

# **AMARILLO COLLEGE POLICE DEPARTMENT**



## **2024 RACIAL PROFILING ANALYSIS**

**Prepared by:**

**Aaron Huddleston  
Chief of Police**

## Executive Summary

Article 2.132-2.134 of the Texas Code of Criminal Procedure (CCP) requires the annual reporting to the local governing body of data collected on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to data collection and reporting requirements. Article 2.134 of the CCP directs that “a comparative analysis of the information compiled under 2.133” be conducted, with specific attention to the below areas:

1. Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;
2. Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;
3. Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and
4. Information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

The analysis of material and data from the Amarillo College Police Department revealed the following<sup>1</sup>:

- **A COMPREHENSIVE REVIEW OF THE AMARILLO COLLEGE POLICE BIAS-BASED PROFILING AND REACIAL PROFILING POLICY SHOWS THAT THE AMARILLO COLLEGE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PRECEDURE.**
- **A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE AMARILLO COLLEGE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.**

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<sup>1</sup> This report covers the Amarillo College campuses in Amarillo to include Washington Street, Innovation Outpost, West Campus, First Responder’s Academy, East Campus, and Community Outreach. Campuses in Hereford and Dumas are excluded from this analysis

- **ANALYSIS OF THE DATA REVEALS THAT THE AMARILLO COLLEGE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.**
- **THE AMARILLO COLLEGE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE REPORTING OF INFORMATION TO TCOLE.**
- **THE AMARILLO COLLEGE POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAWS REGARDING CCP ARTICLES 2.132-2.134.**

## **Introduction**

This report details the analysis of the Amarillo College Police Department policies, training, and statistical information on racial profiling for the year 2024. This report has been prepared to specifically comply with Articles 2.132, 2.133, and 2.134 of the Texas Code of Criminal Procedure (CCP) regarding the compilation and analysis of traffic stop data. Specifically, the analysis will address Articles 2.131-2.134 of the CCP and make a determination of the level of compliance with those articles by the Amarillo College Police Department in 2024. The full copies of the applicable laws pertaining to this report are contained in Appendix A.

This report is divided into six sections; 1) Amarillo College Police Department policy on racial profiling; 2) Amarillo College Police Department training and education on racial profiling; 3) Amarillo College Police Department complaint process and public education on racial profiling; 4) analysis of Amarillo College Police Department traffic stop data; 5) additional traffic stop data to be reported to TCOLE; and 6) Amarillo College Police Department compliance with applicable laws on racial profiling.

For the purposes of this report and analysis, the following definition of racial profiling is used: 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 on information identifying the individual as having engaged in criminal activity (Texas CCP Article 3.05)

## **Amarillo College Police Department policy on Racial Profiling**

A review of the Amarillo College Police Department Bias Based Profiling policy 3.25, in addition to policy 2.10 on Complaint Investigation, indicates the Amarillo College Police Department is in compliance with Article 2.132 of the Texas CCP (see Appendix B). There are seven specific requirements mandated by Article 2.132 that a law enforcement agency must address. All seven are covered in the Amarillo College Police Department Bias Based Profiling policy 3.25 and policy 2.10 on Complaint Investigation. Amarillo College Police Department policies provide clear direction that any form of bias-based or racial profiling is prohibited and that officers found engaging in inappropriate profiling may be disciplined up to and including termination. The policies also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race, ethnicity, or national origin. Appendix C lists the applicable statute and corresponding Amarillo College Police Department regulation.

## **Amarillo College Police Department Training and Education on Racial Profiling**

Texas Occupation Code 1701.253 and 1701.402 require that curriculum be established and training certificates issued on racial profiling for all Texas peace officers. A review of personnel files and training records reveal Amarillo College Police Officers have received their racial profiling training via various forms of training. Amarillo College Police Department is in compliance.

## **Amarillo College Police Department Complaint Process and Public Education on Racial Profiling**

Article 2.132 (b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on racial profiling and that the agency provide public education on the complaint process. Amarillo College Police Department Bias Based Profiling policy 3.25 along with Complaint Investigation policy 2.10 cover this requirement. In specific, policy 3.25 notes that information on the compliment and complaint process will be advertised to the public by utilizing various forms of news media (e.g. social media), service or organization presentations, campus meetings, and on the Amarillo College Police Department web page.

