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February 26, 2024

Mayor John B. Muns  
City Council Members, City of Plano  
Plano, Texas 75074

Honorable Mayor and Council:

For the twenty-second consecutive year, the Plano Police Department has complied with the Texas Racial Profiling Law by providing the Plano City Council and the Texas Commission on Law Enforcement (TCOLE) specific information related to motor vehicle stops. The Texas Code of Criminal Procedures requires reporting of certain data involving motor vehicle stops to include:

- The total number of all motor vehicle stops in which a citation was issued, an arrest was made, or a warning was issued;
- The gender, race, or ethnicity of the individual detained;
- Whether a search was conducted and, if so, whether the individual detained consented to the search;
- The reason for the search;
- Whether any contraband or evidence was found during the search and a description of the contraband or evidence;
- Whether the peace officer made an arrest as the result of the motor vehicle stop and the authority for the arrest;
- Whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
- Whether the peace officer used physical force that resulted in bodily injury;
- The location of the stop; and
- The initial reason for the stop.

The statute also requires the department to conduct a comparative analysis of data collected during motor vehicle stops and submit a report to TCOLE and the City Council. We submitted the data on February 23, 2024, to TCOLE by electronically filing the Racial Profiling Full Report and the Comparative Analysis Report. Attached to this correspondence are those reports. The filing of these reports to the Plano City Council and TCOLE prior to March 1<sup>st</sup> brings the Plano Police Department into compliance with the annual reporting requirements.

Sincerely,

Ed Drain  
Chief of Police

ED/no

PLANO POLICE DEPARTMENT

POLICE



2023

RACIAL PROFILING  
REPORT

TWO THOUSAND TWENTY THREE

## Executive Summary

The Plano Police Department is pleased to present the following information to the Plano City Council regarding compliance with the Texas Code of Criminal Procedure on racial profiling. The department analyzed all motor vehicle stop data from 2023 in order to ensure that Plano police officers are engaged in constitutional policing.

Over the past year, Plano officers conducted 66,990 motor vehicle stops. White drivers constituted 40.25 percent of all drivers stopped, Black drivers accounted for 20.40 percent, Hispanic drivers totaled 20.81 percent, and Asian drivers equaled 18.37 percent of all drivers stopped. The 2023 motor vehicle stop data indicates officers knew the race of the driver prior to the stop in less than 1 percent of all stops.

Citations were issued in 32.24 percent of motor vehicle stops, verbal warnings were rendered 37.27 percent of the time, and written warnings were given in 28.50 percent of the stops. Together, these actions constituted 98.01 percent of all stop enforcement actions.

Specific to **citations**, White drivers received a citation in 30.20 percent of their stops, Black drivers received a citation in 32.77 percent of their stops, Hispanic drivers received a citation in 35.27 percent of their stops, and Asian drivers received a citation in 32.77 percent of their stops. Specific to **written warnings**, White drivers received a written warning in 32.58 percent of their stops, Black drivers received a written warning in 26.20 percent of their stops, Hispanic drivers received a written warning in 22.09 percent of their stops, and Asian drivers received a written warning in 29.42 percent of their stops. Specific to **verbal warnings**, White drivers received a verbal warning in 35.73 percent of their stops, Black drivers received a verbal warning in 37.38 percent of their stops, Hispanic drivers received a verbal warning in 40.10 of their stops, and Asian drivers received a verbal warning in 37.18 percent of their stops.

In 2023, officers made arrests during 1,333 motor vehicle stops, or 1.99 percent of all stops. Specific to **arrests**, White drivers were arrested in 1.49 percent of their stops, Black drivers were arrested in 3.65 percent of their stops, Hispanic drivers were arrested in 2.53 percent of their stops, and Asian drivers were arrested in 0.63 percent of their stops. Of the arrests made during a motor vehicle stop, 44.86 percent were made on outstanding warrants, 51.31 percent were based on penal code violations, and 3.53 percent were made for traffic code violations.

The Department received 6 citizen complaints regarding racially biased policing. The Department's Professional Standards Unit investigated all 6 of the complaints and determined they were unfounded. In 2023, Plano officers used force resulting in bodily injury to the driver during 7 of the 66,990 motor vehicle stops. Officers suffered some type of bodily injury during 2 of those stops.

The Racial Profiling Report submitted to the Texas Commission on Law Enforcement (TCOLE) is included in this report (Attachment A). It includes the data the department is required to submit to the Plano City Council in accordance with Article 2.132 of the Texas Code of Criminal Procedure.



## **Comparative Analysis**

Article 2.134 of the Texas Code of Criminal Procedures requires agencies to conduct a comparative analysis to:

- evaluate and compare the number of motor vehicle 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;
- examine the disposition of motor vehicle stops made by officers employed by the department, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the jurisdiction; and
- evaluate and compare the number of searches resulting from motor vehicle stops within the jurisdiction and whether contraband or other evidence was discovered in the course of those searches.

### ***Choosing the Correct Comparison Data***

Over the years, various organizations have advocated the use of different comparison data, including city and regional population, vehicle availability, and driver license data. These datasets have unique limitations when used for comparative analysis of motor vehicle stops. For example, in cities that surround major metropolitan areas where race and ethnicity populations differ, the use of the city's racial and ethnicity population does not provide an accurate comparison to the driving population. In 2023, over 64.46 percent of drivers from motor vehicle stops lived outside the city of Plano. The actual percent of non-Plano resident drivers stopped is most likely greater than 64.46 percent because the department does not require officers to collect a driver's home address when issuing a verbal warning on a motor vehicle stop. Additionally, using population data from the United States Census Bureau for comparison purposes is unreliable because the data includes individuals of all ages, including those who are not legally able to drive or do not drive.

The Department of Civil Engineering at the University of Kentucky completed a study for the United States Department of Transportation that found the racial estimates from a distribution of "not-at-fault" drivers involved in crashes closely mirrored the driving population because all drivers have an equal chance of being the victim of a traffic crash. Historically, the race of "not-at-fault" drivers involved in crashes in Plano more closely mirrored the race of drivers stopped by officers than the Plano's population demographics.

### ***Motor Vehicle Stops***

An analysis of motor vehicle stops by race and ethnicity of the drivers found White drivers accounted for 40.25 percent of all drivers stopped, while Black drivers constituted 20.40 percent of drivers stopped. Hispanic drivers accounted for 20.81 percent of stops, and Asian drivers made up 18.37 percent of stops.

