



“Setting the Standard for Excellence and Fostering Safe and Supportive Learning”



Midway ISD Police Department 2024 Racial Profiling Report



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Additional Information

Racial Profiling Report as submitted to TCOLE

Racial Profiling Analysis Report as submitted to TCOLE

Midway ISD Police Officers

Chief of Police, Jeffrey Foley
Badge 4701
Administration



Lieutenant, Justin Johnson
Badge 4702
Midway High School



Officer Gabriel Aguilar
Badge 4720
Midway Middle School



Officer Michael Fray
Badge 4721
Midway High School



Officer Anthony Caudo III
Badge 4722
River Valley Middle School



Officer Victor Kuykendoll
Badge 4723
Campus Safety Specialist
Chapel Park Elementary School



Officer Bill Dudley
Badge 4724
Campus Safety Specialist
Castleman Creek Elementary School



Officer Terry Mason
Badge 4725
Campus Safety Specialist
South Bosque Elementary School



Dear Dr. Allen and Members of the Midway ISD Board of Trustees,

The Texas Legislature, through Senate Bill 1074 in 2001, set forth clear requirements for law enforcement agencies to address racial profiling. This law prohibits racial profiling by peace officers and requires every law enforcement agency to adopt written policies defining acts of racial profiling, along with processes to receive and investigate complaints. Additionally, it mandates the collection and annual reporting of data related to racial profiling, as outlined in the Texas Code of Criminal Procedure, Articles 2.131 through 2.1385.

In compliance with these legal requirements, I am submitting this annual racial profiling report to you as the governing body for Midway ISD Police Department.

The report includes:

- Definitions of racial profiling and criminal profiling, highlighting the differences between the two.
- Details of the Texas Racial Profiling Law as codified in the Texas Code of Criminal Procedure.
- The policy was adopted by the Midway ISD Police Department to comply with this law.
- A summary of any racial profiling complaints filed against Midway ISD officers.
- Data tables for analysis as required by law.
- Additional, non-mandatory data that provides further context and aids in the broader discussion of racial profiling.

To clarify, racial profiling involves discriminatory actions where individuals are targeted based on race, ethnicity, religion, or national origin. This practice undermines community trust and damages the legitimacy of law enforcement.

Criminal profiling, on the other hand, is a legitimate and evidence-based investigative method. It relies on information such as patterns of activity, motives, and factual evidence to narrow suspect pools during investigations.

This report is part of our ongoing effort to maintain transparency, comply with state law, and ensure that policing in our district is both fair and effective. I also believe it is important to note that Midway ISD and Midway ISD Police Department do not benefit financially from the enforcement of traffic laws. All proceeds from traffic citations issued by the Midway ISD Police Department go directly to McLennan County and not Midway ISD. The only reason for Midway ISD Police Department enforcing traffic laws is to help ensure safe roadways for our students and staff traveling by foot or automobile to and from school.

Thank you for providing me with the opportunity and honor to lead this department and serve the students, staff, and families of Midway ISD.

Code of Criminal Procedure

Texas Code of Criminal Procedure (CCP) prohibits racial profiling by a Peace Officer, defines a "law enforcement agency", a "motor vehicle stop", and the categories contained in "race and ethnicity."

CCP Article 2.131. RACIAL PROFILING PROHIBITED. A Peace Officer may NOT engage in racial profiling.

CCP Article 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. This article requires each law enforcement agency adopt a written policy on racial profiling, and the policy must:

1. Define acts constituting racial profiling;
2. Prohibit peace officers from engaging in racial profiling;
3. Implement a complaint process for allegations of racial profiling;
4. Provide public education relating to a compliment and complaint process;
5. Require corrective action against a peace officer engaged in racial profiling;
6. Require data collection on traffic stops relating to (referred to as Tier 1):
 - a. Race or ethnicity;
 - b. Whether a search was conducted and, if so, whether it was by consent;
 - c. Whether the officer knew the race of the individual before the stop;
 - d. Whether the officer used physical force that resulted in injury;
 - e. Location of the stop;
 - f. Reason for the stop;
7. Require the agency administrator to submit an annual report to:
 - a. Texas Commission on Law Enforcement;
 - b. The governing body of the municipality served by the agency.
8. Examine the feasibility of installing cameras in each agency law enforcement vehicle used to make traffic stops. Examine the feasibility of equipping each officer with a body worn camera.
9. On the commencement of an investigation involving a complaint of racial profiling on an officer as the result of a traffic stop where video and audio were recorded, the agency will promptly provide the officer a copy of the recordings upon written request of the officer.

