

OFFICE OF SHERIFF LAMB COUNTY

GARY MADDOX
SHERIFF



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January 8th, 2024

Since January 1, 2002, the Lamb County Sheriff's Office, in accordance with the Texas Racial Profiling Law, has been collecting police contact data for the purpose of identify and responding (if necessary) to concerns regarding racial profiling practices. It is my hope that the findings provided in this report will serve as evidence that the Lamb County Sheriff's Office continues to strive towards the goal of maintaining strong relations with the community.

In this report, the reader will encounter several sections designed at providing background information on the rationale and objectives of the Texas Racial Profiling Law. Other sections contain information relevant to the institutional policies adopted by the Lamb County Sheriff's Office banishing the practice of racial profiling among its officers.

The final components of this report provide statistical data relevant to the public contacts made during the period of 1/1/2023 and 12/31/23. This information has been analyzed and compared to the United States Census Bureau on persons residing in the Lamb County area. It is my sincere hope that the channels of communication between the community and the Lamb County Sheriff's Office continue to strengthen as we move to meet the challenges of the near future.

Sincerely,


Gary Maddox
Sheriff

Checklist

(I) The following requirements ***must*** be met by all law enforcement agencies in the State of Texas:

- Clearly defined act of actions that constitute racial profiling.
- Statement indicating prohibition of any peace officer employed by the Lamb County Sheriff's Office from engaging in racial profiling.
- Implement a process by which an individual may file a complaint regarding racial profiling violations.
- Provide public education related to the complaint process.
- Implement disciplinary guidelines for deputy(s) found in violation of the Texas Racial Profiling Law
- Collect data that includes information on
 - a) Race and ethnicity of individual detained
 - b) Whether a search was conducted
 - c) If there was a search, whether it was a consent search or a probable cause search.
 - d) Whether a custody arrest took place
- Produce an annual report on police contacts and present this to the local governing body by March 1, 2024.
- Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation.

(II) For additional questions regarding the information presented in this report, please contact:

Gary Maddox
Sheriff
Lamb County

**Sheriff's Office Contact Data
Annual Report
January 1, 2023, December 31, 2023**

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(II) Responding to the Texas Racial Profiling Law

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- b) Video Policy
- c) Implementation of Complaint Process Addressing Allegations of Racial Profiling Practices (includes efforts relevant to the implementation of an educational campaign aimed at informing the public on the complaint process)
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Community Partnerships

Although the Lamb County Sheriff's Office has always enjoyed the support of the community, since January 1, 2002, it has made extraordinary efforts to reach out to community leaders. This effort has been well received by the Lamb County community; particularly, members of the minority community.

The Lamb County Sheriff's Office, through its Public Information, has kept the public informed of the traffic contact data collection effort. Further, it plans to present the data analyzed, on or before March 1, 2024, to members of the County Commissioners Court, as well as file a report with T.C.O.L for public viewing. This will be done to keep community leaders informed on the current practices of the LCSO.

Lamb County Sheriff's Office General Orders

The following section established the mission, vision, values, goals, objectives, oath, ethics, and employment practices of the Lamb County Sheriff's Office. Each of these components is reviewed on an annual basis in order to ensure it adequately addresses the emerging needs of the office, the county, and the residents of Lamb County.

Mission

The Lamb County Sheriff's Office will always strive to provide the highest quality service, preserving human rights, lives, and property, while attempting to achieve the mission goals of the office, the county, and the communities. In the Lamb County Sheriff's Office we are committed to the highest professional standards, working in partnership with our citizens to problem solve and meet the challenges of reducing crime, creating a safer environment, and improving the community members' quality of life.

Vision

We, the men and women of the Lamb County Sheriff's Office, are committed to excellence in leadership, providing progressive and proactive services, developing community partnerships, and building for a better future.