When compared to the race and ethnicity of drivers in Plano's "not-at-fault" crash data, Black drivers were stopped 4.50 percentage points more and Hispanic drivers were stopped 0.98 percentage points more than their estimated presence in their respective driving pools. White drivers and Asian drivers were stopped 3.91 and 1.41 percent less, respectively, than their estimated presence in the approximate driving pool.

Officers reported they knew the race of the driver prior to the motor vehicle stop 0.24 percent of the time.

Comparative Analysis of Motor Vehicle Stops by Race / Ethnicity						
Motor Vehicle Stops						
Race / Ethnicity	Alaska Native / American Indian	Asian / Pacific Islander	Black	Hispanic / Latino	White	Total
Motor Vehicle Stops	117	12,303	13,665	13,941	26,964	66,990
Percent	0.17%	18.37%	20.40%	20.81%	40.25%	100.00%
Plano Demographics						
Race / Ethnicity	Alaska Native / American Indian	Asian / Pacific Islander	Black	Hispanic / Latino	White	Total
Percent	0.25%	22.87%	11.91%	16.82%	48.15%	100.00%
Plano "Not at Fault Drivers" Crash Data						
Race / Ethnicity	Alaska Native / American Indian	Asian / Pacific Islander	Black	Hispanic / Latino	White	Total
Percent	0.33%	19.78%	15.90%	19.83%	44.16%	100.00%
Knew Driver's Race / Ethnicity Prior to Motor Vehicle Stop						
Race / Ethnicity	Alaska Native / American Indian	Asian / Pacific Islander	Black	Hispanic / Latino	White	Total
Knew Driver's Race Prior to Stop	0	17	63	25	54	159
Percent of Motor Vehicle Stops	0.00%	0.14%	0.46%	0.18%	0.20%	0.24%

## Gender

Female drivers accounted for 38.72 percent of all motor vehicle stops and male drivers composed 61.28 percent of stops. White male and female drivers were stopped most often in 23.42 percent and 16.83 percent of all motor vehicle stops, respectively.

When compared to the race, ethnicity, and gender of drivers in Plano's "not-at-fault" crash data, Black male and female drivers were stopped 3.20 and 1.31 percent more than their estimated presence in the driving pool, respectively. Hispanic male drivers were stopped 1.92 percent more than their estimated presence in the driving pool, while Hispanic female drivers were stopped 0.91 percent less than their estimated presence in the driving pool. White male and female drivers were stopped 0.74 and 3.17 percent less than their presence in the driving pool, respectively. While Asian male drivers were stopped 0.31 percent more and female drivers were stopped 1.72 percent less than their presence in the driving pool.

Motor Vehicle Stops by Gender and Race / Ethnicity						
Race / Ethnicity	Alaska Native / American Indian	Asian / Pacific Islander	Black	Hispanic / Latino	White	Total
<b>Motor Vehicle Stops</b>						
- Female	44	4,170	6,052	4,398	11,277	25,941
- Male	73	8,133	7,613	9,543	15,687	41,049
<b>Percent of Motor Vehicle Stops</b>						
- Female	0.07%	6.22%	9.03%	6.57%	16.83%	38.72%
- Male	0.11%	12.14%	11.36%	14.25%	23.42%	61.28%
<b>Plano "Not At Fault" Crash Data</b>						
- Female	0.17%	7.94%	7.72%	7.48%	20.00%	43.31%
- Male	0.17%	11.83%	8.16%	12.33%	24.16%	56.65%

### ***Reason for Motor Vehicle Stop***

Motor vehicle stops initiated from moving and vehicle traffic violations accounted for 98.26 percent of all motor vehicle stops, and 73.47 percent of those stops occurred due to moving traffic violations.

<b>Reason for Motor Vehicle Stops</b>						
<b>Race / Ethnicity</b>	<b>Alaska Native / American Indian</b>	<b>Asian / Pacific Islander</b>	<b>Black</b>	<b>Hispanic / Latino</b>	<b>White</b>	<b>Total</b>
<b>Violation of Law</b>	0	77	184	151	224	636
Percent	0.00%	0.63%	1.35%	1.08%	0.83%	0.95%
<b>Pre-Existing Knowledge</b>	2	72	131	153	169	527
Percent	1.71%	0.59%	0.96%	1.10%	0.63%	0.79%
<b>Moving Traffic Violation</b>	82	9,763	9,320	9,411	20,643	49,219
Percent	70.09%	79.35%	68.20%	67.51%	76.56%	73.47%
<b>Vehicle Traffic Violation</b>	33	2,391	4,030	4,226	5,928	16,608
Percent	28.21%	19.43%	29.49%	30.31%	21.98%	24.79%

### **Location of Stop**

Of all motor vehicle stops, 92.51 percent occurred on city streets, 2.27 percent occurred on US highways, 2.25 percent occurred on state highways, 0.06 percent occurred on county roads, and 2.90 percent occurred on private property or other areas.

Location of Motor Vehicle Stops						
Race / Ethnicity	Alaska Native / American Indian	Asian / Pacific Islander	Black	Hispanic / Latino	White	Total
City Street	104	11,516	12,497	12,935	24,922	61,974
Percent	88.89%	93.60%	91.45%	92.78%	92.43%	92.51%
US Highway	5	157	395	336	627	1,520
Percent	4.27%	1.28%	2.89%	2.41%	2.33%	2.27%
State Highway	1	298	324	255	630	1,508
Percent	0.85%	2.42%	2.37%	1.83%	2.34%	2.25%
County Road	0	7	4	9	23	43
Percent	0.00%	0.06%	0.03%	0.06%	0.09%	0.06%
Private Property or Other	7	325	445	406	762	1,945
Percent	5.98%	2.64%	3.26%	2.91%	2.83%	2.90%

### **Arrests**

In 2023, officers made arrests during 1,333 motor vehicle stops, or 1.99 percent of all stops. There was an arrest made in 3.65 percent of motor vehicle stops of Black drivers, 2.53 percent of Hispanic drivers, and 1.49 percent of White drivers.

There are multiple reasons an officer may arrest a driver that was stopped and some arrests are required by law or department policy. When officers make a motor vehicle stop, they may check the driver for warrants and if the person is wanted on a warrant from another law enforcement agency and the warrant is confirmed, the officer must arrest the person. Plano participates in the North Texas Regional Wanted Persons Database which increases the chance of encountering a driver from a surrounding area who has an outstanding warrant. Warrant arrests accounted for 44.86 percent of arrests; 69.92 percent of those arrests were on drivers who live outside of Plano. Of all Black drivers arrested, 55.91 percent were arrested for warrants. Warrant arrests accounted for 43.63 percent of Hispanic drivers arrested, 35.82 percent of White drivers arrested, and 25.97 percent of Asian drivers arrested.