## **Amarillo College Police Department Statistical Data on Racial Profiling**

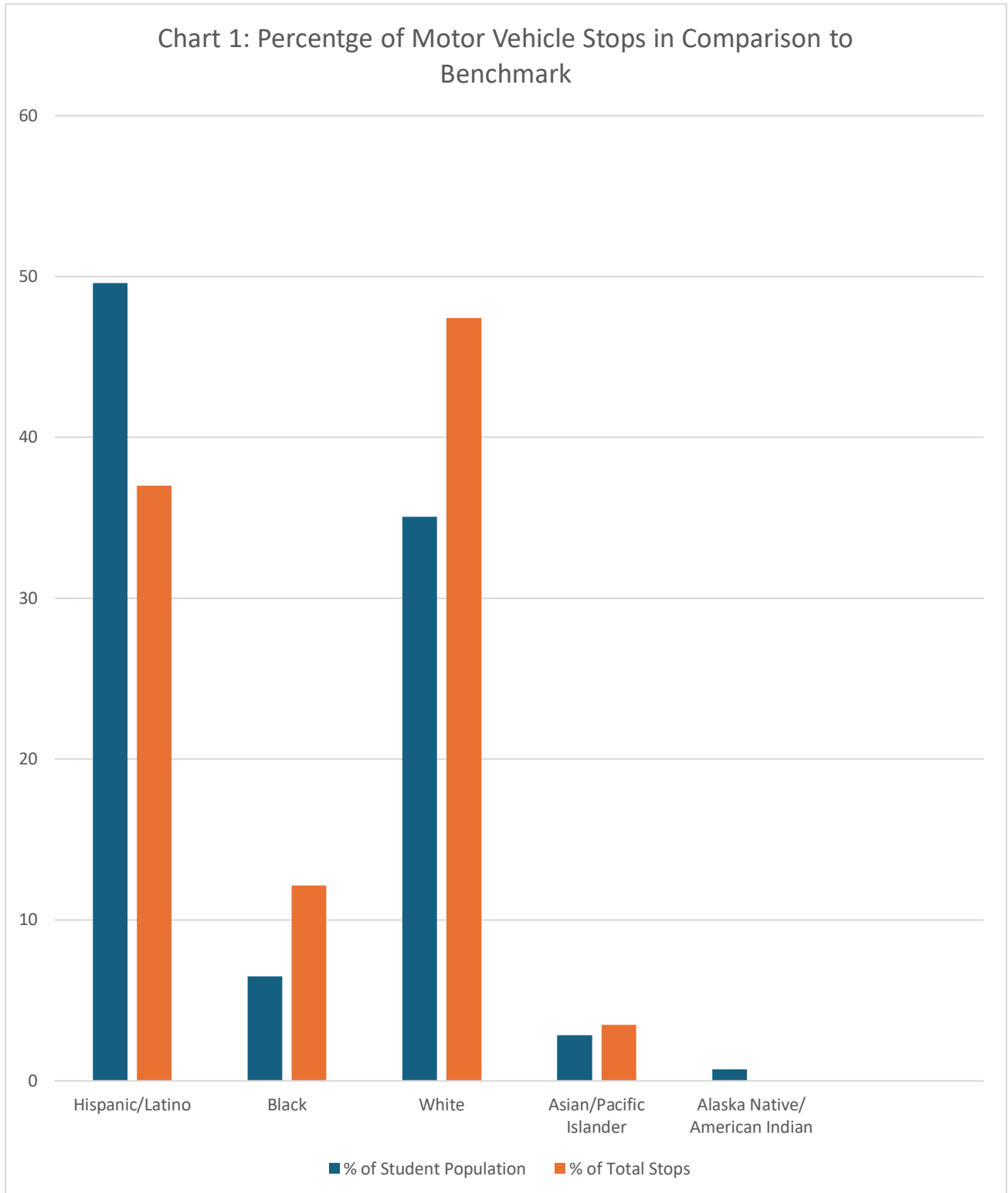
Article 2.132(b) b and Article 2.133 requires that law enforcement agencies collect statistical information on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to other information noted previously. Amarillo College Police Department submitted statistical information on all motor vehicle stops in 2024 and accompanying information of the race/ethnicity of the person stopped. Accompanying this data was the relevant information required to be collected and reported by law.