Values

We, the members of the Lamb County Sheriff's Office, value the following in our members and our organization:

- Honesty
- Professionalism
- Integrity
- Compassion
- Cultural Diversity

Oath of Office

Each of the Lamb County Sheriff's Office shall subscribe to and abide by the Oath of Office:

I _____ do solemnly swear or affirm that I will faithfully execute the duties of a Deputy Sheriff of the Lamb County Sheriff's Office, Lamb County, Texas, and will to the best of my ability preserve, protect and defend the Constitution and Laws of the United States, and of this State; and I furthermore solemnly swear or affirm that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute, any money or valuable thing to receive my appointment.

So Help Me God.

Upon swearing to the Oath of Office, a signed copy is placed in the employee's personnel file.

Code of Ethics

Each member of the Lamb County Sheriff's Office shall subscribe to and abide by the Code of Ethics:

As a Law Enforcement Officer, my fundamental duty is to serve humanity; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional Rights of all people to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in obeying the laws of the land and the regulations of my Department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to ethics of Law Enforcement. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession . . . Law Enforcement.

The newly sworn member shall be given one copy of the Code of Ethics.

Equal Opportunity/Affirmative Action

The policy of the Lamb County Sheriff's Office is to be fair and impartial in all of its relations with its employees or applicants while adhering to the concept of equal employment opportunity and affirmative action as a necessary element of basic merit system principles. In order to achieve this goal, the Lamb County Sheriff's Office hereby reaffirms its official policy that discrimination on the basis of race, sex, color, religion, national origin, age, mental or physical handicap, disabled or veteran status is prohibited by all employees of the Lamb County Sheriff's Office. This policy will apply and is not limited to recruitment, promotion, hiring, layoff, termination, demotion, transfer, training, rates of pay, fringe benefits, or other forms of compensation, use of facilities, and other terms, conditions and privileges of employment for all job classifications. The Lamb County Sheriff's Office will take the necessary steps in its employment policies, practices and procedures and make reasonable accommodations in order to assure that appropriate equal employment opportunities are available to all persons.

Racial Profiling Policy

I. PURPOSE

The purpose of the policy is to reaffirm the Lamb County Sheriff's Office's Commitment to unbiased policing in all its encounters between officer's and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

II. POLICY

It is the policy of this office to police in a proactive manner and to aggressively investigate suspected violations of the law. Deputies shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Deputies are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all people, whether drivers, passengers or pedestrians.

Deputies shall always conduct themselves in a dignified and respectful manner when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all people to be treated equally and to be free from unreasonable searches and seizures must be respected. Racial profiling is an unacceptable patrol tactic and will not be condoned.

This policy shall not preclude deputies from helping, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

III. DEFINITIONS

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.

Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contact.

The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin is racial profiling. Examples of racial profiling include but are not limited to the following:

1. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver's race, ethnicity or national origin.
2. 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.
3. Detaining an individual based upon 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.

A law enforcement agency can derive at two principles from the adoption of this definition of racial profiling:

1. Law enforcement may not use racial or ethnic stereotypes as factors in selecting whom to stop and search, while Deputies may use race in conjunction with other known factors of the suspect.

2. Law enforcement officers may not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling is not relevant as it pertains to witnesses, etc.

Race or Ethnicity- Of a particular decent, including Caucasian, African, Hispanic, Asian, or Native American.

Pedestrian Stop- An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

Traffic Stop- A peace officer that stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

IV. CITATION DATA COLLECTION & REPORTING

Deputies are required to collect information relating to traffic stops in which a citation or warning is issued. On the citation deputies must include:

1. the violators race or ethnicity.
2. whether a search was conducted.
3. was the search consensual; and
4. arrest for this cited violation or any other violation.

By March of each year, the Lamb County Sheriff's Office shall submit a report to their governing board that includes the information gathered by the citations. The report will include:

1. a breakdown of citations by race or ethnicity.
2. number of citations that resulted in a search.

3. number of searches that were consensual; and
4. number of citations that resulted in custodial arrest for this cited violation or any other violation.