Additionally, an arrest may be required if other offenses are discovered during the stop, for instance, the officer detects narcotics, the person is intoxicated, or is transporting stolen property. Arrests for driving while intoxicated (DWI) accounted for 33.61 percent of all arrests during motor vehicle stops. Warrant arrests and DWI arrests accounted for 78.47 percent of all arrests made during motor vehicle stops.

When deciding the appropriate enforcement action to take during a motor vehicle stop, one factor officers consider is whether they are able to identify the driver. The Texas Transportation Code requires drivers to present a valid driver license upon a police officer's request. If the driver does not present an identification or presents a fictitious one, there is an increased chance the driver may be arrested. In 2023, Plano officers arrested 34 individuals for offenses involving not having identification or presenting false identification.

Motor Vehicle Stops						
Race / Ethnicity	Alaska Native / American Indian	Asian / Pacific Islander	Black	Hispanic / Latino	White	Total
Motor Vehicle Stops	117	12,303	13,665	13,941	26,964	66,990
Percent of Motor Vehicle Stops	0.17%	18.37%	20.40%	20.81%	40.25%	100.00%
Motor Vehicle Stop Dispositions – Arrests						
All Arrests	2	77	499	353	402	1,333
Percent of Motor Vehicle Stops	1.71%	0.63%	3.65%	2.53%	1.49%	1.99%
Arrests Only	1	68	384	284	355	1,092
Percent of Motor Vehicle Stops	0.85%	0.55%	2.81%	2.04%	1.32%	1.63%
Arrests with Citation Issued	1	6	101	59	37	204
Percent of Motor Vehicle Stops	0.85%	0.05%	0.74%	0.42%	0.14%	0.30%
Arrests with Warning Issued	0	3	14	10	10	37
Percent of Motor Vehicle Stops	0.00%	0.02%	0.10%	0.07%	0.04%	0.06%
Arrests Resulting from Motor Vehicle Stops						
Warrant Arrest	1	20	279	154	144	598
Percent of Arrests	50.00%	25.97%	55.91%	43.63%	35.82%	44.86%
Percent of Motor Vehicle Stops	0.85%	0.16%	2.04%	1.10%	0.53%	0.89%
DWI Arrests	1	38	109	127	173	448
Percent of Arrests	50.00%	49.35%	21.84%	35.98%	43.03%	33.61%
Percent of Motor Vehicle Stops	0.85%	0.31%	0.80%	0.91%	0.64%	0.67%
No DL/Failed to Identify Arrests	0	3	12	8	11	34
Percent of Arrests	0.00%	3.90%	2.40%	2.27%	2.74%	2.55%
Percent of Motor Vehicle Stops	0.00%	0.02%	0.09%	0.06%	0.04%	0.05%

### ***Reason for Arrest***

Arrests for a penal code violation accounted for 51.31 percent of all arrests, while drivers with an outstanding warrant accounted for 44.86 percent of all arrests. Arrests for traffic law and city ordinance violations accounted for the remaining 3.53 and 0.30 percent, respectively.

<b>Reason for Arrest on Motor Vehicle Stops</b>						
<b>Race / Ethnicity</b>	<b>Alaska Native / American Indian</b>	<b>Asian / Pacific Islander</b>	<b>Black</b>	<b>Hispanic / Latino</b>	<b>White</b>	<b>Total</b>
<b>Violation of Penal Code</b>	1	51	202	187	243	684
Percent of Arrests	50.00%	66.23%	40.48%	52.97%	60.45%	51.31%
Percent of Motor Vehicle Stops	0.85%	0.41%	1.48%	1.34%	0.90%	1.02%
<b>Violation of Traffic Law</b>	0	6	16	11	14	47
Percent of Arrests	0.00%	7.79%	3.21%	3.12%	3.48%	3.53%
Percent of Motor Vehicle Stops	0.00%	0.05%	0.12%	0.08%	0.05%	0.07%
<b>Violation of City Ordinance</b>	0	0	2	1	1	4
Percent of Arrests	0.00%	0.00%	0.40%	0.28%	0.25%	0.30%
Percent of Motor Vehicle Stops	0.00%	0.00%	0.01%	0.01%	0.00%	0.01%
<b>Outstanding Warrant</b>	1	20	279	154	144	598
Percent of Arrests	50.00%	25.97%	55.91%	43.63%	35.82%	44.86%
Percent of Motor Vehicle Stops	0.85%	0.16%	2.04%	1.10%	0.53%	0.89%

### ***Citations***

When an officer stops a vehicle for a traffic violation and does not observe other violations, the officer has the discretion to issue a citation, a written warning, a verbal warning, or in some instances make an arrest. Officers often consider the seriousness of a violation when deciding the appropriate enforcement action.

When analyzing citations issued within the race or ethnicity groups, data showed officers issued a citation to Black and Asian drivers in 32.77 percent of their motor vehicle stops, White drivers were given a citation in 30.20 percent of their stops, and Hispanic drivers received citations in 35.27 percent of their stops.

### **Written Warnings**

When comparing written warnings to motor vehicle stops within each race or ethnicity group, officers issued Black drivers written warnings in 26.20 percent of stops and Hispanic drivers received a written warning in 22.09 percent of their motor vehicle stops. Asian drivers and White drivers were given a written warning in 29.42 percent and 32.58 percent of their motor vehicle stops, respectively.

### **Verbal Warnings**

A comparison of verbal warnings issued within each race or ethnicity group, found officers issued verbal warning tickets to Black drivers in 37.38 percent of their motor vehicle stops, while Hispanic drivers received a verbal warning in 40.10 percent of their stops, and Asian drivers in 37.18 percent of their stops. White drivers received a verbal warning in 35.73 percent of their motor vehicle stops.