## **Analysis of the Data**

### Comparative Analysis #1:

*Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities. Texas Code of Criminal Procedure Article 2.134(c)(1)(A)*

Chart 1 depicts the percentages of people stopped by race/ethnicity among the total 173 motor vehicle stops in which a ticket, citation, or warning was issued, including arrests made, in 2024.



*White drivers* constituted 47.40 percent of all drivers stopped, whereas Whites constituted 35.06 percent of the Amarillo College student population.<sup>2</sup>

*Black drivers* constituted 12.14 percent of all drivers stopped, whereas Blacks constituted 6.48 percent of the Amarillo College student population.

*Hispanic or Latino drivers* constituted 36.99 percent of all drivers stopped, whereas Hispanic or Latino constituted 49.6 percent of the Amarillo College student population.

*Alaska native or American Indian drivers* constituted 0 percent of all drivers stopped, whereas Alaska native or American Indian constituted 0.73 percent of the Amarillo College student population.

*Asian or Pacific Islander drivers* constituted 3.47 percent of all drivers stopped, whereas Asian or Pacific Islander constituted 2.85 percent of the Amarillo College student population.

This chart shows that all represented demographics except Hispanic or Latino were stopped at a higher rate than the percentages found in the student population.

### **Methodological Issues**

*Upon examination of the data, it is important to note that differences in overall stop rates of a particular racial or ethnic group, compared to that racial or ethnic group's proportion of the student population (or any other population benchmark), cannot be used to make determinations that officers have or have not racially profiled any given individual motorist. Claims asserting racial profiling of an individual motorist from the aggregate data utilized in this report are erroneous.*

Concluding that a particular driver of a specific race/ethnicity has been racially profiled simply because members of that racial/ethnic group as whole was stopped at a higher rate than their proportion of the student population is as erroneous. Likewise, claims that a particular driver of a specific race/ethnicity have NOT been racially profiled simply because the percentage of stops among members of a particular racial/ethnic group as a whole was stopped less frequent than that group's proportion of the student population is erroneous. Aggregate data required by law and presented in this report cannot be used to prove or disprove that a member of a particular racial/ethnic group was racially profiled. In the following I will discuss why using aggregate data – as currently required by the state racial profiling law – are inappropriate to use in making claims that any individual motorist was racially profiled.

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<sup>2</sup> Student demographic information was obtained from the Department of Institutional Research.

### Problem #1: Using Group-level Data to Explain Individual Officer Decisions

State law requires that police agencies compile aggregate-level data regarding the *rates* at which agencies *collectively* stop motorists in terms of their race/ethnicity. This aggregated data is to be subsequently analyzed in order to determine whether or not *individual* officers are “racially profiling” motorists. This methodological error, commonly referred to as the “ecological fallacy,” defines the dangers involved in making assertions about individual officer decisions based on the examination of aggregate stop data. **One cannot prove that an individual officer has racially profiled any individual motorist based on the rate at which a department stops any given group of motorists.** In summary, aggregate level data cannot be used to assess individual officer decisions, however the state racial profiling law requires this assessment.

### Problem #2: Problems Associated with Population Base-Rates

There has been considerable debate as to what the most appropriate population “base-rate” is in determining whether or not racial/ethnic disparities exist. The base-rate serves as the benchmark for comparison purposes. The outcome of analyses designed to determine whether or not disparities exist is dependent on which base-rate is used. While this report utilized the Amarillo College overall student population as the base rate, this population measure is only a segment of the populations who are subject to traffic stops by Amarillo College police officers including faculty, staff and individuals not affiliated with Amarillo College.

