

Racial Profiling Report | Full

Agency Name: MARION CO. SHERIFF'S OFFICE
Reporting Date: 01/12/2023
TCOLE Agency Number: 315100

Chief Administrator: DAVID O. CAPPS

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This Agency filed a full report

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

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

Executed by: DAVID O. CAPPS
Sheriff

Date: 01/12/2023

Total stops: 313

Street address or approximate location of the stop

City street	5
US highway	34
County road	62
State highway	191
Private property or other	21

Was race or ethnicity known prior to stop?

Yes	4
No	309

Race / Ethnicity

Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	47
White	241
Hispanic / Latino	24

Gender

Female 86

Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	12
White	74
Hispanic / Latino	0

Male 227

Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	35
White	167
Hispanic / Latino	24

Reason for stop?

Violation of law 104

Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	18
White	74

Hispanic / Latino	12
Preexisting knowledge	12
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	10
Hispanic / Latino	1
Moving traffic violation	144
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	23
White	112
Hispanic / Latino	8
Vehicle traffic violation	53
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	5
White	45
Hispanic / Latino	3
Was a search conducted?	
Yes	28
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	0
White	23
Hispanic / Latino	4
No	285
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	47
White	218
Hispanic / Latino	20
Reason for Search?	
Consent	8
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	6

Hispanic / Latino	2		
Contraband	6		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	6		
Hispanic / Latino	0		
Probable	9		
Alaska Native / American Indian	0		
Asian / Pacific Islander	1		
Black	0		
White	6		
Hispanic / Latino	2		
Inventory	1		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	1		
Hispanic / Latino	0		
Incident to arrest	4		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	4		
Hispanic / Latino	0		
Was Contraband discovered?			
Yes	17	Did the finding result in arrest?	
		(total should equal previous column)	
Alaska Native / American Indian	0	Yes 0	No 0
Asian / Pacific Islander	1	Yes 1	No 0
Black	0	Yes 0	No 0
White	15	Yes 1	No 14
Hispanic / Latino	1	Yes 0	No 1
No	11		
Alaska Native / American Indian	0		
Asian / Pacific Islander	0		
Black	0		
White	8		
Hispanic / Latino	3		

Description of contraband	
Drugs	10
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	0
White	8
Hispanic / Latino	1
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	7
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	7
Hispanic / Latino	0
Stolen property	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Other	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Result of the stop	
Verbal warning	1

Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	1
Hispanic / Latino	0
Written warning	137
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	20
White	111
Hispanic / Latino	6
Citation	167
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	26
White	124
Hispanic / Latino	17
Written warning and arrest	2
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	2
Hispanic / Latino	0
Citation and arrest	4
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	1
White	2
Hispanic / Latino	0
Arrest	2
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	1
Hispanic / Latino	1
Arrest based on	
Violation of Penal Code	4
Alaska Native / American Indian	0
Asian / Pacific Islander	1

Black	1
White	1
Hispanic / Latino	1
Violation of Traffic Law	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	1
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	3
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	3
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	313
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	47
White	241
Hispanic / Latino	24

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

Optional Narrative

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement