity. In this connection, it is worthy of note that members of the Committee who have observed the operations of UTPD over time indicated their belief that the department's sensitivity to these issues has been improving.

We believe that this fortunate situation is in large measure attributable to two factors. First, it is obvious that the nature of our community is so very different from that of a major city such as Austin in terms of the problems that the Austin Police Department is required to address on a regular basis. Claims of excessive use of force is almost certainly the major source and measure of allegations of police brutality and of discrimination. Violent crime and confrontation requiring the use of force is, happily, very uncommon on campus and therefore a major source of police-community tension is minimized for UTPD. While one reads of this in the City of Austin, we are aware of exceedingly few such allegations against the UTPD. Of course, police misconduct also includes unnecessary or discriminatory stops and questioning, and perceived abusive behavior, including language. Given that the University is private property open to the public subject to limitations, stopping and questioning are very common forms of interaction for UTPD. It is also a matter of special concern to the Committee that is more directly addressed in § III.F., *infra*.

On the other hand, the population of the Community is so disproportionately young the UTPD may face special problems associated with the greater tendency of young adults to react adversely to authority. Moreover, the University's admirable commitment to achieve a student population more reflective of the makeup of Texas reinforces the need for the sensitivity training that is already a part of the U.T. System police academy program, and on-going training. In particular students drawn from traditionally underrepresented and marginalized groups in our

society, as well as those from some foreign countries, may carry with them direct or reported experiences of police abuse of authority. We all must accept as a fact that our nation, like most others, has a long history of such abuse and that this history, aggravated by recent manifestations, poses a pervasive problem of our society. Although current officers bear no special responsibility for this history, it will sometimes result in special sources of tension on both sides. Officers may perceive persons of color as posing special dangers and act too quickly to assert their authority. On the other side, persons of color may have special suspicion of police motives and sharper reactions to interactions. All of these complexities demand very special understanding, patience, self-control and sensitivity on the part of officers.

Secondly, the leadership of UTPD appears to be committed to the values that should guide the exercise of authority in an increasingly diverse academic community. As we explain below, this commitment is reflected in the processes of recruitment, training and supervision of the UTPD. We strongly believe UTPD deserves the appreciation and support of the Community as well as oversight designed to further the goals which are shared by both the Community and the UTPD.

However, we must continue to strive to find and develop lines of communication between UTPD and the University Community. In particular this enhanced communication must be pursued with our students. The Department must seek to convey its commitment to the values of enhanced cross-cultural understanding expressed by you in your recent reaction to the report of the Task Force on Racial Respect and Fairness. A high priority must be the correction of possible misconceptions about the role and values of the Department as demonstrated by the recruitment, training and behavior of our officers. In this regard, we believe that preserving and enhancing the COPS program is especially promising. However, as acknowledged in § III.E., *infra*, that poses budgetary issues that are beyond the charge and competence of the Committee.

We provide below relatively specific recommendations in each area of UTPD's operation. These are, of course, for your consideration, but, given their detail, designed with an eye to helping focus the work of the next Oversight Committee. The order of these recommendations is not an indication of their relative importance. Before turning to these, a suggestion is offered regarding the idea of an Oversight Committee. We strongly support your planned continuation of an Oversight Committee which may help the Department continue to pursue the goals recited in your letter of appointment to us, and serve as a forum for communication between the Department and the University Community. We also recommend that the members of the Committee be given staggered terms so as to achieve the advantages of continuity.

### **III. Areas of UTPD Operation: Comments, Data and Recommendations**

#### **A. Demographics of UTPD**

##### **1. Comment and Data**

Although we received no hard data on whether diversity of police personnel as to race/ethnicity/gender affects conduct, it is reasonable to believe it affects the

Community's perception and acceptance and appears to be a widely accepted goal. We are impressed by how closely the racial and ethnic makeup of UTPD approximates that of the relevant labor pool and that of the UT staff. See *Appendix C* attached. We are also favorably impressed by the fact that of the current 61 cadets, officers and supervisors, 36 have at least an undergraduate or graduate degree. Moreover, as of this writing approximately 7% of the officers and supervisors are part-time students at the University. The Committee did not discuss the size of the UTPD and has no comments on that subject, except, as expressed in § III.E., *infra*, as to the projected loss of Community Oriented Policing Officers.

The data we received, see *Appendix D*, comparing the size of the Force with that of other major public universities, suggests that these comparisons vary enormously by the denominator selected. UTPD's size is at the median, but below the mean, as a ratio to 1,000s of students. By contrast, it appears among the most highly staffed as a ratio to students resident on campus. Also, any judgment as to the adequacy of staffing is also a function of the scope of the services expected of each force. This, of course, raises issues of the allocation of financial resources among competing goods. It is specifically touched in § III.E.2.h., *infra*, in the context of the COPS program. Given budgetary concerns, this may not be an appropriate issue for consideration by the next Oversight Committee.

## 2. Recommendation

A continued commitment, expressed in a specific recruitment plan, designed to ensure having UTPD reflect the Community it serves.