<b>Motor Vehicle Stops</b>						
<b>Race / Ethnicity</b>	<b>Alaska Native / American Indian</b>	<b>Asian / Pacific Islander</b>	<b>Black</b>	<b>Hispanic / Latino</b>	<b>White</b>	<b>Total</b>
Motor Vehicle Stops	117	12,303	13,665	13,941	26,964	66,990
Percent of Motor Vehicle Stops	0.17%	18.37%	20.40%	20.81%	40.25%	100.00%
<b>Motor Vehicle Stop Dispositions – Citations and Warnings</b>						
<b>Citations Issued</b>	27	4,032	4,478	4,917	8,143	21,597
Percent of Motor Vehicle Stops	23.08%	32.77%	32.77%	35.27%	30.20%	32.24%
<b>Verbal Warnings Issued</b>	61	4,574	5,108	5,591	9,634	24,968
Percent of Motor Vehicle Stops	52.14%	37.18%	37.38%	40.10%	35.73%	37.27%
<b>Written Warnings Issued</b>	27	3,620	3,580	3,080	8,785	19,092
Percent of Motor Vehicle Stops	23.08%	29.42%	26.20%	22.09%	32.58%	28.50%

## ***Searches and Contraband***

Officers are required to search all arrested individuals and detainees whom the officer reasonably believes presents a danger to the officer or others. Additionally, officers conduct a search when contraband is in plain view, when they have probable cause to believe criminal activity is afoot, and anytime an officer has a person's vehicle towed. These searches are considered "non-discretionary." Officers may also conduct consent searches which are considered "discretionary searches" and require the driver's permission to search their person/vehicle.

In 2023, a search was conducted on 2,380 motor vehicle stops or 3.55 percent of all motor vehicle stops. Non-discretionary searches accounted for 78.28 percent of the all searches while the remaining 21.72 percent of searches conducted were discretionary consent searches. Officers searched 7.34 percent of the Black drivers stopped, 4.56 percent of the Hispanic drivers, and 2.30 percent of the White drivers stopped. Of the Black drivers searched, 82.45 percent were non-discretionary searches.

Contraband or evidence was located in 43.99 percent of all searches conducted. Contraband was found in 45.46 percent of the searches of Black drivers, 35.34 percent of searches of Asian drivers, 42.35 percent of searches of White drivers, and 44.81 percent of searches of Hispanic drivers.

When conducting a search an officer may find more than one type of contraband or evidence. For instance, an officer may find drugs, weapons, and stolen property. In the report, it would be counted for all three contraband types. The most frequently found type of contraband was drugs, which were found in 30.34 percent of searches during motor vehicle stops.

<b>Description of Contraband Found</b>						
<b>Contraband Type</b>	<b>Drugs</b>	<b>Currency</b>	<b>Weapons</b>	<b>Alcohol</b>	<b>Stolen Property</b>	<b>Other</b>
Contraband Found	722	16	116	172	37	155
Percent of Searches	30.34%	0.67%	4.87%	7.23%	1.55%	6.51%

Motor Vehicle Stops						
Race / Ethnicity	Alaska Native / American Indian	Asian / Pacific Islander	Black	Hispanic / Latino	White	Total
Motor Vehicle Stops	117	12,303	13,665	13,941	26,964	66,990
Percent of Motor Vehicle Stops	0.17%	18.37%	20.40%	20.81%	40.25%	100.00%
Search Type						
<b>All Searches</b>	4	116	1,003	636	621	2,380
Percent of Motor Vehicle Stops	3.42%	0.94%	7.34%	4.56%	2.30%	3.55%
Contraband Found	2	41	456	285	263	1,047
Contraband Found Percent	50.00%	35.34%	45.46%	44.81%	42.35%	43.99%
<b>Consent Searches</b>	0	27	176	176	138	517
Percent of Motor Vehicle Stops	0.00%	0.22%	1.29%	1.26%	0.51%	0.77%
Contraband Found	0	6	65	48	45	164
Contraband Found Percent	0.00%	22.22%	36.93%	27.27%	32.61%	31.72%
<b>Contraband in Plain View</b>	0	4	37	32	27	100
Percent of Motor Vehicle Stops	0.00%	0.03%	0.27%	0.23%	0.10%	0.15%
Contraband Found	0	4	37	32	27	100
Contraband Found Percent	0.00%	100.00%	100.00%	100.00%	100.00%	100.00%
<b>Incident to Arrest</b>	2	50	293	202	258	805
Percent of Motor Vehicle Stops	1.71%	0.41%	2.14%	1.45%	0.96%	1.20%
Contraband Found	1	8	51	39	61	160
Contraband Found Percent	50.00%	16.00%	17.41%	19.31%	23.64%	19.88%
<b>Probable Cause</b>	2	31	477	209	180	899
Percent of Motor Vehicle Stops	1.71%	0.25%	3.49%	1.50%	0.67%	1.34%
Contraband Found	1	22	298	161	125	607
Contraband Found Percent	50.00%	70.97%	62.47%	77.03%	69.44%	67.52%
<b>Towing Inventory</b>	0	4	20	17	18	59
Percent of Motor Vehicle Stops	0.00%	0.03%	0.15%	0.12%	0.07%	0.09%
Contraband Found	0	1	5	5	5	16
Contraband Found Percent	0.00%	25.00%	25.00%	29.41%	27.78%	27.12%



### Consent Searches

Officers sought the driver's consent to search their vehicle/person during 1.27 percent of motor vehicle stops. Consent to search was requested in 2.37 percent of stops of Black drivers, in 1.74 percent of stops of Hispanic drivers, and 0.91 percent of stops of White drivers. Consent searches were granted in 80.44 percent of requests. The number of actual consent searches were lower than the number of requests due to there being other justifications for the search such as contraband in plain view, the officer had probable cause to believe criminal activity was taking place, or the officer ultimately decided against a search. Actual searches based on consent from White motorists occurred 56.33 percent of the time, Hispanic drivers were searched 72.43 percent of the time, while Black drivers were searched 54.32 percent of the time. Contraband was located in 31.72 percent of consent searches.