CCP Article 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS. This article

provides a list of the data that an officer must report to the law enforcement agency for each motor vehicle stop, which must include (referred to as Tier 2 Data):

1. Operator's gender;
2. Operator's race or ethnicity;
3. Reason for the stop;
4. Whether a search was conducted and if so, if the search was by consent;
5. If contraband was found during the search and if so, a description of the contraband;
6. Reason for the search;
 - a. Contraband in plain view;
 - b. Probable cause or reasonable suspicion;
 - c. Result of towing or arrest of any person in the vehicle;
7. Arrest as a result of the search;
 - a. Based on violation of the Penal Code;
 - b. Based on violation of a traffic law or ordinance;
 - c. Based on an outstanding warrant;
8. Approximate location of the stop;
9. Result of the stop (verbal warning, written warning, citation);
10. Whether the officer used physical force that resulted in injury.

CCP Article 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

This article requires a law enforcement agency to compile and analyze the information collected under Article 2.132 and 2.133 to determine the prevalence of racial profiling by peace officers employed by the agency. The report must be submitted to TCOLE and the governing body of the municipality no later than March 1 of each year, and must contain:

1. A comparative analysis to:
 - a. Compare the number of stops within the 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 the stops categorized according to the race or ethnicity of the persons, including any searches resulting from the stops;
 - c. Evaluate and compare the number of searches resulting from the stops and whether contraband was discovered;
2. Information relating to each complaint filed with the agency alleging that a peace officer has engaged in racial profiling.

Midway ISD Police Department Agency Manual

Procedure 5.03 - Biased Based Policing

The Midway ISD Police Department has adopted a Biased-Based Policing procedure. This procedure along with Midway ISD Police Department Procedures 2.1.3 and 6.1.4 meet the requirements of CCP article 2.132; Law Enforcement Policy on Racial Profiling.

Policy

The purpose of the policy is to reaffirm the Midway I.S.D. Police Department's commitment to unbiased policing in all its encounters between , officer 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.

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 or national origin. Officers are strictly prohibited from engaging in biased based profiling as defined in this policy. This policy shall be applicable to all people, whether drivers, passengers or pedestrians.

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 people to be treated equally and to be free from unreasonable searches and seizures must be respected. Biased based profiling is an unacceptable law enforcement tactic and will not be condoned.

This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

II. Definitions

Bias Based Profiling: A law enforcement-initiated action based on an individual's race, ethnicity, race, ethnicity, background, gender, sexual orientation, religion, economic status, age, culture, or other personal characteristics, rather than due to the observed behavior of the individual or on information identifying the individual as having engaged in criminal activity.

Biased based profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts.

The prohibition against biased based profiling does not preclude the use of race, ethnicity or national origin as 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 or national origin are biased based profiling. Examples of biased 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 on the determination that a person of that race, ethnicity or national origin does not belong in a specific part of town or specific place. This Department derives at two principles from the adoption of this definition of biased based profiling:

- . Law enforcement officers use race in conjunction with other known factors of the suspect but may not use biased based or ethnic stereotypes as factors in selecting whom to stop and search.
- . Biased based profiling is not relevant as it pertains to witnesses or others providing information concerning an event.

B. Race or Ethnicity: One who is of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American.

B. 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.

B. Traffic Stop: A peace officer that stops a motor vehicle for an alleged violation of law or ordinance regulating traffic.

III. Training

Officers are responsible to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law. All officers shall complete TCOLE training and education program on biased based profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. A person who on September 1, 2001, held a TCOLE intermediate proficiency certificate, or who had held a peace officer license issued by TCOLE for at least two years, shall complete a TCOLE training and education program on biased based profiling not later than September

1, 2003.

The Chief of Police, as part of the initial training and continued education for such appointment, is required to attend the LEMIT program on biased based profiling.

IV.COMPLAINT INVESTIGATION

- . The Department shall accept complaints from any person who believes he or she has been stopped or searched in violation of this policy. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
- . Any employee who receives an allegation of biased based profiling, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel or direct the individual(s). Any employee contacted shall provide to that person a copy of a complaint form or the department process for filing a complaint. All employees will report any allegation of biased based profiling to their superior before the end of their shift.
- . Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the chief.
- . If a biased based profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
- . If there is a department video or audio recording of the events upon which a complaint of biased based profiling is based, upon commencement of an investigation by this department in to the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.

IV.PUBLIC EDUCATION

This Department will inform the public of its policy against biased based profiling and the complaint process. Methods that may be utilized to inform the public are the news media, radio, service or civic presentations, the Internet, as well as governing board meetings. Additionally, information will be made available as appropriate in languages other than English.

VI.CITATION DATA COLLECTION & REPORTING

- . An officer is required to collect information relating to traffic stops in which a citation is issued. On the citation officers must include:
 1. the violators race or ethnicity.
 2. whether a search was conducted.