### B. Recruitment

#### 1. Comment and Data

We were favorably impressed by the existing efforts to recruit at military bases such as Fort Hood and schools such as Huston-Tillotson with significant minority populations.

#### 2. Recommendations

- a. Continue to seek to recruit from military service personnel with honorable discharges
- b. Subject to financial constraints, identify Texas colleges with large and diverse student populations and well-established law enforcement majors, and seek to enlist the aid of faculty in those areas as well as career counselors in informing students of the opportunities to serve with UTPD, and UTS forces in general.
- c. Consider whether it is feasible to create a mechanism by which to evaluate the effectiveness of the recruitment plan.

d. Given that attrition is an important aspect of staffing, examine whether adequate information is being collected, as by exit interviews, from those who leave UTPD to try to determine whether there are common causes for early departure that may be minimized. Similarly, consider whether enough data is being collected on attrition between application and appointment to enable analysis of whether there are policies that create obstacles to success but are not crucial to achieving the goals of UTPD. If such obstacles were identified, the support of the System for their removal or modification should be sought.

e. Consider whether some selection criteria that bar, or are absolute prerequisites to, appointment are justified or might be subject to waiver. *E.g.*, should an alien permanent resident be eligible to serve, and is an age limit of 45 justified.

f. Consider career sponsorships with current UT students, INRoads minority intern program and display positions on International Association of Campus Law Enforcement Administrators web site.

## C. Training

### 1. Comment and Data

The Committee did not observe or study in depth the training provided cadets or appointed officers, and, as is suggested by the recommendations that follow, we suggest that this be a major focus of the next Committee, particularly with respect to inter-cultural training. The information we did receive indicates that the hours and content of the training program for new officers is largely dictated by State law and regulation. Moreover, the academy is operated by UT System rather than UTPD. It includes many hours devoted to enhancing knowledge of cultural differences and sensitivity in dealing with these. This is also emphasized with respect to in-service training. To the extent that implementation of any of the recommendations listed below requires the approval and action of UT System we urge the UT Administration to strongly support obtaining that approval.

### 2. Recommendations

a. Determine whether there are any suggestions made by recently-hired Austin Police Department consultants as to changes in training and the possible adoption of such for UTPD training

b. Similarly, determine if changes in training are suggested in the course of the UTPD accreditation process.

c. Use actual incidents of alleged police misconduct on campus as exercises during training. To ensure that any such exercises reflect the views of the actors on both sides of the encounter they should be jointly formulated by a trainer and a member of

the Task Force or a representative of another appropriate unit concerned with issues of diversity.

d. Strive to have a proportionate sample of the instructors and staff drawn from underrepresented groups and women. Consider the possible use of the Diversity Institute, and students in training. The opportunity for student participation might provide an attractive means for involving student leaders, particularly those of underrepresented groups, to cooperate with UTPD. The Multicultural Information Center may be helpful in identifying and preparing students for such participation.

e. Emphasize interactive rather than passive training techniques.

f. In connection with this, as well as other issues, the Oversight Committee should consult the U.T. Diversity Institute's Study "Community Relations and Cultural Awareness Assessment of UTPD."

#### D. Supervision: Processing Complaints

##### 1. Comment and Data

This was the subject of considerable discussion by the Committee, and concern was expressed as to how little information is provided complainants as to the disposition of complaints. The Committee was frequently told that there were severe legal or policy limits on the sharing of information regarding internal investigations and disposition. The Committee believes that a major goal should be to achieve the greatest level of transparency possible in the processing of complaints. It believes that this will help in the process of creating the respect that the UTPD can and should command within the Community it serves.

##### 2. Recommendations

a. Have the office of University Counsel determine whether the achievement of this goal of greater transparency can be achieved consistent with existing legal/policy restrictions and consult with next year's Oversight Committee as to Counsel's findings.

b. Consider a process of periodically—perhaps bi-annually—preparing press releases which would, without the release of the names of the officers or complainants involved, describe the nature of complaints received and their disposition.

c. The Oversight Committee should focus on whether, given how intimidating a reference to possible perjury may be, the complaint form and the process of filing a complaint could be made more user-friendly, consistent with legitimate concerns about the effect of false charges on an officer's career.

d. The Oversight Committee might review the issue of whether the tape recording, by audio and/or video-equipment, of interviews of complainants filing of complaints would be feasible and, if so, help to minimize any criticism of the process as involving undue skepticism on the part of the police.

## E. Community Policing

### 1. Comment and Data

The presentation by the Community Liaison Officers was among the most impressive and encouraging. Given this favorable impression and the strong endorsement of Community Oriented Policing by the Task Force, it must be recognized that the program exists by virtue of a Federal grant. That grant, which funds six COPS positions, is on a decreasing payout schedule and payment will cease in another two years. Therefore, we urge that the Committee take as a high priority an examination of whether, relative to other UTPD needs, replacement resources are available or can be found to continue the program.