Consent Searches						
Race / Ethnicity	Alaska Native / American Indian	Asian / Pacific Islander	Black	White	Hispanic / Latino	Total
Consent Search Requested	0	42	324	245	243	854
Consent Search Granted	0	33	262	176	216	687
Actual Consent Searches	0	27	176	138	176	517
Percent of Search Requests	0.00%	0.34%	2.37%	0.91%	1.74%	1.27%
Percent of Search Requests Granted	0.00%	78.57%	80.86%	71.84%	88.89%	80.44%
Percent of Actual Consent Searches	0.00%	64.29%	54.32%	56.33%	72.43%	60.54%
Consent Searches Contraband Found	0	6	65	45	48	164
Percent of Consent Searches Contraband Found	0.00%	22.22%	36.93%	32.61%	27.27%	31.72%
Consent Searches – Drugs Found	0	3	44	25	22	94
Consent Searches – Currency Found	0	0	1	1	2	4
Consent Searches – Weapons Found	0	2	11	5	4	22
Consent Searches – Alcohol Found	0	0	8	1	16	25
Consent Searches – Stolen Property	0	1	1	3	1	6
Consent Searches – Other Contraband Found	0	0	9	14	10	33

### *Use of Force during Motor Vehicle Stops*

Article 2.132 of the Texas Code of Criminal Procedure requires the department to report whether an officer used physical force that resulted in bodily injury during the stop. Bodily injury is defined in the Texas Penal Code as any physical pain, illness, or impairment of a physical condition. Out of the 66,990 motor vehicle stops, including 1,333 arrests, officers used physical force that resulted in bodily injury to the driver in 7 motor vehicle stops. In 2 of the use of force incidents, both the officer and the driver suffered a bodily injury.

### *Citizen Complaints*

During 2023, the Plano Police Department received 6 complaints of racial profiling or biased based policing. Of the 6 complaints, 4 complainants were Black and 2 were Hispanic. Investigations by the Professional Standards Unit determined there was no evidence to support the allegations that officers had engaged in racial profiling or biased based police actions. Two complaints were the result of motor vehicle stops, which account for less than 0.01 percent of all motor vehicles stops.

### *Complaint Summarization*

**Complaint #1:** A White officer issued a citation to a Hispanic female during a traffic stop for blocking the roadway. The officer used a translator to communicate with the driver to complete the traffic stop. She advised the officer did not allow her to fully explain why she blocked the intersection with the interpreter, and felt like he was discriminating against her. The investigator assigned to the complaint asked the complainant why she thought he was discriminating and she replied that it was because of the way he spoke and treated her, and because he did not want her to have interpretation. Unfounded.

**Complaint #2:** Three White officers responded to a disturbance where a Black male was threatening to shoot roofers working on a house in his neighborhood. When officers contacted the male, he admitted to threatening the roofers because he believed one of them stepped on his property. Officers noticed he had 2 rifles displayed in the front doorway of his home and they appeared to be readily accessible. Officers detained him for a mental health evaluation (APOWW). The male filed a complaint alleging officers always take the side of the non-black person. Unfounded.

**Complaint #3:** Multiple officers of different races were dispatched to a Disturbance. The complainant, her daughter, and another adult female who are all Black went over to confront children at a White female's apartment because they claimed the children called her son a racial slur. Once the complainant and group found where the other child's mother lived, they left to confront her. The White female went to make sure everything was okay and had a knife on her for protection. They encountered each other again, which resulted in another confrontation. Everyone had the opportunity to write a statement at the scene and there were no arrests made. The complainant was made aware a report would be completed. She filed a complaint stating the primary officer did not investigate this call properly and she felt this had to do with the "color of her skin". Unfounded.

**Complaint #4:** A Hispanic female parked her vehicle in a dirt lot next to a construction site to attend a soccer game and when she returned her vehicle was gone. According to her, she contacted a White officer who told her he had her vehicle towed. She noticed there were 'Americans' parking there and the officer was not addressing where they were parking. The complainant reported when she picked up her car from the towing facility, she was advised that most of the vehicles towed belonged to Hispanics. The police

department reviewed the calls for service and analyzed the police vehicle locations on the date of the incident, and no Plano officers had responded to the location during the date/time reported by the complainant. She gave an officer name and badge number that did not match any employee of the Plano Police Department. Unfounded.

**Complaint #5:** A White officer responded to a minor parking lot crash where a Black female was the passenger in one of the two involved vehicles. Her White male friend was the driver of the vehicle she was in, and a Black male was driving the other involved vehicle. When the officer arrived, the complainant was standing near the other Black male driver and her White friend was standing further away on the telephone. The officer contacted the two Black individuals first as they were standing relatively close together. She filed a complaint alleging the officer assumed it was a “white vs black” incident. Unfounded.

**Complaint #6:** A White officer conducted a motor vehicle stop for a moving traffic violation after observing a vehicle leaving a parking lot of a closed car dealership at approximately 4:30a.m. The officer approached the vehicle and identified himself and the reason for the stop. The driver, a Black male, complained the officer followed him and the officer did not deny following him and explained the driver left a closed business as soon as he pulled in, and the storage facility next door had been burglarized several times recently. In-car camera video confirmed the complainant did commit a moving traffic violation, which was the stated reason for the stop. During the contact, the complainant referred to the stop as race based. Unfounded.

### ***Training and Community Engagement***

During the police academy, Plano police recruits receive a total of 20 hours of training on cultural diversity, multiculturalism, and racial profiling. Additionally, the department provides officers instruction on non-biased policing, the law governing racial profiling, and the department’s administrative directive on racial profiling (Attachment B).

Members of the Plano Police Department also maintain dialogue with and reach out to various organizations in within the community, including the Plano Community Forum, the National Organization for Black Law Enforcement Executives (NOBLE), Plano Multicultural Outreach Roundtable, the Asian community, and organizations within the Islamic and Sikh communities. The department has initiated several community engagement programs, such as UNIDOS, to ensure citizens know how to respond to police during traffic stops and how to make a complaint to the Professional Standards Unit. The department also engages with the future Plano drivers through the Kids and Cops Golf program.

# Racial Profiling Report | Full

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Agency Name: PLANO POLICE DEPARTMENT

Reporting Date: 02/23/2024

TCOLE Agency Number: 085218

Chief Administrator: EDDIE T. DRAIN

Agency Contact Information:

Phone: (972) 941-2912

Email: edd@plano.gov

Mailing Address:

PO BOX 860358

PLANO, TX 75086-0358

This Agency filed a full report

PLANO 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 PLANO POLICE DEPARTMENT from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the PLANO POLICE DEPARTMENT if the individual believes that a peace officer employed by the PLANO 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 PLANO POLICE DEPARTMENT who, after an investigation, is shown to have engaged in racial profiling in violation of the PLANO 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 PLANO POLICE DEPARTMENT has satisfied the statutory data audit requirements as prescribed in Article

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

Executed by: Nicole Offerdahl  
Police Planning and Research Division Manager

Date: 02/23/2024

# Total stops: 66990

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## Street address or approximate location of the stop