3. whether the search was consensual; and
 4. whether there was an arrest for this cited violation or any other violation.
- . By March of each year, the Department shall submit a report to their governing board that includes the information gathered by the citations from the preceding year. The report will include:
1. a breakdown of citations by race or ethnicity.
 2. numbers of citations that resulted in a search.
 3. number of searches that were consensual; and
 4. numbers of citations that resulted in custodial arrest for the cited violation or any.

VI.COLLECTION and REPORTING INFORMATION GATHERED FROM TRAFFIC and PEDESTRIAN STOPS

- . An officer who stops a motor vehicle for an alleged violation of law or ordinance regulating traffic shall record and report the following information:
1. A physical description of each person detained as a result of the stop, including:
 - . The person's gender.
 - . The person's race or ethnicity, as stated by the person or as determined by the officer to the best of his/her ability.
 2. The street address or approximate location of the stop. The suspected offense or the Policy 4.06 Bias Based Profiling traffic law or ordinance alleged to have been violated.
 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 probable cause to search existed and, if so, the fact(s) supporting the existence of that probable cause.
 5. Whether any contraband was discovered in the course of the search and, if so, the type of contraband discovered.
 6. Whether the officer made an arrest as a result of the stop and/or search, and, if so, a statement of the offense charged.
 7. Whether the officer issued a warning or a citation as a result of the stop and, if so, a statement of the offense charged.

- . This Department shall compile and analyze the information contained in these individual reports. Not later than March 1 of each year, this Department shall submit a report to our governing body containing the information compiled from the proceeding calendar year in a manner they approve. This report will include:
 1. A comparative analysis of the information contained in the individual reports in order to:
 - . Determine the prevalence of biased based profiling by officers in this department; and
 - . Examine the disposition of traffic and pedestrian stops made by this department's officers, including searches resulting from stops.
 - . Information relating to each complaint filed with this department alleging biased based profiling.
 - . This report will not include identifying information about a peace officer who makes a stop or about an individual who is stopped or arrested by a peace officer.

The Midway ISD Police Department was created and confirmed by the Texas Commission on Law Enforcement (TCOLE) On 07/01/2024. All Midway ISD Police Department data for this report reflects Midway ISD Police Department traffic enforcement statistics between 07/01/2024 and 12/31/2024, there is no racial profiling data prior to 07/01/2024.

RACIAL PROFILING COMPLAINTS

During the period of January 1, 2024, to December 31, 2024, the Midway ISD Police Department received NO allegations of racial profiling against peace officers employed by the Midway ISD Police Department.

McLennan County Population Demographics

Source: 2020 US Census Bureau

Race/Ethnicity

Alaskan native/American Indian	2511	1.0%
Asian/Pacific Islander	5199	2.0%
Black	37518	14.9%
White	156475	60.0%
Hispanic/Latino	68587	26.3%

Midway ISD Student Population Demographics

Source: 2023-2024 Texas Academic Performance Report (TAPR)

Race/Ethnicity **Total Population: 8849**

Alaskan native/American Indian	18	0.2%
Asian/Pacific Islander	415	4.7%
Black	1005	11.4%
White	4567	51.6%
Hispanic/Latino	2379	26.9%

Midway ISD Police Department

Traffic Stop Data 2024

Total Traffic Stops: 92

Race/Ethnicity known

prior to stop

Yes	7	7.61%
No	85	92.39%

Race/Ethnicity

Alaskan native/American Indian	0	0%
Asian/Pacific Islander	5	5.43%
Black	16	17.39%
White	51	55.43%
Hispanic/Latino	20	21.74%

Gender

	Male	%	Female	%
Alaskan native/American Indian	0	0%	0	0%
Asian/Pacific Islander	4	4.35%	1	1.09%
Black	9	9.78%	7	7.61%
White	26	28.23%	25	27.17%
Hispanic/Latino	8	8.70%	12	13.04%
Total	47		45	

Reason for the Stop

Violation of the Law

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Pre-existing Knowledge

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Moving Traffic Violation

Alaskan native/American Indian	0
Asian/Pacific Islander	5
Black	16
White	48
Hispanic/Latino	20

Vehicle Traffic Violation

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	3
Hispanic/Latino	0

Search Conducted

	Yes	No	% Searched
Alaskan native/American Indian	0	0	0%
Asian/Pacific Islander	0	5	0%
Black	1	15	6.25%
White	1	50	1.96%
Hispanic/Latino	1	19	5.00%
Total	3	89	3.26%

Reason for Search

Consent Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Contraband in Plain View Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Probable Cause Total: 2

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	1
Hispanic/Latino	0

Description of Contraband

Inventory Total: 1

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	1

Incident to Arrest Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Was Contraband Discovered

	Yes	No
Alaskan native/American Indian	0	0
Asian/Pacific Islander	0	0
Black	1	0
White	1	0
Hispanic/Latino	0	1
Total	2	1