### 2. Recommendations

- a. Recognizing the difficulty in competing with so many other demands on student time and interests, UTPD is urged to seek positive contact with student groups and their leaders with respect to the services and values of UTPD, with special emphasis on underrepresented student groups. This outreach should certainly include the leadership of student government and *The Daily Texan*. Among the best techniques would be presentations by the COPS officers.
- b. Invite these leaders to ride with police.
- c. Invite members of the Oversight Committee, as well as student leaders to ride and to observe training.
- d. It is hoped that UTPD will continue to have representatives participate in freshman events such as Camp Texas and Moovin.
- e. It would seem highly desirable that UTPD be assured it is a valued part of the Community. In this regard the President or Provost should seek an occasion such as the swearing-in of new officers or an awards ceremony to speak in praise of the Department and its importance.
- f. The Oversight Committee should ask the Multicultural Information Center for help in determining student attitudes towards the police and possible sources of negative views. Consider whether public service advertisements in *The Daily Texan* by the UTPD are worth the cost.

g. Officers should continue to be encouraged and supported through the staff education benefit program to pursue studies at UT. This is likely to enhance their sense of being part of the Community that they serve.

h. The Oversight Committee should examine whether a more regular police presence in major dormitories and/or other facilities could be achieved with the present human resources and, if not, whether its promise as a means of building understanding, trust and cooperation would justify the expense of expanding the force.

## F. Racial Profiling

### 1. Comment and Data

There is an elaborate body of state law prohibiting racial profiling by law enforcement and requiring the collection of statistics about certain common forms of police/civilian interactions. See *Appendix E*. The relevant data provided by UTPD concerned vehicle stops. It is to be found as *Appendix F*. It is reassuring in that it does not suggest racial profiling. Of course, the Committee is aware that in dealing with such statistics different conclusions may follow from the choice of appropriate denominators. That is, the number of such events to be compared with the demographics of the student population, of the entire University Community, of the resident community, of the population of the surrounding neighborhood, or the city, or the county, etc. However, no data was provided on pedestrian stops which appear to be a more significant source of complaint and resentment. We were told that the collection and analysis by race/ethnicity/gender would be very time-consuming.

### 2. Recommendations

a. Stopping and requesting identification of persons found in buildings open to the public is, we understand, done pursuant to the direction of the UT System Board of Regents. Nevertheless, this seems to be a significant source of tension. The Oversight Committee should determine whether the directives to UTPD about the procedures for these actions, and the limits on this exercise of authority, are sufficiently clear to the officers.

b. The Oversight Committee should seek further information on pedestrian stops. Although preparing a statistical analysis of the demographics of such stops may require the devotion of significant time, we believe it very important for both UTPD and for reassuring the University Community.

c. The Oversight Committee should consider whether it would be helpful and feasible to have notices posted in the locations where such interactions are most likely to occur advising of the possibility of being stopped and identification requested.

G. Policing Celebratory Rioting or Post-Game Violence

We did not address this issue but the experience on many other campuses suggests it is very worthy of the attention of the Oversight Committee. In this connection, it is clear that there is a strong correlation between police-civilian interaction and alcohol. The abuse of alcohol by the young is a problem beyond the specific charge (or competence) of this Committee but the next Committee might wish to seek guidance from UTPD and/or the experience of other schools as to whether there are actions that can make the incidence of such disturbances less likely, or minimize their severity.

Respectfully submitted,

**2003-2004 Police Oversight Committee**

Mr. Kyle J. Cavanaugh  
Associate Vice President  
Human Resource Services

Ms. Peggy N. Mueller  
Special Programs Officer  
General Libraries

Dr. Pat L. Clubb  
Vice President  
Employee & Campus Services

Mr. Gus Perez  
Junior, Biology (BS)  
(Option: Neurobiology)

Mr. Verick W. Cornett  
Junior, Finance

Professor Edward W. Odell  
Department of Mathematics

Mr. Luther W. Johnson  
Assistant Director  
Human Resource Services

Professor Alba A. Ortiz  
Department of Special Education

Ms. Katie A. King  
Law Student

Professor M. Michael Sharlot  
School of Law  
Chair, UTPD Oversight Committee

Ms. Linda H. Millstone  
Deputy to the Vice President  
Equal Opportunity Services

Cc: Chief Jeffrey M. Van Slyke  
Ms. Julie L. Ewald

## **APPENDIX A: Request for Input from the University Community**

On September 19, 2003, the Chair of the UTPD Oversight Committee, Professor M. Michael Sharlot, broadcast an e-mail to the University of Texas at Austin community. The committee's address and a U.S. Mail address were printed in the Daily Texan on the day the e-mail was sent. In the e-mail, Chairman Sharlot solicited comments regarding the policies, practices, and operations of the UTPD, and asked for suggestions of issues that the group should consider during the coming year. The messages were shared with all of the members of the committee and were forwarded to the appropriate departments for their review. Both Chief of Police Jeff Van Slyke and Director of Parking and Transportation Mr. Bob Harkins replied to all of the e-mails that were referred to them.