City street	61974
US highway	1520
County road	43
State highway	1508
Private property or other	1945

## Was race or ethnicity known prior to stop?

Yes	159
No	66831

## Race / Ethnicity

Alaska Native / American Indian	117
Asian / Pacific Islander	12303
Black	13665
White	26964
Hispanic / Latino	13941

## Gender

<b>Female</b>	<b>25941</b>
Alaska Native / American Indian	44
Asian / Pacific Islander	4170
Black	6052
White	11277
Hispanic / Latino	4398
<b>Male</b>	<b>41049</b>
Alaska Native / American Indian	73
Asian / Pacific Islander	8133
Black	7613
White	15687
Hispanic / Latino	9543

## Reason for stop?

<b>Violation of law</b>	<b>636</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	77
Black	184
White	224



Hispanic / Latino	151
<b>Preexisting knowledge</b>	<b>527</b>
Alaska Native / American Indian	2
Asian / Pacific Islander	72
Black	131
White	169
Hispanic / Latino	153
<b>Moving traffic violation</b>	<b>49219</b>
Alaska Native / American Indian	82
Asian / Pacific Islander	9763
Black	9320
White	20643
Hispanic / Latino	9411
<b>Vehicle traffic violation</b>	<b>16608</b>
Alaska Native / American Indian	33
Asian / Pacific Islander	2391
Black	4030
White	5928
Hispanic / Latino	4226
<b>Was a search conducted?</b>	
<b>Yes</b>	<b>2380</b>
Alaska Native / American Indian	4
Asian / Pacific Islander	116
Black	1003
White	621
Hispanic / Latino	636
<b>No</b>	<b>64610</b>
Alaska Native / American Indian	113
Asian / Pacific Islander	12187
Black	12662
White	26343
Hispanic / Latino	13305
<b>Reason for Search?</b>	
<b>Consent</b>	<b>517</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	27
Black	176
White	138

Hispanic / Latino	176
<b>Contraband</b>	<b>100</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	4
Black	37
White	27
Hispanic / Latino	32
<b>Probable</b>	<b>899</b>
Alaska Native / American Indian	2
Asian / Pacific Islander	31
Black	477
White	180
Hispanic / Latino	209
<b>Inventory</b>	<b>59</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	4
Black	20
White	18
Hispanic / Latino	17
<b>Incident to arrest</b>	<b>805</b>
Alaska Native / American Indian	2
Asian / Pacific Islander	50
Black	293
White	258
Hispanic / Latino	202

#### Was Contraband discovered?

<b>Yes</b>	<b>1047</b>
Alaska Native / American Indian	2
Asian / Pacific Islander	41
Black	456
White	263
Hispanic / Latino	285
<b>No</b>	<b>1333</b>
Alaska Native / American Indian	2
Asian / Pacific Islander	75
Black	547
White	358
Hispanic / Latino	351

#### Did the finding result in arrest?

(total should equal previous column)

Yes	1	No	1
Yes	15	No	26
Yes	127	No	329
Yes	103	No	160
Yes	104	No	181

<b>Description of contraband</b>	
<b>Drugs</b>	<b>722</b>
Alaska Native / American Indian	2
Asian / Pacific Islander	28
Black	337
White	181
Hispanic / Latino	174
<b>Weapons</b>	<b>116</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	5
Black	65
White	23
Hispanic / Latino	23
<b>Currency</b>	<b>16</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	7
White	4
Hispanic / Latino	5
<b>Alcohol</b>	<b>172</b>
Alaska Native / American Indian	1
Asian / Pacific Islander	5
Black	53
White	43
Hispanic / Latino	70
<b>Stolen property</b>	<b>37</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	4
Black	13
White	13
Hispanic / Latino	7
<b>Other</b>	<b>155</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	5
Black	64
White	40
Hispanic / Latino	46
<b>Result of the stop</b>	
Verbal warning	<b>24968</b>

Alaska Native / American Indian	61
Asian / Pacific Islander	4574
Black	5108
White	9634
Hispanic / Latino	5591
<b>Written warning</b>	<b>19092</b>
Alaska Native / American Indian	27
Asian / Pacific Islander	3620
Black	3580
White	8785
Hispanic / Latino	3080
<b>Citation</b>	<b>21597</b>
Alaska Native / American Indian	27
Asian / Pacific Islander	4032
Black	4478
White	8143
Hispanic / Latino	4917
<b>Written warning and arrest</b>	<b>37</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	3
Black	14
White	10
Hispanic / Latino	10
<b>Citation and arrest</b>	<b>204</b>
Alaska Native / American Indian	1
Asian / Pacific Islander	6
Black	101
White	37
Hispanic / Latino	59
<b>Arrest</b>	<b>1092</b>
Alaska Native / American Indian	1
Asian / Pacific Islander	68
Black	384
White	355
Hispanic / Latino	284
<b>Arrest based on</b>	
<b>Violation of Penal Code</b>	<b>684</b>
Alaska Native / American Indian	1
Asian / Pacific Islander	51

Black	202
White	243
Hispanic / Latino	187
<b>Violation of Traffic Law</b>	<b>47</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	6
Black	16
White	14
Hispanic / Latino	11
<b>Violation of City Ordinance</b>	<b>4</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	1
Hispanic / Latino	1
<b>Outstanding Warrant</b>	<b>598</b>
Alaska Native / American Indian	1
Asian / Pacific Islander	20
Black	279
White	144
Hispanic / Latino	154

**Was physical force resulting in bodily injury used during stop?**

<b>Yes</b>	<b>7</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	2
White	1
Hispanic / Latino	3
<b>Resulting in Bodily Injury To:</b>	
Suspect	5
Officer	0
Both	2
<b>No</b>	<b>66983</b>
Alaska Native / American Indian	117
Asian / Pacific Islander	12302
Black	13663
White	26963
Hispanic / Latino	13938

**Number of complaints of racial profiling**

Total	6
Resulted in disciplinary action	0
Did not result in disciplinary action	6

**Comparative Analysis**

Use TCOLE's auto generated analysis	<input type="checkbox"/>
Use Department's submitted analysis	<input checked="" type="checkbox"/>

**Optional Narrative**

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement



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**ADMINISTRATIVE DIRECTIVE – 112.032  
PROFESSIONAL POLICE CONTACTS**

**EFFECTIVE DATE: August 31, 2001**  
**AFFECTS: Sworn Personnel**

**REVISION DATE: August 11, 2020**

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**I. PURPOSE**

The purpose of this administrative directive is to unequivocally state that racial or bias-based profiling in the Plano Police Department is totally unacceptable. This directive also provides guidelines for officers to prevent such occurrences, and to protect our officers when they act within the law and from unwarranted accusations. This directive strictly prohibits the use of racial or bias based profiling by employees of the Plano Police Department.

