Policy Statement - It is the policy of this department to police in a proactive manner and to aggressively investigate suspected violations of law. Officers shall actively enforce state and federal laws in a responsible and professional manner without regard to race, ethnicity, national origin or any other bias.

Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected. Bias -based profiling is an unacceptable patrol tactic and will not be condoned. This policy shall not preclude officers from offering assistance to persons, nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

Purpose - The purpose of the policy is to reaffirm the University of Texas at Southwestern Medical Center Police Department’s commitment to unbiased policing in all its encounters between officers and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

122.01 – DEFINITIONS

Bias – Bias is the selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable groups.

Bias-based Profiling – A law enforcement-initiated action, detention, or interdiction based solely on a trait common to a group of people, rather than on the individual’s behavior and/or information tending to identify the individual as having engaged in criminal activity.

Bias-based profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior, to include traffic contacts, field contacts, and asset seizure and forfeiture efforts. The term is not relevant as it pertains to witnesses, complainants, or other citizen contacts.

Motor Vehicle Stop – means an occasion in which a peace officer stops a motor vehicle for an
alleged violation of a law or ordinance.

**Race or Ethnicity** – means of a particular descent, including African, Asian, Caucasian, Hispanic, Middle Eastern, or Native American Descent.

**Pedestrian Stop** - 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.

**Traffic Stop** - A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

### 122.02 – PROHIBITION [A 1.2.9 a.]

A. The use of bias-based and/or racial profiling by police officers in any law enforcement encounters with persons viewed as suspects and/or potential suspects in criminal activities is strictly prohibited. The encounters to which this prohibition applies include, but are not limited to, motor vehicle stops, field contacts, and asset seizure and forfeiture operations.

B. The prohibition against bias-based profiling does not preclude the use of race, ethnicity or national origin, etc. as factors in a detention decision. Race, ethnicity or national origin, etc. may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person’s activities simply because of that individual’s race, ethnicity, national origin, or bias is bias-based profiling.

Examples of bias-based profiling include, but are not limited to, the following:

1. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver’s race, ethnicity, or national origin.

2. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle.

3. Detaining an individual based upon the determination that a person of that race, ethnicity, or national origin does not belong in a specific part of town or a specific place.

C. A law enforcement agency can derive two principles from the adoption of this definition of bias-based profiling:

1. Police may not use racial or ethnic stereotypes or any form of bias as factors in selecting whom to stop and search; however, police may use race, ethnicity, or national origin in conjunction with other known factors of the suspect.

2. Law enforcement officers may not use racial or ethnic stereotypes or any form of bias as factors in selecting whom to stop and search. Bias-based profiling is not relevant as it pertains to witnesses, etc.

### 122.03 – TRAINING [A 1.2.9 b.]

A. Police officers shall complete the Texas Commission on Law Enforcement Officer Standards and Education (“TCLEOSE”) training and education program on racial profiling not later than (1) the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or (2) the date the officer applies for an intermediate proficiency certificate, whichever is earlier.
B. As needed, the UT System Police may schedule and require police officers to attend inservice training on bias-based profiling.

122.04 – COMPLAINT INVESTIGATION

A. The department shall accept complaints from any person who believes that UT Southwestern Police officer has engaged in bias-based profiling or racial profiling with respect to him or her. No person shall be discouraged, intimidated, or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.

B. In addition, any UT Southwestern Police officer or UT Southwestern police department who receives an allegation of bias-based profiling or racial profiling shall record the name, address, and telephone number of the person who lodges the allegation, and shall (1) forward the complaint to the Chief of Police or his designee, or (2) direct the person how to do so. To direct the person on the filing of such a complaint, the officer or employee shall provided the person a copy of the complaint form (DP-42) and describe the process for filing a complaint.

All police officers and police department employees shall report any allegations of bias-based profiling or racial profiling to their respective superiors before the end of their shifts.

C. In processing and investigating any complaint alleging that a police officer has engaged in bias-based profiling or racial profiling, the UT System Police shall follow UT System Police Policy no. 204 (Complaint Investigation).