The 43 e-mails received by the committee included positive and negative comments, suggestions, and requests for additional information. Topics included:

- The committee - its membership and its significance
- UTPD - communications between UTPD and the public, the UTPD complaint process, whether or not officers should carry guns, welcomed assistance given by the officers, and enforcement of traffic laws for vehicles
- Security issues - campus security measures, need for more officers, educational outreach by UTPD
- Parking and Transportation - bicyclists, parking issues

## APPENDIX B: Log of Meetings of the UTPD Oversight Committee

### 1. September 3, 2003 Meeting

- a. Dr. Larry R. Faulkner, President of The University of Texas at Austin

Dr. Faulkner delivered his **charge to the first UTPD Oversight Committee**. He stated that the committee was to monitor processes, procedures, and standards of UTPD. Individual complaints would not be considered by the committee, since there is a grievance process in place.

[http://www.utexas.edu/opa/news/03newsreleases/nr\\_200307/nr\\_utpd030728.html](http://www.utexas.edu/opa/news/03newsreleases/nr_200307/nr_utpd030728.html)

- b. Chief Jeffrey M. Van Slyke, UTPD

Chief Van Slyke presented an **overview of UTPD** - their mission, organization, jurisdiction, training, accreditation, and community policing efforts. Community policing was initiated at UTPD in June 2000 to promote personal, proactive partnerships with the UT community.

<http://www.utexas.edu/admin/utpd/index.html>

<http://www.cops.usdoj.gov/>

<http://www.utexas.edu/student/vpsa/SecurityBrochure/SecurityText.html>

### 2. September 24, 2003 Meeting

- a. Dr. Darlene Grant, Associate Dean of Graduate Studies and Associate Professor in the UT Austin School of Social Work; Chair of the Task Force on Racial Respect and Fairness.

Dr. Grant summarized the work of the **Task Force on Racial Respect and Fairness**. Among the charges that Dr. Faulkner gave to the task force in March 2003, was to "Review relevant procedures of the UT Police Department and examine the cross-cultural educational programs available to our police officers." As a result of their review, the committee established as one of their goals to "Increase UTPD and community skills in negotiating diversity and inclusion issues."

[http://www.utexas.edu/opa/news/04newsreleases/nr\\_200401/report\\_respect.pdf](http://www.utexas.edu/opa/news/04newsreleases/nr_200401/report_respect.pdf)

[http://www.utexas.edu/opa/news/04newsreleases/nr\\_200401/nr\\_respect040120.html](http://www.utexas.edu/opa/news/04newsreleases/nr_200401/nr_respect040120.html)

- b. Dr. Ruth G. McRoy, Associate Dean of Research for the UT School of Social Work; Director of the Diversity Institute and Center for Social Work Research

Dr. Carol M. Lewis, Associate Director, Center for Social Work Research and Diversity Institute

Dr. David R. Dominguez, Project Coordinator, "Community Relations and Cultural Awareness Assessment of UTPD"

Dr. McRoy and Dr. Dominguez outlined the assessment study, which was commissioned by the Office of the Vice President for Employee and Campus Services and UTPD, and was financially supported by the Office of the President. The scope of the project conducted by the Diversity Institute includes a **review of the diversity training materials and recruiting policies of UTPD** and those of similar university police departments. Also, interviews are being conducted with all UTPD officers, security guards, communication operators, a sample of UT students, and a few UT staff and faculty members. Interviews with UTPD officers were conducted on "ride-alongs" so

## APPENDIX B: Log of Meetings of the UTPD Oversight Committee - Continued

interviewers could experience first-hand the type of work they do. Results and recommendations from this study will be available spring 2004.

<http://www.utexas.edu/research/cswr/projects/pj0202.html>

<http://www.utexas.edu/research/cswr/diversity/>

### 3. October 8, 2003 Meeting

Chief Jeffrey M. Van Slyke, UTPD Oversight Committee

Lt. Robert L. Ewan, UTPD

Chief Van Slyke and Lt. Ewan gave a detailed description of the **UTPD complaint process**, including Informal Complaint Resolution, Administrative Investigation, and Criminal Investigations.

<http://www.utexas.edu/admin/utpd/manual/B-04.pdf>

<http://www.utexas.edu/admin/utpd/complaintguide.html>

### 4. October 22, 2003 Meeting

a. Ms. Susan Bradshaw, Attorney, UT Austin Office of Legal Affairs.

Ms. Bradshaw commented on the Open Records Act as it relates to the retention and dissemination of police records.

[http://www.utexas.edu/business/vp/open\\_records.html](http://www.utexas.edu/business/vp/open_records.html)

b. The Committee discussed the **UTPD Complaint Process**, including the UTPD DP42

Complaint Form, the online complaint form, and the final memorandum that details the allegations and the findings regarding a complaint.

