

McKinney Police Department – Racial Profiling Report

2019

Findings

In comparing 2018 data to the new data requirements the following was found. There were a total of 24,284 motor vehicle stops with captured data in 2018. During 2019 there were a total of 23,627 stops recorded and of those, 47% resulted in a verbal warning, 38% resulted in a citation, 13% resulted in a written warning and the remaining 2% resulted in an arrest or an arrest and citation.

In reviewing the data for 2019 it was found that the officer did not know the race of the driver prior to the stop in 97% of all motor vehicle stops. In addition, 95% of the motor vehicle stops did not result in a search. Of the 5% of stops resulting in a search being conducted, 69% of the searches that took place were non-discretionary. These consist of searches where circumstances dictate that the officer shall or should conduct a search. An example would be an officer searching someone following an arrest or observing contraband or smelling obvious contraband (marijuana for example). Of the searches conducted, 42% resulted in contraband being discovered, the majority of which involved drugs. Of the consent searches that took place, 22% yielded contraband. Of the arrests made following a motor vehicle stop the most common reason was due to violation of state law (driving while intoxicated, possession of drugs/paraphernalia, etc) followed by an outstanding warrant. The chart below demonstrates the hit rate percentage. This is defined as the percentage of consent searches in which some form of illegal contraband was located.

Discretionary Searches (Consent)					
2. Race or ethnicity	N	Searched	Contraband Located	% Searched	Hit Rate %
Alaska Native / American Indian	293	1	0	0.00%	0.00%
Asian / Pacific Islander	995	7	2	0.70%	28.57%
Black	4532	84	18	1.85%	21.43%
Hispanic / Latino	3392	79	19	2.33%	24.05%
White	14415	218	48	1.51%	22.02%

There were a total of six motor vehicle stops which resulted in bodily injury. In all of these incidents the suspect was treated at the hospital and deemed fit for confinement. None of the suspects were hospitalized as a result of the Use of Force. Three of these incidents involved deployment of a police canine and a subsequent bite. One incident involved contusions or bruises to the subject, one experienced a Taser application and the last received cuts or lacerations as a result of the encounter.

Allegations of Bias¹

The Texas Racial Profiling Law requires that agencies provide the public with information regarding 'the agency's compliment and complaint process, including providing the telephone number, mailing address and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer'. This must also include 'a process by which an individual may file a complaint with the agency if the individual believes the peace officer employed by the agency has engaged in racial profiling with respect to the individual'.

The McKinney Police Department provides contact information for the filing of a compliment or complaint on each citation and warning. In addition, information regarding the filing of a compliment or complaint is available online at <https://www.mckinneytexas.org/166/Police>.

There were three complaints of bias related to a traffic contact in 2019. Following an investigation of these complaints the complaints were unfounded. In one instance, the complainant never contacted Internal Affairs to make a formal complaint. There was one complaint of bias related to a traffic contact in 2018 and the same in 2017 as displayed in figure 6 below.

Figure 1: Bias based profiling

Biased Based Profiling			
Complaints from:	2017	2018	2019
Traffic Contacts	1	1	3
Field Contacts	0	0	0
Asset Forfeiture	0	0	0

¹ CALEA Standard 1.2.9.d requires a documented annual administrative review of agency practices including citizen concerns related to bias based profiling.

Comparison - Census Data, Suspects, Total Arrests, Traffic Stop Arrests and Citations					
	African American	Asian	Caucasian	Hispanic	Native American
2019 Census Estimate	11.61%	6.89%	60.94%	17.41%	0.23%
Total Contacts					
2018	19.18%	4.21%	61.01%	14.36%	1.24%
Traffic Stop Arrests					
2018	30.82%	0.67%	40.80%	27.72%	0.0%
Citations					
2018	16.30%	4.04%	60.97%	16.37%	2.33%
Written Warnings					
2018	16.65%	2.92%	69.56%	9.50%	1.37%
Verbal Warnings					
2018	21.69%	4.87%	59.53%	13.53%	0.38%

*Note: 5,580 persons (2.91%) reported two or more races or some other race for census reporting.

In reviewing citations issued in 2019 in comparison to the 2019 census estimate, violators were issued citations consistent with the percentages of the biographical makeup of the city. Of the arrests made in 2019, 59% of those arrests were made for warrants or no driver license / fraudulent driver license violations and another 30% were made for violation of state law (such as Driving Under the Influence and Possession of Drugs or Paraphernalia). These arrests are considered non-discretionary actions meaning the officers decision is either limited or specifically directed. Of these arrests, 31% were African American, 41% were Caucasian, and 28% were Hispanic. In looking at the reported offenses including suspect / offender information, enforcement activity falls within the percentages reported. Following a review of various data sets, non-discretionary actions as well as complaints received, no indications of bias in traffic contacts, field contacts or asset forfeiture was detected. Supervisors are performing quarterly Bias Based profiling reviews of motor vehicle stops. These are performed randomly and include a review of five traffic stops per officer based on a random date selected during the quarter. These are documented in RMS and captured in a quarterly report which is submitted to the Office of the Chief of Police. No indications of bias were detected in the quarterly reviews.

Racial Profiling Report | Full

Reporting Date: 01/27/2020

Agency Name: MCKINNEY POLICE DEPT.
TCOLE Agency Number: 085214

Chief Administrator: GREGORY A. CONLEY

Agency Contact Information:
Phone: (972) 547-2700
Email: gconley@mckinneytexas.org

Mailing Address:
2200 TAYLOR-BURK DRIVE
MCKINNEY, TX 75071

This Agency filed a full report

MCKINNEY POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1.) clearly defines acts constituting racial profiling;
- 2.) strictly prohibit peace officers employed by the MCKINNEY POLICE DEPT. from engaging in racial profiling;
- 3.) implements a process by which an individual may file a complaint with the MCKINNEY POLICE DEPT. if the individual believes that a peace officer employed by the MCKINNEY POLICE DEPT. 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 MCKINNEY POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the MCKINNEY POLICE DEPT. policy adopted under this article;
- 6.) require collection of information relating to motor vehicle stops in which a 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; and
 - c.) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- 7.) require 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.

Executed by: Josel Harrison, Accreditation and Reporting Supervisor

Date: 01/27/2020

Total stops: 23627

Gender

Female	10078
Male	13549

Race / Ethnicity

Black	4532
Asian / Pacific Islander	995
Hispanic / Latino	14415
White	3392
Alaska Native / American	293

Was race or ethnicity known prior to stop?

Yes	22963
No	664

Reason for stop?

Violation of law	1218
Preexisting knowledge	388
Moving traffic violation	16206
Vehicle traffic violation	5815

Street address or approximate location of the stop

City street	19467
US highway	3641
County road	39
State highway	410
Private property or other	70

Was a search conducted?

Yes	1247
No	22380

Reason for Search?

consent	389
contraband	28
probable	479
inventory	79

ncident to arrest	272
Was Contraband discovered?	
Yes	527
No	720
Description of contraband	
Drugs	397
Currency	0
Weapons	14
Alcohol	41
Stolen property	8
Other	67
Result of the stop	
Verbal warning	11059
Written warning	3147
Citation	8921
Written warning and arrest	0
Citation and arrest	49
Arrest	451
Arrest based on	
Violation of Penal Code	234
Violation of Traffic Law	72
Violation of City Ordinance	0
Outstanding Warrant	194
Was physical force resulting in bodily injury used during stop?	
Yes	6
No	23621

Submitted electronically to the



**The Texas Commission on Law
Enforcement**