D. At the commencement of the investigation into the complaint, the police department shall determine whether there is a video and/or audio recording of the occurrence on which the complaint is based. If a recording exists, the department shall promptly provide a copy of it to the police officer who is the subject of the complaint on his or her written request.

E. If a bias-based profiling complaint is sustained against an officer in violation of this policy, that officer shall be subject to corrective action, which may include reprimand; diversity, sensitivity or other appropriate training or counseling; paid or unpaid suspension; termination of employment, or other appropriate action as determined by the Chief of Police.  

122.05 – PUBLIC EDUCATION

A. The University of Texas Southwestern Medical Center Police Department will inform the public of its policy against bias-based profiling and the complaint process. Methods that may be utilized to inform the public are the news media, service or organization presentations, the Internet, campus meetings, and the department web page.

122.06 – COLLECTION, ANALYSIS, AND REPORTING OF INFORMATION

A. PARTIAL EXEMPTION – TIER 1 REPORTING – UT Southwestern Police shall collect information relating to (1) motor vehicle stops in which a citation is issued and (2) arrests made as a result of these stops. The information collected shall include:

1. Race or ethnicity of the person detained;

2. Whether a search was conducted and, if so, whether the person detained consented to the search; and
3. Whether the peace officer knew the race or ethnicity of the person detained before detaining that person. The race or ethnicity of the individual includes:
   a. African
   b. Asian
   c. Caucasian
   d. Hispanic
   e. Middle Eastern
   f. Native American

B. Not later than February 1 of each year, the Chief of Police shall submit to the Director of Police a report containing the information required by Paragraph A that his or her police department compiled during the previous calendar year.

C. After receiving the information described in Paragraph C, the Director of Police shall compile and analyze the information contained in each report. Not later than March 1 of each year, the Director of Police shall submit a report of the information collected under Paragraph A to TCLEOSE and to The University of Texas System Board of Regents.

D. The report required by Paragraph C shall not include identifying information about the peace officer who makes a motor vehicle stop or about the person who is stopped or arrested by the peace officer. However, this subsection does not affect the UT Southwestern Police Officer’s duty to collect the information required by Paragraph A.

E. Each quarter the department will compile a comparative report, by Officer, of Citation Data Collection information. The Assistant Chief of Police for Support Services will review this information along with any concerns that may have been expressed by citizens and take appropriate action were indicated. [A 1.2.9 c]

122.07 – USE OF VIDEO AND AUDIO EQUIPMENT

A. Each motor vehicle regularly used by this department to make traffic and pedestrian stops is equipped with a video camera and transmitter-activated equipment; and each traffic and pedestrian stop made by an officer of this department that is capable of being recorded by video and audio, is recorded.

B. The UT Southwestern Police Department shall retain the video and audio recordings of each traffic and pedestrian stop for a minimum of 90 days after the date of the stop. If a complaint is filed with the department alleging that an officer has engaged in bias-based profiling with respect to a traffic or pedestrian stop, this department shall retain the video and audio recordings of the stop until final disposition of the complaint.

C. Supervisors will ensure officers under their respective commands are recording their traffic and pedestrian stops by reviewing a recording of each officer at least once every 30 days.

D. Supervisors will forward a report of their review to their shift Lieutenant, who will take appropriate action to correct deficiencies. [A 1.2.9 c]

122.08 – COLLECTING AND REPORTING INFORMATION

A. The University of Texas Southwestern Medical Center Police patrol vehicles are equipped with video cameras and audio recording equipment and therefore UT Southwestern Police Officers are exempt from the reporting requirements under the Code of Criminal Procedure Article 2.133. In addition, the UT Southwestern Police Department is exempt from the reporting requirements of Code of Criminal Procedure Article 2.134.
122.09 – ANNUAL ADMINISTRATIVE REVIEW

A. Each year the Command Staff will conduct a documented review of the Bias-Based Profiling Directives and department practices including citizen complaints and/or concerns, and recommend improvements to address deficiencies. A 1.2.9 d.