<http://www.utexas.edu/admin/utpd/complaintguide.html>

<http://www.utexas.edu/admin/utpd/forms/comment.html>

### 5. November 12, 2003 Meeting

Ms. Ameena N. Ashfaq, the UT Austin Ombudsman and Senior in Plan II

Ms. Ashfaq discussed complaints received by her office which related to UTPD. The Ombudsman is a neutral party in the **Office of the Ombudsman complaint process**, but has broad investigative powers and may recommend corrective measures. All details of complaints are kept confidential. All complaints against UTPD had been found to be unsubstantiated or unfounded or the complaints were resolved.

<http://www.utexas.edu/student/ombuds/index.htm>

### 6. December 3, 2003 Meeting

a. Capt. Julie A. Gillespie, UTPD

Sgt. Donna A. Maga, UTPD

Capt. Gillespie and Sgt. Maga made a presentation regarding the handling of cases involving **harassment, stalking, family violence, and sexual assault**. UTPD provides extra training in these areas. They also provide programs for the University community such as the Victim Assistance Program and the R.A.D. (Rape, Aggression, and Defense) System.

<http://www.utexas.edu/admin/utpd/crimevictims.html>

## APPENDIX B: Log of Meetings of the UTPD Oversight Committee - Continued

<http://www.utexas.edu/admin/utpd/RAD.html>

- b. Dr. Jane Bost, Associate Director of UT Counseling Learning and Career Services  
Dr. Bost discussed the **Voices Against Violence Project**. The general goals of the project are to combat violence against women and men and to address the issues of sexual assault, relationship violence, and stalking. UTPD is an essential link in this effort, since victims may file a police report or press charges against an aggressor. UTPD has a very close working relationship with the Certified Sexual Assault Nurse Examiners (SANE) at St. David's Hospital.

<http://uts.cc.utexas.edu/~vav/>

### 7. January 21, 2004 Meeting

- a. Mr. Roy Baldrige, Director of Police, UT System  
Mr. Baldrige spoke of the **relationship between UT System Police and UTPD** - the development of police policies, jurisdiction, other campus oversight committees, and the UT System Grievance Review Board.

<http://www.utsystem.edu/POL/>

- b. Capt. Julie A. Gillespie, UTPD  
Sgt. Chris M. Allen, UTPD - Community Resource Officer  
Officer Laura W. Davis, UTPD - Community Resource Officer  
Officer Wayne E. Coffey, UTPD - Community Resource Officer  
The officers spoke about UTPD's **Community Oriented Policing program**. UT received a grant in May 2003 from the Department of Justice for 6 Community Oriented Policing officers. The objectives of the program are to increase availability of UTPD to the community; provide better communication between the community and UTPD; obtain feedback from the community on priorities and concerns; and increase professionalism and presence in the campus community.

<http://www.cops.usdoj.gov/>

<http://www.utexas.edu/admin/utpd/gallery/gallery2.html>

### 8. February 4, 2004 Meeting

Mr. Ashton Cumberbatch, City of Austin Police Monitor

Mr. Cumberbatch discussed all aspects of his office - **the complaint process, the Citizen Review Panel, outreach efforts, police efforts, and training of Austin police officers**.

Mr. Cumberbatch emphasized the need to build bridges and break down barriers between the police and the community that they operate in.

<http://www.ci.austin.tx.us/opm/>

### 9. March 3, 2004 Meeting

Capt. Don E. Verett, UTPD

Ms. Roxanne H. Hodgins, Records Administrator, UTPD

Ms. Hodgins and Capt. Verett presented a demographic analysis of UT Police Traffic contacts for 2003. The data was collected as mandated by the **Racial Profiling Law - SB 1074**, and the Texas Code of Criminal Procedure 2.131 - 2.138 (effective 9/1/2001).

## APPENDIX B: Log of Meetings of the UTPD Oversight Committee - Continued

Discussion centered on the actual collection of the data, exemptions that are allowed under law, and the nature of filed complaints.

<http://www.capitol.state.tx.us/statutes/cr.toc.htm>

<http://www.utexas.edu/admin/utpd/profilingstats.html>

### 10. March 24, 2004 Meeting

- a. Capt. Julie A. Gillespie, UTPD

Capt. Don E. Verett, UTPD

Officer Laura W. Davis, UTPD

Officer Sam Isaac, UTPD

Officer Davis and Officer Isaac made a presentation regarding **Cultural Diversity Training** for UTPD. All members of UTPD receive cultural diversity training through the Police Training Academy, the Texas Commission on Law Enforcement (TCLE) and UTPD.

<http://www.utsystem.edu/POL/academy.html>

<http://www.tcleose.state.tx.us/index.htm>

- b. Sgt. Gary E. Peoples, UTPD

Sgt. Peoples made a presentation describing the UTPD **recruitment and appointment process**. The UTPD utilizes a very detailed, extensive recruitment process. There is a constant effort to increase the sources of possible applicants.

<http://www.utsystem.edu/POL/jobs.html>

<http://www.utsystem.edu/POL/academy.html>

### 11. April 21, 2004 Meeting

The Committee discussed the **conclusions and recommendations** to be included in the Committee's Report to President Faulkner and how best to express them.