**II. POLICY**

It is the policy of this department to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce the statutes, laws, and ordinances while insisting that individuals will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or are about to commit, an infraction of the law. Employees of the Plano Police Department are prohibited from engaging in practices of racial or bias-based profiling. Any employee found, after thorough investigation and review, to have engaged in racial or bias-based profiling shall be subject to disciplinary action, which may include indefinite suspension. In accordance with Administrative Directive 108.003, any person or persons alleging racial or bias-based profiling may file a complaint against any employee(s) of the department. For purposes of this directive, an employee refers to both non-sworn and sworn employees of the Plano Police Department unless otherwise stated.

**III. DEFINITIONS**

- A. Bias-based Profiling – The detention, interdiction, search or seizure of any person based upon the person's age, gender, sexual orientation, race, color, creed, ethnicity, national origin, or similar personal characteristic.
- B. Racial Profiling – 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.
  - 1. Examples of racial profiling include but are not limited to the following:
    - a. Detaining a driver who is speeding in a stream of traffic, where most other drivers are speeding, because of the driver's race, ethnicity, or national origin.
    - b. 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.
    - c. 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 a specific place.
- C. Race or Ethnicity – Means of a particular descent, including Caucasian, African, Hispanic, Asian, Native American or Middle Eastern descent.
- D. Motor Vehicle Stop – An occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.
- E. Reasonable Suspicion – Also known as articulable suspicion. Specific, articulable facts and circumstances, and reasonable inferences from those facts and circumstances, that would lead a person of reasonable prudence to believe that some type of criminal activity is afoot, and the person(s) detained are somehow involved.
- F. Detention – Any restriction upon a person's liberty imposed by a peace officer.

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- G. Seizure – any taking of property from an individual without the individual's consent or any restriction of an individual's liberty without the individual's consent. A detention will be considered a seizure, as will an arrest.

**IV. PROCEDURES**

**A. Training**

1. Officers will receive initial and annual training in proactive enforcement tactics, including training in officer safety, courtesy, cultural diversity, the laws governing search and seizure, racial profiling, and interpersonal communication skills. Training will also cover bias based profiling issues including legal aspects.
2. Training programs will emphasize the need to respect the rights of all persons to be free from unreasonable government intrusion or police action.
3. The Professional Standards Unit shall make available to the public information describing the process by which a complaint may be filed. The information will be readily accessible to the public in the police department lobby and other City facilities open to the public, including but not limited to the Municipal Center and public libraries.

**B. Stops / Detentions**

1. Individuals shall only be subjected to stops, seizures or detentions based upon reasonable suspicion that they have committed, are committing, or are about to commit an infraction.
2. In the absence of a specific, credible report containing a physical description, a person's gender, gender identity, sexual orientation, race, color, creed, ethnicity, national origin, age, disability status, or similar personal characteristic or any combination of these shall not be a factor in determining probable cause for an arrest or reasonable suspicion for a stop.

**C. Oversight**

1. Enforcement of statutes, laws, and ordinances will be accompanied by consistent, ongoing supervisory oversight to ensure that officers do not go beyond the parameters of reasonableness in conducting such activities.
2. Supervisors shall randomly review the Mobile Digital Video Recording (MDVR) recordings of each of their subordinates.
3. The supervisor shall determine compliance with this and other applicable directives.
4. The supervisor shall discuss their assessment with the respective employee.
5. The supervisor shall report their assessment each calendar quarter, via chain of command, to the Division Commander. The reports shall be uniformly structured and contain:
  - a. The name of the employee under review
  - b. The date and time stamp of each contact reviewed
  - c. A written assessment of each contact reviewed, which shall include:
    - (1) The race/ethnicity of the person detained
    - (2) Whether a search was conducted
    - (3) If a search was conducted, whether consent was provided by the person
    - (4) The quality of the video recording
    - (5) The quality of the audio recording

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**ADMINISTRATIVE DIRECTIVE – 112.032**  
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(6) Whether employee actions were in accordance with department policy and procedures

(7) A summary of the feedback provided to the employee

d. The Division Commander shall review the supervisor's reports.

**D. Seven Point Violator Contact**

1. Absent some articulable reason for deviation, officers shall utilize the following seven-step action, in the order specified, when conducting motor vehicle stops.
  - a. Greeting and identifying the police officer and the Police Department. The greeting is accomplished in the most natural way for the officer. The officer will introduce their self as Officer Doe with the Plano Police Department. This is a courtesy we owe every person stopped. The objectives in the greeting are to employ business courtesy, to help make the person feel at ease, and to establish a common ground free of superiority or deference.
  - b. Example: "Hello. I'm Officer Doe, with the Plano Police Department."
  - c. Stating the reason for the stop. This will be done upon initial contact as a basic courtesy. The officer should ascertain whether extenuating circumstances might morally justify the infraction to a normal, prudent person. This offers the individual stopped an opportunity to justify their actions if a reason exists and, if none, places them in the position of admitting the violation. Listen politely and allow the person ample opportunity to explain their perspective. However, with the above exception, one should refrain from asking questions concerning the person's knowledge of the violation committed. Remarks made by the officer should be in the form of a statement rather than a question. Example: "The reason your vehicle was stopped was for speeding, 55 in a 40 mph zone. Do you have an emergency?"
  - d. Identifying the individual detained and checking their condition as well as the vehicle. The officer should identify every individual stopped by requesting their driver license. If the person has no license, the officer should ask for other forms of identification, preferably one that carries the person's description. The officer should not accept an identification document if offered in a wallet, case or purse – ask the person to remove the document and accept that only. The officer, after identifying the person, should call him by name for the remainder of the interview.
  - e. State the action being taken. The officer should make a clear statement, in a firm but calm manner that will leave no doubt as to the action being taken. For example, "You are receiving a citation for the offense of speeding. Officers should refrain from using the word "I" during the interview. Place emphasis on the person and the violation committed by using the word "you". This technique keeps the person from shifting blame onto the officer. Officers have the option of informing the person of the action being taken during the first or second contact.
  - f. Taking the action. Issue the citation, take the person into custody, or call their attention to the seriousness of the violation and possible consequences (warning).
  - g. Explaining what the person is to do. Explain to the person exactly what action he must take. That is, he is to sign the citation and contact the court within a certain time frame, or, he is under arrest and will be required to post a cash bond, etc. In some cases a short explanation helps to dispel much of the uncertainty in the mind of the person detained. Make the explanation clear and be sure that the person understands. Example: "You will need to contact the Municipal Court within fifteen (15) days to arrange

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for a court date and/or pay the fine. This information is on the back of your copy.”