Did Finding Contraband Result in Arrest

	Yes	No
Alaskan native/American Indian	0	0
Asian/Pacific Islander	0	0
Black	0	1
White	0	1
Hispanic/Latino	0	0
Total	0	2

Drugs Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Currency Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Weapons Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	1
Hispanic/Latino	0

Alcohol Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Stolen Property Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Other Total: 2

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	1
Hispanic/Latino	0

Result of the Stop

Verbal Warning Total: 74

Alaskan native/American Indian	0
Asian/Pacific Islander	4
Black	10
White	44
Hispanic/Latino	16

Written Warning Total: 1

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	0
Hispanic/Latino	0

Citation Total: 17

Alaskan native/American Indian	0
Asian/Pacific Islander	1
Black	5
White	7
Hispanic/Latino	4

Written Warning and Arrest Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Citation and Arrest Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Arrest Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Existing Warrant Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

ARREST FOR

Penal Code Violation Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Traffic Law Violation Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

City Ordinance Violation Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

**Physical Force Resulting in Bodily Injury
During the Stop**

	Yes	No
Alaskan native/American Indian	0	0
Asian/Pacific Islander	0	5
Black	0	16
White	0	51
Hispanic/Latino	0	20
Total	0	92

COMPARISON TABLES

Table 1. Total Traffic Stops

Race / Ethnicity	Total	Percentage
Alaska Native or American Indian	0	0
Asian or Pacific Islander	5	5.43%
Black	16	17.39%
White	51	55.43%
Hispanic or Latino	20	21.74%

In 92.39% of all traffic stops, officers reported that they did not know the race/ethnicity of the driver prior to the stop.

Table 2. Results of Stops

Race / Ethnicity	Traffic Stops	Citations	Citation %	Verbal Warning	Verbal Warning %	Written Warning	Written Warning %	Arrest	Arrest %
Alaska Native or American Indian	0	0	0%	0	0%	0	0%	0	0%
Asian or Pacific Islander	5	1	5.88%	4	5.41%	0	0%	0	0%
Black	16	5	29.41%	10	13.51%	1	100%	0	0%
White	51	7	41.18%	44	59.46%	0	0%	0	0%
Hispanic or Latino	20	4	23.53%	16	21.62%	0	0%	0	0%

Table 3. Consent Search

Race / Ethnicity	Searches	Consent Search	Consent %
Alaska Native or American Indian	0	0	0%
Asian or Pacific Islander	0	0	0%
Black	1	0	0%
White	1	0	0%
Hispanic or Latino	1	0	0%

3.26% of all traffic stops resulted in a search

Table 4. Detailed Search Data

Race / Ethnicity	Searches	Contraband Found Yes	Find Resulted in Arrest	Finding Resulted in Arrest %	Percent Searches	Percent Contraband Found
Alaska Native or American Indian	0	0	0	0%	0%	0%
Asian or Pacific Islander	0	0	0	0%	0%	0%
Black	1	1	0	0%	33.33%	50%
White	1	1	0	0%	33.33%	50%
Hispanic or Latino	1	0	0	0%	33.33%	0%

Table 5. Area Police Agencies Comparison

Citations 2023					
	MISD PD 2024 92 Stops	MCSO 2023 5295 Stops	HPD 2023 3645 Stops	WPD 2023 14969 Stops	WWPSD 2023 5955 Stops
Alaska Native or American Indian	0	0	8	8	20
Asian or Pacific Islander	1	0	13	35	22
Black	5	15	86	1520	296
White	7	36	326	1786	606
Hispanic or Latino	4	2	95	2037	339
Verbal Warnings 2023					
	MISD PD 2024	MCSO 2023 5295 Stops	HPD 2023 3645 Stops	WPD 2023 14969 Stops	WWPSD 2023 5955 Stops
Alaska Native or American Indian	0	0	38	0	0
Asian or Pacific Islander	4	0	88	0	2
Black	10	0	4472	0	10
White	44	0	1753	0	41
Hispanic or Latino	16	0	277	0	8

Written Warnings 2023					
	MISD PD 2024	MCSO 2023 5295 Stops	HPD 2023 3645 Stops	WPD 2023 14969 Stops	WWPSD 2023 5955 Stops
Alaska Native or American Indian	0	7	1	13	39
Asian or Pacific Islander	0	18	2	151	111
Black	1	1456	59	2308	725
White	0	2983	239	4278	2650
Hispanic or Latino	0	558	45	2497	725
Arrests 2023					
	MISD PD 2024	MCSO 2023 5295 Stops	HPD 2023 3645 Stops	WPD 2023 14969 Stops	WWPSD 2023 5955 Stops
Alaska Native or American Indian	0	0	4	0	4
Asian or Pacific Islander	0	0	2	4	0
Black	0	148	53	262	235
White	0	206	197	186	309
Hispanic or Latino	0	86	30	220	177

