

NOTICE

**TO FILE A COMPLAINT OF RACIAL PROFILING
AGAINST AN EMPLOYEE
OF THE
MADISONVILLE POLICE DEPARTMENT,
CONTACT THE FOLLOWING NUMBER**

936-348-3317

Complaints will be handled in the following manner:

1. Contact the above number and you will be contacted as soon as possible.
2. All complaints will require a written or taped statement with the allegations of the complaint.
3. The complaints will be signed.
4. All complaints will be investigated and the complaining party will be notified of the results of the investigation.
5. Any officer found to be in violation of the racial profiling law will have corrective action taken.
6. Any complaints found to be fraudulent will be subject to criminal charges.

GEORGE R. SWEETIN
Chief of Police



(936) 348-3317
(936) 348-3346

MADISONVILLE POLICE DEPARTMENT

210 West Cottonwood Street • Madisonville, Texas 77864

TO: All Madisonville Police Department employees

FROM: Chief G.R. Sweetin

DATE: May 28, 2003

SUBJECT: REVISED RACIAL PROFILING

POLICY: No officer of the Madisonville Police Department shall engage in racial profiling as a method of making a traffic stop, arrest, or general investigation. Any Officer in violation of this policy shall have corrective action taken up to and including immediate termination.

DEFINITION: Racial Profiling - means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or information identifying the individual as having engaged in criminal activity.

CITIZEN COMPLAINT PROCEDURE:

1. Any citizen complaining that they have been stopped as a result of their race or ethnicity shall be told to contact this office so that a complaint can be filed.
2. All calls from citizens wanting to file a complaint will be handled by as follows:
 - A. Arrangements will be made to meet the person at the Madisonville Police Department.
 - B. A taped or written statement will be taken from the complainant.
 - C. The complaint form will be sworn to and signed by the complainant (see attached complaint form).
3. No unsigned complaint shall be considered as a valid complaint.
4. Procedures for making a complaint shall be posted in the Offices of the City of Madisonville. (see attached procedure form).
5. All valid complaints shall be investigated for determination of any violation of this policy.

PUBLIC EDUCATION:

1. The notice for filing complaints will be posted in view of the public at the Madisonville Police Department and the main office of the City of Madisonville.

2. The notice for filing complaints will also be posted in view of the public at the Madison County Sheriff's Office.

CORRECTIVE ACTION:

1. Any officer found in violation may have the following action taken :
 - A. Counseling to determine if the officer knows what is happening.
 - B. Training to correct the action
 - C. Reprimands: verbal or written
 - D. Termination

REQUIRED INFORMATION:

Records will be maintained on all traffic or pedestrian stops where a citation or warning was issued or an arrest made as a result of that stop. Video or audio tapes of the stops will be maintained for a period of 90 days unless a complaint has been filed. The tapes will then be kept for that stop until the disposition of that complaint is final.

The following information will be recorded as collected:

1. Name
2. Address
3. Gender
4. Ethnicity
5. Physical description
6. Date of birth
7. Drivers license number
8. Social security number
9. Registration of vehicle
10. Suspected offense
11. Location of stop
12. Date and time of stop
13. Search conducted as a result of stop
14. Consent obtained for search
15. Contraband found as a result of search
16. Type of contraband recovered
17. Arrest made
18. Citation/warning issued

RECORDS:

Records will be maintained on the above information as available. Data will be maintained and evaluated for possible violations. Annual reports will then be compiled and filed with the City of Madisonville. Any reports submitted to the City of Madisonville will not contain any information that would identify the officer or the person stopped.

Report data:

Total number of stops resulting in citations per Racial Profiling Law Requirements

Total number of warnings issued per Racial Profiling Law Requirements

Total number of searches per Racial Profiling Law Requirements

Total number of searches resulting in contraband found per Racial Profiling Law Requirements

Total number of arrests made from search results per Racial Profiling Law Requirements

Breakdown of races stopped per Racial Profiling Requirements

NOTE* The next annual report shall be submitted on March 1, 2004 and will be over information gathered during the time period of January 1, 2003 through December 31, 2003 as per Section 7 of SB 1074.

AUDIO/VIDEO:

Whenever possible audio and video will be utilized by this agency, as all of our patrol vehicles are currently equipped with proper audio and video equipment. All non-working audio and/or video systems shall be pulled from patrol as soon as this situation is discovered. Those vehicles shall remain out of patrol service until such time as they are repaired and deemed suitable to resume patrol duties.

DISPOSITION OF AUDIO AND VIDEO TAPES:

1. Tapes will be maintained as evidence.
2. Tapes will be re-used on a 90-day cycle.
3. Tapes where an arrest or complaint has been filed will be maintained until that case has a final disposition.

It is the officer's responsibility to see that his/her tapes are properly identified and rotated. The failure to record a stop due to the tape running out or a tape not being rotated may result in disciplinary action.

TRAINING AND CERTIFICATION:

Each officer of the Madisonville Police Department will be provided the training required by Section 1701.253(e), Occupation Code, as added by SB 1074.

I, Officer _____, have read and understand this policy.

Officer's Signature

Date Signed