The validity of the benchmark base-rate<sup>3</sup> becomes even more problematic if analyses fail to distinguish between students and non-students who are stopped. This is because the existence of significant proportions of non-student stops will lead to invalid conclusions if racial/ethnic comparison are made exclusively to student population figures as present in Chart 1. **In sum, a valid measure of the driving population does not exist. As a proxy, student population data is used which can be problematic indicator of the driving population on and around and around Amarillo College campuses.** Stopped motorists who are not students are not included in the benchmark base-rate.

### Problem #3: Officers Do Not Know the Race/Ethnicity of the Motorist Prior to the Stop

As illustrated in Table 2 near the end of this report, of the 173 motor vehicle stops in 2024, the officer knew the race/ethnicity of the motorist prior to the stop in 0% of the stops. This percentage is lower than the percentage consistent across law enforcement agencies throughout Texas. An analysis of all annual racial profiling reports submitted to the Texas Commission on

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<sup>3</sup> The benchmark base-rate (2024 student population demographics) includes distance learning students. This creates an even further problematic analyses.



law Enforcement, as required by the Texas racial profiling law, found that in 2.9% of traffic stops in Texas, the officer knew the race/ethnicity of the motorist prior to the stop.<sup>4</sup> The analysis included 1,186 Texas law enforcement agencies and more than 3.25 million traffic stops.

As noted, the legal definition of racial profiling in the Texas Code of Criminal Procedure Article 3.05 is “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.”

In the data collected it shows that, Amarillo College police officers did not know the race/ethnicity of the motorist prior to the stop. This factor further invalidates any conclusions drawn from the stop data presented in Chart 1. If an officer does not know the race/ethnicity of the motorist prior to the stop, then the officer cannot, by legal definition, be racial profiling. Racial profiling is a law-enforcement action base on the race/ethnicity of an individual. If the officer does not know the person’s race/ethnicity before the action (in this case, stopping a vehicle), then racial profiling cannot occur.

Based on this factor, post-stop outcomes are more relevant for a racial profiling assessment, as presented late in this report, in comparison to initial motor vehicle stop data disaggregated by race/ethnicity. Once the officer has contacted the motorist after the stop, the officer has identified the person’s race/ethnicity and all the subsequent actions are more relevant to a racial profiling assessment than the initial stop data.

The methodological problems outlined above point to the limited utility of using aggregate level comparisons of the rates at which different racial/ethnic groups are stopped in order to determine whether or not racial profiling exists within a given jurisdiction.

### Comparative Analysis #2

*Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected person, as appropriate, including any searches resulting from stops within the applicable jurisdiction. Texas Code of Criminal Procedures Article 2.134(c)(1)(B)*

Table 1 reports the summaries for the total number of motor vehicle stops in which a ticket, citation, or warning was issued, and to arrests made as a result of those stops, by Amarillo College police officers in 2024. Table 1 and associated analyses are utilized to satisfy the comparative analyses as required by Texas law, and in specific, Article 2.134 of the CCP

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<sup>4</sup> Winkler, Jordan M. (2016). Racial Disparity in Traffic Stops: An Analysis of Racial Profiling Data in Texas. Master’s Thesis. University of North Texas.

**Table 1: Traffic Stops and Outcomes by Race/Ethnicity**

	White	Black	Hispanic/ Latino	Asian/Pacific Islander	Alaska Native/ American Indian	Total
Number of stops	82	21	64	6	0	173
<b>Gender</b>						
Male	41	13	37	4	0	95
Female	41	8	27	2	0	78
<b>Reason for stop</b>						
Violation of Law	0	0	0	0	0	0
Preexisting Knowledge	0	0	0	0	0	0
Moving Traffic Violation	80	21	62	6	0	169
Vehicle Traffic Violation	2	0	2	0	0	4
<b>Result of Stop</b>						
Verbal Warning	0	0	0	0	0	0
Written Warning	68	13	41	3	0	126
Citation	14	8	23	3	0	46
Written Warning and Arrest	0	0	0	0	0	0
Citation and Arrest	0	0	1	0	0	1
<b>Arrest</b>	0	0	0	0	0	0
Arrest Based on						
Violation of Penal Code	0	0	0	0	0	0
Violation of Traffic Law	0	0	0	0	0	0
Violation of City Ordinance	0	0	0	0	0	0
Outstanding Warrant	0	0	1	0	0	1
<b>Physical Force Resulting in Bodily Injury Used?</b>						
No	82	21	64	6	0	173
Yes	0	0	0	0	0	0

As shown in Table 1, there were 173 motor vehicle stops in 2024 in which a citation or written warning was issued. The table also shows one arrest was made as result of those stops. Written warnings were issued 126 times (72.83%) while citations were issued 46 times (26.59%).