**APPENDIX C, PAGE 1: UTPD RACE /GENDER BREAKDOWN OF SUPERVISORS  
AND OFFICERS AS OF 5-19-04**

**ALL SWORN PERSONNEL - 55**

32 W/M (58.2%)      11 W/F (20.0%)      6 H/M (10.9%)      5 B/M (9.1%)      1 A/M (1.8%)

21 officers                      7 officers                      3 officers                      3 officers                      1 officer  
11 supervisors                      4 supervisors                      3 supervisors                      2 supervisors

58.2% White Male      41.8% Minority (Female, Hispanic, Black, Asian)

**SUPERVISORS – Chief, Assistant Chief , 2 Captains, 5 Lieutenants & 11 Sergeants**

Total Supervisors – 20

11 W/M (55%)      4 W/F (20%)      3 H/M (15%)      2 B/M (10%)

<u>Chief/Asst. Chief – 2</u>	<u>Captains-2</u>	<u>Lieutenants -5</u>	<u>Sergeants -11</u>
2 w/m	1 w/m 1 w/f	4 w/m 1h/m	4 w/m 2 b/m 3 w/f 2 h/m

**CURRENT POLICE CADETS IN ACADEMY- 6**

3 w/m      3 w/f

**PERSONS TO ENTER NEXT ACADEMY- 2**

1 b/m      1 w/m

**ADMINISTRATIVE SUPPORT**

7 Females      4 w/f      2 h/f      1 b/f

2 Males      1 h/m      1 w/m

Supervisors – 2

2 w/f

**SECURITY GUARD SUPERVISORS**

2 Male – 1 h/m & 1 b/m

**APPENDIX C, PAGE 2: DEMOGRAPHICS OF UT STAFF  
AND AREA LABOR POOL**

UT Staff Profile <sup>◇</sup>			Austin/San Marcos MSA	
			Population	^Labor Force
Category	Fall 2000	Fall 2003	*January 2000	December 2003
Male	53.6%	53.1%	49.9%	55.4%
Female	46.4%	46.9%	50.1%	44.6%
White	67.0%	65.2%	74.7%	64.7%
Black	5.0%	4.5%	8.5%	6.8%
Hispanic	14.2%	14.3%	26.2%	23.3%

<sup>◇</sup> EEO-6 Race and Gender Statistics including full-time and part-time employees  
(Equal Opportunity Services Office)

\*US Census Data. Texas State Data Center and Office of the State Demographer

^ Provided by Equal Opportunity Services

**APPENDIX D: COMPARISON OF UTPD WITH POLICE FORCES OF OTHER STATE UNIVERSITIES**

**Benchmark Data: Calendar Year 2003 (Main campus only)**

University	Enrollment	Part 1 Offenses	Part 1/ 1000 Students	Sworn Officers	Officers/1000 Students	Campus Residents	Space Sq. Feet
Arizona	37,083	1332	35.92	41	1.11	5,467	8,178,958
Illinois	38,864	398	10.24	55	1.42	10,265	16,429,623
Michigan	39,310	1369	34.83	53	1.35	10,980	28,181,023
Minnesota	49,474	878	17.75	43	0.87	6,193	21,803,000
Ohio State	50,731	1338	26.37	45	0.89	10,088	22,374,137
Penn State	41,795	636	15.22	45	1.08	13,618	15,721,340
UC/Berkeley	33,076	1146	34.65	70	2.12	9,985	14,861,552
Texas	51,426	655	12.74	57	1.11	6,682	18,477,673
Washington	39,828	933	23.43	46	1.15	5,614	15,697,000
Wisconsin	41,588	461	11.08	63	1.51	11,000	18,500,000

Mean	42,317.50	915	22.22	52	1.3	8,989	18,022,431
Median	40,708.00	906	20.59	50	1.1	10,037	17,453,648

Enrollment: FTE students in fall quarter/semester.

2003 Part 1 Offenses: As reported to FBI/State.

Officers: Sworn officers as of September 1, 2003.

Residents: Students actually living on campus proper.

Space: Gross square footage of all main campus buildings. If multiple campuses, report main campus only.

## APPENDIX E, PAGE 1: RACIAL PROFILING LAWS

### Code of Criminal Procedure

**Art. 2.124. Peace officers from adjoining states.**

(a) A commissioned peace officer of a state of the United States of America adjoining this state, while the officer is in this state, has under this subsection the same powers, duties, and immunities as a peace officer of this state who is acting in the discharge of an official duty, but only:

(1) during a time in which:

(A) the peace officer from the adjoining state has physical custody of an inmate or criminal defendant and is transporting the inmate or defendant from a county in the adjoining state that is on the border between the two states to a hospital or other medical facility in a county in this state that is on the border between the two states; or

(B) the peace officer has physical custody of the inmate or defendant and is returning the inmate or defendant from the hospital or facility to the county in the adjoining state; and

(2) to the extent necessary to:

(A) maintain physical custody of the inmate or defendant while transporting the inmate or defendant; or

(B) regain physical custody of the inmate or defendant if the inmate or defendant escapes while being transported.