Contraband Hit Rate

"Hit rate" is the common term used in law enforcement to determine the percentage of searches by peace officers that result in contraband being found. Hit rates by race/ethnicity groups may be examined to help determine the prevalence of racial profiling occurring within a law enforcement agency. Nationally, an effective hit rate is generally considered to be approximately twenty to thirty percent. If racial groups have low hit rates, or there is substantial difference in hit rates among the groups, it may imply that racial groups are being subjected to different standards. As can be observed in the chart below. Midway ISD Police Officers only searched three cars in 2024, one car with black occupants, one with white occupants and one inventory of a Hispanic driver's car due to the vehicle being impounded. No contraband was found during the inventory search, and it is important to note that the search was not conducted with the intent to find contraband, the search was only to inventory the contents of the vehicle before being impounded. In the other searches Officer located contraband in each vehicle searched giving a hit rate of 100% in searches of black and white drivers, well above the average nationally, indicating the officers are conducting searches on the appropriate persons. Additionally, there is not great disparity among the hit rates associated with those groups.

Race / Ethnicity	Searches	Contraband Found Yes	Contraband Hit Rate
Alaska Native or American Indian	0	0	0%
Asian or Pacific Islander	0	0	0%
Black	1	1	100%
White	1	1	100%
Hispanic or Latino	1	0	0%

SUMMARY

An analysis of traffic stop data conducted by Midway ISD Police Department peace officers for the 2024 calendar year indicates that over 55% of vehicle operators stopped were white. However, determining whether racial profiling is occurring within a law enforcement agency requires examining more than just the number of individuals stopped within a particular group.

Key considerations include: the percentage of stops where the officer did not know the operator’s race or ethnicity; whether there are notable differences in outcomes for groups once race or ethnicity is identified; whether a particular group demonstrates a consistently low contraband hit rate; and whether there are significant differences in outcomes between groups after contraband is discovered.

The included data indicates that in a vast majority (92.39%) of the traffic stops conducted by Midway ISD officers, the officers did not know the race/ethnicity of the driver prior to initiating the traffic stop.

- There was not a significant difference in the result of the stop when compared to the number of stops for each group (only groups with the relevant number of stops included).

	T-stops %	Verbal Warning%	Written Warning%	Citation%	Arrest%
Black	17.39	13.51	100.00	29.41	19.1
White	55.43	59.46	0	41.18	69.5
Hispanic/Latino	21.74	21.62	0	23.53	9.2

- The hit rate for each group was well above average and there was not a significant difference in outcome after contraband was found during a search (only groups with relevant numbers of contraband found included).

	Hit Rate	Finding Resulted in Arrest
Black	100%	0%
White	100%	0%
Hispanic/Latino	0%	0%

CONCLUSION

The 2024 Racial Profiling Report affirms that Midway ISD Police Officers are effectively identifying contraband as expected and enforcing Texas traffic laws in accordance with sound law enforcement practices, free from influence by race, ethnicity, or any bias-based factors. Furthermore, the report confirms that the Midway ISD Police Department is fully compliant with state racial profiling statutes, including policies for prevention, data collection, vehicle search analysis, and reporting requirements.

Racial Profiling Report | Full

Agency Name: MIDWAY ISD POLICE DEPARTMENT

Reporting Date: 01/02/2025

TCOLE Agency Number: 309910

Chief Administrator: JEFFREY M. FOLEY

Agency Contact Information:

Phone: (254) 761-5626

Email: jeff.foley@midwayisd.org

Mailing Address:

13885 WOODWAY DR

WOODWAY, TX 76712-7621

This Agency filed a full report

MIDWAY ISD POLICE DEPARTMENT has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the MIDWAY ISD POLICE DEPARTMENT from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the MIDWAY ISD POLICE DEPARTMENT if the individual believes that a peace officer employed by the MIDWAY ISD POLICE DEPARTMENT has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the MIDWAY ISD POLICE DEPARTMENT who, after an investigation, is shown to have engaged in racial profiling in violation of the MIDWAY ISD POLICE DEPARTMENT policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation 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;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.
- 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 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.

The MIDWAY ISD POLICE DEPARTMENT has satisfied the statutory data audit requirements as prescribed in 1

of 9

Article 2.133(c), Code of Criminal Procedure during the reporting period.

Executed by: JEFFREY FOLEY
Chief of Police

Date: 01/02/2025

Total stops: 92

Street address or approximate location of the stop

City street 62

US highway 4

County road 16

State highway 2

Private property or other 8

Was race or ethnicity known prior to stop?