Not later than March 1st of each year, this office shall submit a report to our governing body containing this information from the preceding year

Video Policy

LAMB COUNTY SHERIFF'S OFFICE

POLICY AND PROCEDURE

PURPOSE: The mobile video and Body worn recording systems is designed to provide an audio/video recording of events as they happen. For law enforcement purposes, this system has the capability to:

1. Provide accurate documentation of events, action, conditions, and statements made during arrests, and critical incidents.
2. Enhance officer safety, the reporting and collection of evidence, and court testimony.
3. Enhance the department's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, and investigative evidence.
4. Provide a method of acquiring excellent training material.

DEFINITIONS:

1. Uniformed personnel: those assigned to the patrol division.
2. Non uniformed personnel: those assigned to the investigation division.

POLICY: It is the policy of the Lamb County Sheriff's Office that audio and video equipment be used during each event involving contact between sworn uniformed personnel and the public, where law enforcement issues are involved.

PROCEDURES

1. Officers shall adhere to the following procedures when utilizing video recording equipment.
 - a. MVR equipment installed in a vehicle is part of the vehicle package and is the responsibility of the officer assigned to that vehicle and will not be removed from the vehicle without approval of the Sheriff or his designate. Authorized personnel as designated by the department will only do installation and removal of MVR equipment. MVR equipment will be maintained according to the manufacturer's recommendations.
 - b. Body Worn video equipment Shall be always worn and activated during any citizen contact or incident that requires Law Enforcement intervention. It is the responsibility of the officer assigned to the Body Worn Equipment to make sure before beginning their shift that all video equipment is in working condition. Body Worn video equipment will be maintained according to the manufacturer's recommendations.
 - c. Prior to each shifts all video equipment will be made ready, and the Body Worn Video will be placed on the officer's person.
 - d. Prior to each shift, officers shall determine whether the Video and audio equipment is working satisfactorily. Any problems shall be brought to the attention of their supervisor.
 - e. The Video systems SHALL be in the record mode with audio on during any citizen contact or emergency run until said contact has been completed. This shall include but not be limited to transporting suspects or prisoners, citizens as a courtesy escort, domestic disturbances, assisting other agencies, civil standbys, party calls, or cattle calls.
 - f. Officers should ensure that the video camera is properly positioned and adjusted to record events.
 - g. Officers shall not intentionally tamper with or in any manner alter Video recordings or equipment.
 - h. It is the Officers responsibility to ensure that all recordings have been transferred VIA wireless connection to the office server.
 - i. Officers shall not remove any hard drives from any vehicle without first being requested by the Sheriff or Chief Deputy.

TAPE CONTROL AND MANAGEMENT:

1. Video recordings containing information that may be of value for case prosecution or any criminal or civil proceedings shall be safeguarded as other forms of evidence. As such, these recordings will:
 - a. Be subject to the same security and chain of evidence safeguards.
 - b. Shall not be released to any other criminal justice agency (except for trail purposes) without having a duplicate copy made and the original returned to evidence storage.
 - c. Shall not be released to any criminal justice agencies, media or any other person without approval of the Sheriff.
 - d. Shall not be played or the contents discussed with any unauthorized person or persons without the approval of the Sheriff.
2. Recordings not scheduled for court proceedings or other department use shall be maintained for a minimum of 90 days.

RESPONSIBILITIES:

The Sheriff or his designee shall:

1. Ensure all officers follow established policy and procedures for the use and maintenance of Video equipment, handling of video/audio recordings, and the completion of Video documentation.
2. Replace Hard drives, microphones and batteries as needed by officers.
3. Ensure damaged or non-functional Video equipment is reported for repairs.
3. Randomly review recordings of each officer at least every 90 days, to assist in identifying possible profiling by officers, and document the same.
4. Randomly review recordings to assist in periodic assessment of officer performance, determine whether Video Equipment is being fully and properly used, and identify material that may be appropriate for use in training.

5. Make sure that officers who have reported their Video equipment is not functioning properly is issued another vehicle that has a properly functioning Camera, or that the non-functioning Body Worn camera is replaced.