(b) A commissioned peace officer of a state of the United States of America adjoining this state, while the officer is in this state, has under this subsection the same powers, duties, and immunities as a peace officer of this state who is acting in the discharge of an official duty, but only in a municipality some part of the municipal limits of which are within one mile of the boundary between this state and the adjoining state and only at a time the peace officer is regularly assigned to duty in a county, parish, or municipality that adjoins this state. A peace officer described by this subsection may also as part of the officer's powers in this state enforce the ordinances of a Texas municipality described by this subsection but only after the governing body of the municipality authorizes that enforcement by majority vote at an open meeting.

*(Added by L.1995, chap. 156(1); chgd. by L.1999, chap. 107(1), eff. 9/1/99.)*

**Art. 2.13. Duties and powers.**

(a) It is the duty of every peace officer to preserve the peace within the officer's jurisdiction. To effect this purpose, the officer shall use all lawful means.

(b) The officer shall:

(1) in every case authorized by the provisions of this Code, interfere without warrant to prevent or suppress crime;

(2) execute all lawful process issued to the officer by any magistrate or court;

(3) give notice to some magistrate of all offenses committed within the officer's jurisdiction,

**Art. 2.132**

where the officer has good reason to believe there has been a violation of the penal law; and

(4) arrest offenders without warrant in every case where the officer is authorized by law, in order that they may be taken before the proper magistrate or court and be tried.

(c) It is the duty of every officer to take possession of a child under Article 63.009(g).

*(Chgd. by L.1999, chap. 685(1); L.2003, chap. 1276(5.0005), eff. 9/1/2003.)*

**Art. 2.131. Racial profiling prohibited.**

A peace officer may not engage in racial profiling. *(Added by L.2001, chap. 947(1), eff. 9/1/2001.)*

**Art. 2.132. Law enforcement policy on racial profiling.**

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement 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) provide public education relating to the agency's complaint process;

(5) require 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) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

## APPENDIX E, PAGE 2: RACIAL PROFILING LAWS

### Art. 2.132

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

*(Added by L.2001, chap. 947(1), eff. 9/1/2001.)*

### Art. 2.133. Reports required for traffic and pedestrian stops.

(a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) 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;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

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(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) 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.

*(Added by L.2001, chap. 947(1), eff. 9/1/2001.)*

### Art. 2.134. Compilation and analysis of information collected.

(a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and

(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; 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.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

*(Added by L.2001, chap. 947(1), eff. 9/1/2001.)*

## APPENDIX E, PAGE 3: RACIAL PROFILING LAWS

### Code of Criminal Procedure

Art. 2.15

**Art. 2.135. Exemption for agencies using video and audio equipment.**

(a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132. *(Added by L.2001, chap. 947(1), eff. 9/1/2001.)*

**Art. 2.136. Liability.**

A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132. *(Added by L.2001, chap. 947(1), eff. 9/1/2001.)*

**Art. 2.137. Provision of funding or equipment.**

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies

for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

*(Added by L.2001, chap. 947(1), eff. 9/1/2001.)*

**Art. 2.138. Rules.**

The Department of Public Safety may adopt rules to implement Articles 2.131–2.137. *(Added by L.2001, chap. 947(1), eff. 9/1/2001.)*

**Art. 2.14. May summon aid.† [Peace officer may request assistance.]**

Whenever a peace officer meets with resistance in discharging any duty imposed upon him by law, he shall summon a sufficient number of citizens of his county to overcome the resistance; and all persons summoned are bound to obey.

**Art. 2.15. Person refusing to aid.**

The peace officer who has summoned any person to assist him in performing any duty

## APPENDIX E, PAGE 4: RACIAL PROFILING LAWS

### Art. 2.27

**Art. 2.27. Investigation of certain reports alleging abuse.**

*(As chgd. by L.2003, chap. 1210(5). See other Art. 2.27 above.)*

(a) On receipt of a report alleging serious physical or sexual abuse of a child by a person responsible for the care, custody, or welfare of the child, an investigator from the appropriate local law enforcement agency shall investigate the report jointly with the Department of Protective and Regulatory Services or with the agency responsible for conducting an investigation under Subchapter E, Chapter 261, Family Code.

(b) On receipt of a report of abuse or neglect or other complaint of a resident of a nursing home, convalescent home, or other related institution under Section 242.126(c)(1), Health and Safety Code, the appropriate local law enforcement agency shall investigate the report as required by Section 242.135, Health and Safety Code.