Specific to **written warnings**, White motorists received a warning in roughly 54 percent of stops involving White motorists (68 warnings/82 motor vehicle stops). Black motorists received a warning in roughly 62 percent of stops involving Black motorists (13 warnings/21 motor vehicle stops). Hispanic/Latino motorists received a warning in roughly 66 percent of stops involving Hispanic/Latino motorists (41 warnings/64 motor vehicle stops). Asian/Pacific Islander motorists received a warning in 50 percent of stops involving Asian/Pacific Islander motorists (3 warnings/6 motor vehicle stops).

White motorists received a **citation** in roughly 17 percent of stops involving White motorists. Black motorists received a citation in roughly 38 percent of stops involving Black motorists. Hispanic/Latino motorists received a citation in roughly 36 percent of stops involving Hispanic/Latino motorists. Asian/Pacific Islander motorists received a citation in 50 percent of stops involving Asian/Pacific Islander motorists.

There was one **arrest** in 2024 as a result of an outstanding warrant.

There were no instances of **physical force resulting in bodily injury** due to no instance of physical force used by officers in 2024.

### Comparative Analysis #3:

*Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches. Texas Code of Criminal Procedure Article 2.134(c)(1)(C)*

There were no **searches**<sup>5</sup> of motorists conducted in 2024.

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<sup>5</sup> This includes the lone arrest in Table 1.

Additional Analysis:

*Statistical analysis of motor vehicle stops relative to the gender population of the agency's reporting area.* This analysis is presented in the report based on a December 2020 email sent from TCOLE to law enforcement executives in Texas.

In 2024, 173 motor vehicle stops were made by Amarillo College police officers. Of these stops 78, or roughly 45 percent were female drivers, and roughly 55 percent were male drivers (see Table 1).

According to 2024 enrollment information, Amarillo College was composed of 65.16 percent female students and 34.84 percent male students.<sup>6</sup>

Overall, in 2024, male drivers were stopped at rates higher than the proportion of the Amarillo College student population.

**Additional Information Required to be Reported to TCOLE**

Table 2 below provides additional information relative to motor vehicle stops in 2024 by the Amarillo College Police Department. The data is required to be collected by the Amarillo College Police Department under the Texas Code of Criminal Procedure Article 2.133.

As previously noted, the Amarillo College Police Department received no complaints alleging that a peace officer employed by the agency engaged in racial profiling in 2024. Furthermore, as previously discussed, of the 173 motor vehicle stops in 2024, the officer did not know the race prior to the stop in any of those instances.

**Table 2: Additional Information**

	<b>Total</b>
<b>Was Race/Ethnicity Known Prior to stop</b>	
Yes	0
No	173
<b>Approximate Location of Stop</b>	
City Street	172
US Highway	1
County Road	0
State Highway	0
Private Property/Other	0
<b>Number of Complaints of Racial Profiling</b>	<b>0</b>
Resulted in Disciplinary Action	0
Did not Result in Disciplinary Action	0

<sup>6</sup> Student demographic information was obtained from the Department of Institutional Research.

## **Analysis of Racial Profiling Compliance by Amarillo College Police Department**

The foregoing analysis shows that the Amarillo College Police Department is fully in compliance with all relevant Texas laws concerning racial profiling, including the existence of a formal policy prohibiting racial profiling by its officers, an education and training process, a formalized complaint process, and the collection of data in compliance with the law.

In addition to providing summary reports and analysis of the data collected by the Amarillo College Police Department in 2024, this report also included an extensive presentation of some of the limitations involved in the level of data collection currently required by law and the methodological problems associated with analyzing such data for the Amarillo College Police department as well as police agencies across Texas.