Criminal Investigator shall:

1. Log Videos that have been copied to disk and have been turned in as evidence.
2. Copy videos that will be used for criminal prosecutions and submit the copy to the court with the case file.

Analysis

The data presented in this report contains valuable information regarding Deputy contacts with the public between 1/1/2023 and 12/31/2023. Despite its value, the raw data does not present much information relevant to racial profiling trends.

Thus, it is felt that further analysis of the data is warranted. As such, data was obtained through the United States Census Bureau. The data obtained from United States Census Bureau estimates as of July 1, 2022, included the race and gender of persons in Lamb County.

When comparing the County residents who encountered the Lamb County Sheriff's Office during 2022 with those who, according to United States Census Bureau, were residents of the County during their most recent demographics profile, the data produced the following findings. That is, the number of deputy contacts with White drivers, when compared to the number of White County residents, which were approximately 48.00%, demonstrated that the number of white residence citations with the deputies was 46.06%.

In addition, when analyzing, in the same manner, the data relevant to individuals of African descent, that is, the number of deputy citations with African American drivers, when compared to the number of African American county residents, which were approximately 4.6%, demonstrated that the number of African American residence contacts with the deputies were 2.90%.

In addition, when analyzing, in the same manner, the data relevant to individuals of Hispanic descent, that is, the number of deputy citations with Hispanic drivers, when compared to the number of Hispanic county residents, which were approximately 56.1%, demonstrated that the number of Hispanic residence contacts with the deputies were 50.62%.

In addition, when analyzing, in the same manner, the data relevant to individuals of Asian/ Pacific Islander descent, that is, the number of deputy contacts with Asian/ Pacific Islander drivers, when compared to the number of Asian/ Pacific Islander County residents, which were approximately 0.5%, demonstrated that the number of Asian/ Pacific Islander residence contacts with the deputies were 0.41%.

In addition, when analyzing, in the same manner, the data relevant to individuals of Alaska Native/American Indian descent, that is, the number of deputy contacts with Alaska Native/American Indian drivers, when compared to the number of Alaska Native/American Indian county residents, which were approximately 0.5%, demonstrated that the number of Alaska Native/American Indian residence contacts with the deputies were 0.0%.

When analyzing the data, no indication of racial profiling exists within the Lamb County Sheriff's Office.

Filing a Complaint with The Lamb County Sheriff's Office.

*The following information has been disseminated to the public as part of an educational campaign aimed at informing community members of the complaint process relevant to violations of the Texas Racial Profiling Law.

UNDERSTANDING THE PROCESS

Once an individual has filed a complaint regarding racial profiling, he/she should expect the following process to commence:

THE INTERVIEW

A Deputy Sheriff (rank of investigator or higher) will interview the individual filing the complaint. The Deputy will ask the alleged victim questions about what happened. It is possible that the Deputy may be able to explain the Deputies actions to your satisfaction.

- Usually, the alleged victim will be interviewed at the Sheriff's Office. It is possible that he/she may be videotaped during the interview.
 - The individual filing the complaint may bring a lawyer, family member or friend to the interview.
 - The Deputy Sheriff will ask the individual filing a complaint for the names of witnesses and other police officers that may know facts about the complaint.
 - A Deputy Sheriff photographer may take pictures of any injuries that the alleged victim think is related to the complaint.
 - Texas State Law requires that complaints involving police officers be in writing and signed by the person making the complaint.
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THE INVESTIGATION

After the interview, the Lamb County Sheriff's Office will investigate the alleged misconduct. Investigators will talk to witnesses and visit the site of the incident.

- The investigators will consist of Deputy Sheriff's assigned by the Sheriff.
- All officers will be interviewed and witnesses whom the alleged victim has named will be contacted and interviewed, if they agree.
- The alleged victim will receive a letter regarding the progress of the investigation. Although it is impossible to estimate how long the investigation will take, the alleged victim will receive periodic reports on its status.
- A report will then be prepared.