Yes 7

No 85

Race / Ethnicity

Alaska Native / American Indian 0

Asian / Pacific Islander 5

Black 16

White 51

Hispanic / Latino 20

Gender

Female 45

Alaska Native / American Indian 0

Asian / Pacific Islander 1

Black 7

White 25

Hispanic / Latino 12

Male 47

Alaska Native / American Indian 0

Asian / Pacific Islander 4

Black 9

White 26

Hispanic / Latino 8

Reason for stop?

Violation of law 0

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

3 of 9

Hispanic / Latino 0 Preexisting knowledge
0 Alaska Native / American Indian 0 Asian /
Pacific Islander 0 Black 0 White 0 Hispanic

/ Latino 0

Moving traffic violation 89 Alaska Native /
American Indian 0 Asian / Pacific Islander 5
Black 16 White 48 Hispanic / Latino 20

Vehicle traffic violation 3 Alaska Native /
American Indian 0 Asian / Pacific
Islander 0 Black 0 White 3 Hispanic /
Latino 0

Was a search conducted?

Yes 3 Alaska Native / American Indian 0
Asian / Pacific Islander 0 Black 1
White 1 Hispanic / Latino 1

No 89 Alaska Native / American Indian 0
Asian / Pacific Islander 5 Black 15 White 50
Hispanic / Latino 19

Reason for Search?

Consent 0 Alaska Native / American Indian
0 Asian / Pacific Islander 0 Black 0
White 0

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Hispanic / Latino 0

Contraband 0

Alaska Native / American Indian 0
Asian / Pacific Islander 0
Black 0
White 0
Hispanic / Latino 0

Probable 2

Alaska Native / American Indian 0
Asian / Pacific Islander 0
Black 1
White 1
Hispanic / Latino 0

Inventory 1

Alaska Native / American Indian 0
Asian / Pacific Islander 0
Black 0
White 0
Hispanic / Latino 1

Incident to arrest 0

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

Hispanic / Latino 0

Was Contraband discovered?

Yes 2 Did the finding result in arrest? (total should equal previous column)

Alaska Native / American Indian 0 Yes 0 No 0 Asian / Pacific Islander 0 Yes 0 No 0

Black 1 Yes 0 No 1 White 1 Yes 0 No 1 Hispanic / Latino 0 Yes 0 No 0 No 1

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

Hispanic / Latino 1

5 of 9

Description of contraband

Drugs 0 Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0 White 0 Hispanic / Latino 0

Weapons 0 Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0 White 0 Hispanic / Latino 0

Currency 0 Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0 White 0 Hispanic / Latino 0

Alcohol 0 Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0 White 0 Hispanic / Latino 0

Stolen property 0 Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 0 White 0 Hispanic / Latino 0

Other 2 Alaska Native / American Indian 0 Asian / Pacific Islander 0 Black 1 White 1 Hispanic / Latino 0

Result of the stop

Verbal warning **74** 6 of 9

Alaska Native / American Indian 0

Asian / Pacific Islander 4 Black 10

White 44 Hispanic / Latino 16

Written warning 1 Alaska Native / American

Indian 0 Asian / Pacific Islander 0

Black 1 White 0 Hispanic / Latino 0

Citation 17 Alaska Native / American Indian

0 Asian / Pacific Islander 1 Black 5 White 7

Hispanic / Latino 4

Written warning and arrest 0 Alaska Native

/ American Indian 0 Asian / Pacific

Islander 0 Black 0 White 0 Hispanic /

Latino 0

Citation and arrest 0 Alaska Native /

American Indian 0 Asian / Pacific

Islander 0 Black 0 White 0 Hispanic /

Latino 0

Arrest 0 Alaska Native / American Indian 0

Asian / Pacific Islander 0 Black 0

White 0 Hispanic / Latino 0

Arrest based on

Violation of Penal Code 0 Alaska Native /

American Indian 0 Asian / Pacific

Islander 0

7 of 9

Black 0

White 0

Hispanic / Latino 0

Violation of Traffic Law 0

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

Hispanic / Latino 0

Violation of City Ordinance 0

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

Hispanic / Latino 0

Outstanding Warrant 0

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

Hispanic / Latino 0

Was physical force resulting in bodily injury used during stop?