*(Added by L.2001, chap. 492(1); chgd. by L.2003, chap. 1210(5), eff. 9/1/2003.)*

### Art. 2.28. Duties regarding misused identity.

On receipt of information to the effect that a person's identifying information was falsely given by a person arrested as the arrested person's identifying information, the local law enforcement agency responsible for collecting identifying information on arrested persons in the county in which the arrest was made shall:

(1) notify the person that:

(A) the person's identifying information was misused by another person arrested in the county;

(B) the person may file a declaration with the Department of Public Safety under Section 411.0421, Government Code; and

(C) the person is entitled to expunction of information contained in criminal records and files under Chapter 55 of this code; and

(2) notify the Department of Public Safety regarding:

(A) the misuse of the identifying information;

(B) the actual identity of the person arrested, if known by the agency; and

(C) whether the agency was able to notify the person whose identifying information was misused.

*(Added by L.2003, chap. 339(1), eff. 9/1/2003.)*

## CHAPTER 3. DEFINITIONS

### Article

- 3.01. Words and phrases.
- 3.02. Criminal action.
- 3.03. Officers.
- 3.04. Official misconduct.
- 3.05. Racial profiling.

### Art. 3.01. Words and phrases.

All words, phrases and terms used in this Code are to be taken and understood in their

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usual acceptance in common language, except where specially defined.

### Art. 3.02. Criminal action.

A criminal action is prosecuted in the name of the State of Texas against the accused, and is conducted by some person acting under the authority of the State, in accordance with its laws.

### Art. 3.03. Officers.

The general term "officers" includes both magistrates and peace officers.

### Art. 3.04. Official misconduct.

In this code:

(1) "Official misconduct" means an offense that is an intentional or knowing violation of a law committed by a public servant while acting in an official capacity as a public servant.

(2) "Public servant" has the meaning assigned by Section 1.07, Penal Code.

### Art. 3.05. Racial profiling.

In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. *(Added by L.2001, chap. 947(2), eff. 9/1/2001.)*

## COURTS AND CRIMINAL JURISDICTION

### CHAPTER 4. COURTS AND CRIMINAL JURISDICTION

#### Article

- 4.01. What courts have criminal jurisdiction.
- 4.02. Existing courts continued.† *[Continuation of existing courts.]*
- 4.03. Courts of Appeals.
- 4.04. Court of Criminal Appeals.
- 4.05. Jurisdiction of district courts.
- 4.06. When felony includes misdemeanor.† *[Misdemeanor included in felony.]*
- 4.07. Jurisdiction of county courts.
- 4.08. Appellate jurisdiction of county courts.
- 4.09. Appeals from inferior court.
- 4.10. To forfeit bail bonds.† *[Bail bonds: forfeiture.]*
- 4.11. Jurisdiction of justice courts.
- 4.12. Misdemeanor cases; precinct in which defendant to be tried in justice court.
- 4.13. Justice may forfeit bond.† *[Bond forfeiture by justice of the peace.]*
- 4.14. Jurisdiction of municipal court.
- 4.15. May sit at any time.† *[Court sessions.]*
- 4.16. Concurrent jurisdiction.
- 4.17. Transfer of certain misdemeanors.
- 4.18. Claim of underage.

### Art. 4.01. What courts have criminal jurisdiction.

The following courts have jurisdiction in criminal actions:

1. The Court of Criminal Appeals;
2. Courts of appeals;
3. The district courts;
4. The criminal district courts;

**APPENDIX F, PAGE 1: DEMOGRAPHICS OF CONTACTS AND SEARCHES**

**Table 1. General Demographics of Contacts and Searches (2003)**

Race/Ethnicity*	Contacts		Searches		Consensual Searches		Probable Cause		Custody Arrest	
	#	%	#	%	#	%	#	%	#	%
Caucasian	1445	69.5	36	69.2	10	62.5	0	0	26	74.3
African	94	4.5	2	3.8	1	6.25	0	0	1	2.9
Hispanic	183	8.8	11	21.2	4	25	1	100	6	17.1
Asian	340	16.3	3	5.8	1	6.25	0	0	2	5.7
Native American	0	0	0	0	0	0	0	0	0	0
Other	18	.9	0	0	0	0	0	0	0	0
<b>Total</b>	<b>2080</b>	<b>100</b>	<b>52</b>	<b>100</b>	<b>16</b>	<b>100</b>	<b>1</b>	<b>100</b>	<b>35</b>	<b>100</b>

\* Race/Ethnicity are defined by Senate Bill 1074 as being of a “particular descent, including Caucasian, African, Hispanic, Asian, or Native American.”

**APPENDIX F, PAGE 2: DEMOGRAPHICS OF TRAFFIC STOPS**

Table 2. Comparison of Traffic Stops of "Permanent Inhabitants" and UT-Austin Demographics

Race/Ethnicity*	Demographics		Traffic Stops	
	#	%	#	%
Caucasian	44525	61	1054	69.3
African	2708	3.7	70	4.6
Hispanic	9632	13.2	109	7.2
Asian	10629	14.6	272	17.9
Native American	264	0.4	0	0
Unknown/Other	5181	7.1	16	1
<b>Total</b>	<b>72939</b>	<b>100</b>	<b>1521</b>	<b>100</b>

\* Race/Ethnicity are defined by Senate Bill 1074 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, or Native American."