



The Investigation:

Texas' racial profiling laws are meant to root out policing that targets people of color. The laws have been on the books for 20 years and require law enforcement agencies to gather their traffic stop data annually, comparatively analyze it and submit the details to the Texas Commission on Law Enforcement, or TCOLE. But a KXAN investigation in early 2021 uncovered TCOLE failed to mandate and collect that information and opted not to use its enforcement authority hundreds of times in recent years when police agencies failed to report.

KXAN found TCOLE's database was missing data from more than 250 law enforcement agencies in the previous four years. Law enforcement agencies are also required to submit a "comparative analysis" of that racial profiling data to TCOLE. However, when KXAN requested those comparative analyses, TCOLE could not produce any for the previous 10 years. TCOLE later admitted to KXAN it had not mandated that part of the law. Furthermore, TCOLE had not taken a single official enforcement action against any law enforcement agency in the previous five years for these failures. Texas law sets fines for non-compliance at \$5,000 per violation.

The Impact:

For the first time ever, TCOLE now reports full compliance with the state's racial profiling law from all 2,700 law enforcement agencies in Texas – a direct result of KXAN's investigation. It began just one day after TCOLE spoke with KXAN, when its executive director sent a message to every law enforcement agency in the state explaining the requirement to submit a report and comparative analysis, adding that a department's chief could face a 90-day suspension of their peace officer license or an agency could be hit with a \$5,000 civil penalty for failing to submit those records. Two weeks after our initial report, TCOLE sent warning letters to those agencies still out of compliance.

Once a March 1 deadline passed, just 15 agencies had failed to file their racial profiling reports. TCOLE then sent letters of reprimand to four of those agencies' leaders. The letters are a permanent record placed in each chief's TCOLE file and subject to disclosure under the state's open records act. TCOLE also sent notices of violation to the 11 other agencies – and planned to follow up with possible discipline. If a chief continued failing to report the required information and received three reprimands, TCOLE would move to revoke their license for life. By May, those remaining agencies finally complied with the law.

As an additional result of our reporting, TCOLE designed a portal on its website where agencies can file their annual data, simplifying and centralizing the process. During our investigation, a legislative panel tasked with oversight and overhaul of TCOLE also vowed to examine our discovery and explore ways to give the state agency more teeth when it comes to reporting racial profiling in the future.

The Innovation:

In addition to the multi-part, multi-platform series, KXAN created a special landing page for all of its coverage related to this topic. It gives users an easier way to follow our investigation, listing each part and embedding each video component in one place, along with a call-out box for related coverage. The different parts linked on the landing page included immersive articles, interactive data components, photo features and extended video interviews with key players in the investigation.

RACIAL PROFILING LANDING PAGE

<https://www.kxan.com/racial-profiling/>

INVESTIGATIVE STORIES

Part 1: Breaking the Law

<https://bit.ly/3okfhMO>

Part 2: Zero Enforcement

<https://bit.ly/3hvyfOg>

Part 3: Proving Profiling

<https://bit.ly/3onGGNP>

Part 4: State Takes Action

<https://bit.ly/2RVNpTk>

Part 5: Against a Deadline

<https://bit.ly/3hvg4ta>

Part 6: Following the Law

<https://bit.ly/3xjrXHb>

ADDITIONAL COVERAGE

Political Program

<https://bit.ly/3yjfd4O>