Yes 0

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 0

Hispanic / Latino 0

Resulting in Bodily Injury To:

Suspect 0

Officer 0

Both 0

No 92

Alaska Native / American Indian 0

Asian / Pacific Islander 5

Black 16

White 51

Hispanic / Latino 20

8 of 9

Number of complaints of racial profiling

Total 0

Resulted in disciplinary action 0

Did not result in disciplinary action 0

Comparative Analysis

Use TCOLE's auto generated analysis

Use Department's submitted analysis

Optional Narrative

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement

Racial Profiling Analysis Report

MIDWAY ISD POLICE DEPARTMENT

01. Total Traffic Stops: 92

02. Location of Stop:

a. City Street 62 67.39% b. US Highway 4 4.35% c. County Road 16 17.39% d. State Highway 2 2.17% e. Private Property or Other 8 8.70%

03. Was Race known prior to Stop:

a. NO 85 92.39% b. YES 7 7.61%

04. Race or Ethnicity:

a. Alaska/ Native American/ Indian 0 0.00% b. Asian/ Pacific Islander 5 5.43% c. Black 16 17.39% d. White 51 55.43% e. Hispanic/ Latino 20 21.74%

05. Gender:

a. Female 45 48.91% i. Alaska/ Native American/ Indian 0 0.00% ii. Asian/ Pacific Islander 1 1.09% iii. Black 7 7.61% iv. White 25 27.17% v. Hispanic/ Latino 12 13.04% b. Male 47 51.09% i. Alaska/ Native American/ Indian 0 0.00% ii. Asian/ Pacific Islander 4 4.35% iii. Black 9 9.78% iv. White 26 28.26% v. Hispanic/ Latino 8 8.70%

06. Reason for Stop:

a. Violation of Law 0 0.00% i. Alaska/ Native American/ Indian 0
ii. Asian/ Pacific Islander 0

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Racial Profiling Analysis Report

iii. Black 0

iv. White 0

v. Hispanic/ Latino 0

b. Pre-Existing Knowledge 0 0.00% i. Alaska/ Native American/ Indian 0

ii. Asian/ Pacific Islander 0

iii. Black 0

iv. White 0

v. Hispanic/ Latino 0

c. Moving Traffic Violation 89 96.74% i. Alaska/ Native American/ Indian 0 0.00% ii. Asian/ Pacific Islander 5 5.62% iii. Black 16 17.98% iv. White 48 53.93% v. Hispanic/ Latino 20 22.47%

d. Vehicle Traffic Violation 3 3.26% i. Alaska/ Native American/ Indian 0 0.00% ii. Asian/ Pacific Islander 0 0.00% iii. Black 0 0.00% iv. White 3 100.00% v. Hispanic/ Latino 0 0.00%

07. Was a Search Conducted:

a. NO 89 96.74% i. Alaska/ Native American/ Indian 0 0.00% ii. Asian/ Pacific Islander 5 5.62% iii. Black 15 16.85% iv. White 50 56.18% v. Hispanic/ Latino 19 21.35% b. YES 3 3.26% i. Alaska/ Native American/ Indian 0 0.00% ii. Asian/ Pacific Islander 0 0.00% iii. Black 1 33.33% iv. White 1 33.33% v. Hispanic/ Latino 1 33.33%

08. Reason for Search:

a. Consent 0 0.00% 1/6/2025 2 of 7

Racial Profiling Analysis Report

i. Alaska/ Native American/ Indian 0

ii. Asian/ Pacific Islander 0

iii. Black 0

iv. White 0

v. Hispanic/ Latino 0

b. Contraband in Plain View 0 0.00% i. Alaska/ Native American/ Indian 0

ii. Asian/ Pacific Islander 0

iii. Black 0

iv. White 0

v. Hispanic/ Latino 0

c. Probable Cause 2 2.17% ii. Alaska/ Native American/ Indian 0 0.00% i. Asian/ Pacific Islander 0 0.00% iii. Black 1 50.00% iv. White 1 50.00% v. Hispanic/ Latino 0 0.00% d. Inventory 1 1.09% i. Alaska/ Native American/ Indian 0 0.00% ii. Asian/ Pacific Islander 0 0.00% iii. Black 0 0.00% iv. White 0 0.00% v. Hispanic/ Latino 1 100.00% e. Incident to Arrest 0 0.00% i. Alaska/ Native American/ Indian 0

ii. Asian/ Pacific Islander 0

iii. Black 0

iv. White 0

v. Hispanic/ Latino 0

09. Was Contraband Discovered:

YES 2 2.17% i. Alaska/ Native American/ Indian 0 0.00% Finding resulted in arrest - YES 0