THE REVIEW PROCESS

The Sheriff reviews every complaint after the investigation is completed and a report is written.

- If the complaint includes excessive force or charges a Deputy with a crime, the case will be forwarded to the Texas Department of Public Safety Texas Rangers Section for Investigation.
- The assigned Ranger will review your complaint, statements from all witnesses and reports from the investigation. The assigned Ranger may ask for additional information before making its recommendations to the Sheriff.
- The results of investigations that suggest there are no charges that the Deputy Sheriff used excessive force or committed a crime are also reviewed by the Sheriff.
- The Sheriff reviews investigations and makes the final decision on all complaints.

THE FINDINGS

The results of your complaint are called "findings". There are four possible findings:

- **Sustained** - The complaint has been supported: The Deputy(s) involved acted improperly and may be disciplined.
- **Unfounded** - The investigation found no basis in the complaint filed.
- **Exonerated** - The Deputy(s) involved acted properly and will not be disciplined;
or
- **Not provable** - There was not enough evidence to prove the complaint true or false so no further action will be taken.

The Sheriff will decide on a finding after the complaint has been reviewed. Further, the Sheriff will inform the alleged victim through an official letter of the final decision.

Informing the Public on the Process of Filing a Complaint with The Lamb County Sheriff's Office

Educational Campaign:

Notices have been placed at the County Courthouse, and the Sheriff's Office outlining the policy(s) and procedures of the Lamb County Sheriff's Office regarding racial profiling. Also at least once a year a report is supplied to the local newspapers for circulation on the yearly findings.

A COMMITMENT TO RESPOND TO THE NEEDS OF THE COMMUNITY

The Lamb County Sheriff's Office has made a commitment to its citizens regarding the following:

1. The department shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
2. Any employee who receives an allegation of racial profiling, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel or direct the individual(s). Any employee contacted shall provide that person with a copy of a complaint form or the department process for filing a complaint. All employees will report any allegation of racial profiling to their superior before the end of their shift.
3. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the Sheriff. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the Sheriff.
4. If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
5. If there is a departmental video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this Office into the complaint and written request of the officer made the subject of the complaint, this Office shall promptly provide a copy of the recording to that officer.

Training

In compliance with the Texas Racial Profiling Law, the Lamb County Sheriff's Office requires that all its deputies adhere to all Texas Commission on Law Enforcement (TCOL) training.

All deputies from the Lamb County Sheriff's Office are to complete all required TCOL training and education programs on racial profiling.

Recommendations

Based on the findings introduced in this report, the Sheriff, along with command staff, have agreed to adopt the following measures aimed at addressing potential racial profiling problems:

- Provide further racial sensitivity training to its police personnel as required by law.
- Disseminate information to all deputies regarding the guidelines of behavior acceptable under the adopted Texas Racial Profiling Law
- Keep County Commissioners and other County officials informed of measures being implemented at the Lamb County Sheriff's Office.

Summary Statement

The findings suggest that the Lamb County Sheriff's does not currently experience a problem regarding racial profiling practices. This is supported by the fact that it has not received complaints from community members regarding officers misconduct associated with racial profiling practices.

The continuing effort to collect police contact data will assure an on-going evaluation of the Lamb County Sheriff's Office practices. Thus, allowing for the citizens of the Lamb County community to benefit from professional and courteous service from their Sheriff's Office.

Ref: Racial Profiling Video Audit 2022

After conducting random viewing of videos from various patrol deputies during the calendar year 2022, at no time did I observe any type of conduct that would indicate to me that deputies within the Lamb County Sheriff's Office are involved in any form of racial profiling. During the calendar of 2022, I received no citizen complaints on any deputy within the L.C.S.O. for racial profiling or any other type of unprofessional conduct. After reviewing the videos it is my opinion the deputies who are employed by the L.C.S.O. Always conducted themselves in a truly professional manner when in contact with the public.



Craig Thompson

Chief Deputy, Lamb County