- h. Leaving. Closing the contact with the person is awkward for many officers. It is an opportunity to create feelings of friendliness if the proper technique is used. An expression of helpfulness and service is desired. The leave-taking should be as firm and impersonal as the approach. A “take care” or “drive carefully” spoken in a sincere, yet business-like tone is sufficient. Do not use the trite expression, “have a nice day” or “good afternoon”, which would be inappropriate in these circumstances. When the contact with the person has been broken, make sure the driver is able to merge safely back into the traffic stream.

**E. Enforcement Action**

1. Appropriate enforcement action should always be completed. A written warning, citation, juvenile notice/warning, or arrest should be made when probable cause exists. Verbal warnings may be issued when appropriate. Field Contact Cards shall be completed when the stop or detention was made based on reasonable suspicion and no other enforcement action will be taken.
2. No person, once cited or warned, shall be detained beyond the point where there exists no reasonable suspicion of further criminal activity, and no person or vehicle shall be searched in the absence of a warrant, a legally recognized exception to the warrant requirement, or the person’s voluntary consent.
3. An officer shall not use a person’s gender, gender identity, sexual orientation, race, color, creed, ethnicity, national origin, age, disability status, or similar personal characteristics or any combination of these factors as a basis to take any law enforcement action against the person.
4. Officers are prohibited from contacting the person’s employer regarding the violation or enforcement action unless the officer receives permission from a lieutenant or above to do so.

**F. Mobile Digital Vehicle Recording (MDVR) Equipment**

1. Officers shall ensure the MDVR is activated to record both, video and sound before the stop, to document the behavior of the person and the vehicle’s actions, and shall remain activated until the person is released to resume their journey (refer to AD 112.024).
2. Officers are responsible for ensuring the vehicle’s recording equipment is fully operational throughout their tour of duty. Any equipment failures or repairs needed should be immediately reported to the on-duty shift supervisor.
3. Vehicles with non-functioning MDVRs are to be placed out of service and not driven as operational vehicles.
4. Should a MDVR fail during a motor vehicle stop or a stop is not recorded, the officer shall note such on the citation, the juvenile warning/notice, the written warning, arrest report, or Field Information card.
5. MDVR Recordings shall be retained for a period of ninety (90) days, in accordance with Administrative Directive 112.024. However, if a complaint is filed alleging an employee engaged in racial profiling with respect to a motor vehicle or pedestrian stop, the video and audio or audio record of the stop shall be retained until final disposition of the complaint. Upon the commencement of such a complaint, and pursuant to their written request, the officer who is the subject of the complaint shall be provided a copy of the recording.

**G. Consent to Search**

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**ADMINISTRATIVE DIRECTIVE – 112.032**  
**PROFESSIONAL POLICE CONTACTS**

**EFFECTIVE DATE: August 31, 2001**  
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**REVISION DATE: August 11, 2020**

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1. It is not necessary for a consent search to be supported by reasonable suspicion or probable cause. Voluntary consent to search may be utilized by officers for the search of both persons and property, and may be used at any point during the detention.
2. The officer should ask for consent to search a vehicle before the person detained is released and the initial detention is completed. However, any further detention or consent to search at this point must be completely voluntary by the driver or owner of the vehicle, or the person being detained.
3. It is strongly recommended that consent searches only be conducted with consent documented in writing.

**H. City of Plano Equal Rights Ordinance Complaint Process**

1. When responding to a complaint regarding a potential violation of Plano's Equal Rights Ordinance, officers shall:
  - a. Contact a supervisor.
  - b. Document all pertinent information in an information report.
  - c. Inform the alleged victim to submit an Equal Rights Ordinance Violation Complaint Form to the Director of Human Resources within ninety (90) days.
  - d. Direct the alleged victim to the City of Plano website for information on the complaint process and form.

**I. Reporting (Effective January 1, 2018)**

1. When completing a citation, a written warning, a juvenile notice/warning, an adult or juvenile arrest report or a field information card, officers shall report the following information:
  - a. The street address or approximate location of the stop;
  - b. The initial reason for the stop;
  - c. The person's gender;
  - d. The race and ethnicity of the individual detained as listed on their government issued identification, if the individual does not have any form of government issued identification, the officer may ask the individual to self-identify or determine the individuals race or ethnicity to the best of their ability.
  - e. Whether the officer knew the race or ethnicity of the individual detained before detaining that individual.
  - f. Whether a search was conducted as a result of the stop, and, if so
  - g. Whether the individual detained consented to the search, or
    - (1) Whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;
  - h. The reason for the search, including whether:
    - (1) Any contraband or other evidence was in plain view;
    - (2) Any probable cause or reasonable suspicion existed to perform the search; or
    - (3) The search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

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- i. Whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;
  - j. Whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop, and
  - k. Whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Texas Penal Code, during the stop.
2. The Planning and Research Division Manager will submit a cumulative report to the Office of the Chief of Police concerning citation and arrest data described in section IV.
3. The Planning and Research Division Manager will perform an annual comparative analysis of the data collected in accordance with section IV. in this directive.
  - a. Analysis will be based on a calendar year.
  - b. Summary reports of the analysis must be submitted to the Office of the Chief of Police
  - c. The report must:
    - (1) Evaluate and compare the number of motor vehicle stops, in Plano, of persons who are recognized as racial or ethnic minorities;
    - (2) Examine the disposition of motor vehicle stops, categorized according to the race or ethnicity of affected persons including any searches resulting from stops in Plano;
    - (3) Include contact information relating to each complaint within the department alleging bias or racial profiling and any corrective action taken; and
    - (4) Not include identifying information about an officer or about the person stopped.
4. The Professional Standards Sergeant shall have supervisory oversight of all MDVR recordings.
5. The Office of the Chief of Police shall submit to the Texas Commission on Law Enforcement and to the Office of the City Manager, no later than March 1 of each year an annual report concerning citation and arrest data recorded in the preceding year.