Finding resulted in arrest - NO 0

ii. Asian/ Pacific Islander 0 0.00% Finding resulted in arrest - YES 0

Finding resulted in arrest - NO 0

iii. Black 1 50.00% 1/6/2025 3 of 7

Racial Profiling Analysis Report

Finding resulted in arrest - YES 0

Finding resulted in arrest - NO 1

iv. White 1 50.00% Finding resulted in arrest - YES 0

Finding resulted in arrest - NO 1

v. Hispanic/ Latino 0 0.00% Finding resulted in arrest - YES 0

Finding resulted in arrest - NO 0

b. NO 1 1.09% i. Alaska/ Native American/ Indian 0 0.00% i. Asian/ Pacific Islander 0 0.00% iii. Black 0 0.00%

iv. White 0 0.00% v. Hispanic/ Latino 1 100.00%

10. Description of Contraband:

a. Drugs 0 0.00% i. Alaska/ Native American/ Indian 0

ii. Asian/ Pacific Islander 0

iii. Black 0

iv. White 0

v. Hispanic/ Latino 0

b. Currency 0 0.00% i. Alaska/ Native American/ Indian 0

ii. Asian/ Pacific Islander 0

iii. Black 0

iv. White 0

v. Hispanic/ Latino 0

c. Weapons 0 0.00% i. Alaska/ Native American/ Indian 0

ii. Asian/ Pacific Islander 0

iii. Black 0

iv. White 0

v. Hispanic/ Latino 0

d. Alcohol 0 0.00% i. Alaska/ Native American/ Indian 0

ii. Asian/ Pacific Islander 0

iii. Black 0

iv. White 0

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Racial Profiling Analysis Report

v. Hispanic/ Latino 0

e. Stolen Property 0 0.00% i. Alaska/ Native American/ Indian 0

ii. Asian/ Pacific Islander 0

iii. Black 0

iv. White 0
v. Hispanic/ Latino 0
f. Other 2 2.17% i. Alaska/ Native American/ Indian 0 0.00% i. Asian/ Pacific Islander 0 0.00% iii. Black 1 50.00% iv. White 1 50.00% v. Hispanic/ Latino 0 0.00%

11. Result of Stop:

a. Verbal Warning 74 80.43% i. Alaska/ Native American/ Indian 0 0.00% ii. Asian/ Pacific Islander 4 5.41% iii. Black 10 13.51% iv. White 44 59.46% v. Hispanic/ Latino 16 21.62% b. Written Warning 1 1.09% i. Alaska/ Native American/ Indian 0 0.00% ii. Asian/ Pacific Islander 0 0.00% iii. Black 1 100.00% iv. White 0 0.00% v. Hispanic/ Latino 0 0.00% c. Citation 17 18.48% i. Alaska/ Native American/ Indian 0 0.00% ii. Asian/ Pacific Islander 1 5.88% iii. Black 5 29.41% iv. White 7 41.18% v. Hispanic/ Latino 4 23.53% d. Written Warning and Arrest 0 0.00% i. Alaska/ Native American/ Indian 0 ii. Asian/ Pacific Islander 0 iii. Black 0 iv. White 0 v. Hispanic/ Latino 0

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Racial Profiling Analysis Report

e. Citation and Arrest 0 0.00% i. Alaska/ Native American/ Indian 0 ii. Asian/ Pacific Islander 0 iii. Black 0 iv. White 0 v. Hispanic/ Latino 0 f. Arrest 0 0.00% i. Alaska/ Native American/ Indian 0 ii. Asian/ Pacific Islander 0 iii. Black 0 iv. White 0 v. Hispanic/ Latino 0

12. Arrest Based On:

a. Violation of Penal Code 0 0.00% i. Alaska/ Native American/ Indian 0 ii. Asian/ Pacific Islander 0 iii. Black 0 iv. White 0 v. Hispanic/ Latino 0 b. Violation of Traffic Law 0 0.00% i. Alaska/ Native American/ Indian 0 ii. Asian/ Pacific Islander 0 iii. Black 0

- iv. White 0
- v. Hispanic/ Latino 0
- c. Violation of City Ordinance 0 0.00% i. Alaska/ Native American/ Indian 0
- ii. Asian/ Pacific Islander 0
- iii. Black 0
- iv. White 0
- v. Hispanic/ Latino 0
- d. Outstanding Warrant 0 0.00% i. Alaska/ Native American/ Indian 0
- ii. Asian/ Pacific Islander 0
- iii. Black 0
- iv. White 0
- v. Hispanic/ Latino 0

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Racial Profiling Analysis Report

13. Was Physical Force Used:

- a. NO 92 100.00% i. Alaska/ Native American/ Indian 0 0.00% ii. Asian/ Pacific Islander 5 5.43% iii. Black 16 17.39% iv. White 51 55.43% v. Hispanic/ Latino 20 21.74%
- b. YES 0 0.00% i. Alaska/ Native American/ Indian 0
- ii. Asian/ Pacific Islander 0
- iii. Black 0
- iv. White 0
- v. Hispanic/ Latino 0
- b 1. YES: Physical Force Resulting in Bodily Injury to Suspect 0
- b 2. YES: Physical Force Resulting in Bodily Injury to Officer 0
- b 3. YES: Physical Force Resulting in Bodily Injury to Both 0

14. Total Number of Racial Profiling Complaints Received: 0

REPORT DATE COMPILED 01/02/2025

