

**MIDLAND CITY COUNCIL
BRIEFING SESSION
MINUTES
April 13, 2021**



The City Council convened in briefing session in the Council Chamber, City Hall, Midland, Texas, at 9:15 a.m., April 13, 2021.

Council Members present: Patrick Payton, Spencer Robnett, Michael Trost, John Norman, Jack Ladd, Lori Blong

Council Members absent: Scott Dufford

Staff members present: Interim City Manager Robert Patrick, City Attorney John Ohnemiller, Assistant City Manager Morris Williams

The meeting was called to order at 9:22 a.m.

The following matter(s), and any matter listed on the agenda for this meeting, may be discussed by the City Council:

1. Receive a presentation from Dr. Eric Fritsch of the University of North Texas regarding his comprehensive review, evaluation and analysis of traffic stops conducted by the Midland Police Department during 2020.

Dr. Eric Fritsch introduced himself and shared a PowerPoint presentation on the 2020 data. There were 13,156 traffic stops. He shared the breakdown of the stops based on ethnicity noting there is no valid measurement of the driving population. In this case, they used census data, but it isn't accurate for the driving population. Officers reported they knew the ethnicity of the person being stopped about 1% of the time. That number is generally consistent with the rest of the nation. He noted that racial profiling is an officer taking action based on a person's race. The second comparative is to look at outcomes noting there are four possible outcomes: verbal warning, citation issued, written warning, or arrest. He reviewed the percentage of each outcome for each race. A black motorist was more likely to receive a verbal warning than the rest of the population and was less likely to receive a citation. A Hispanic motorist was more likely to receive a citation than the rest of the population. He noted that all other numbers were consistent. The third analysis is for searches. Nine percent of the stops resulted in searches. A black motorist was searched 14% of the time versus the rest of the population that was searched around 8-9%. Drivers gave consent 2.2% of the time for searches. Probable cause was identified in 60% of the searches. Contraband was discovered in 59% of all searches and drugs were discovered

in 64% of the searches. The national bench mark is around 30%, so Midland officers are identifying people who are likely to have contraband at twice the national average. The final analysis was for complaints. No complaints were filed in 2020 alleging an officer committed racial profiling.

Dr. Fritsch answered questions about probable cause noting that an officer must be able to articulate facts such as they smelled marijuana. He added that if the search results in arrest, it is up to a judge to determine if probable cause existed. He clarified that 75% of the stops were for moving violations such as speeding or failing to stop at a sign.

Council Member Norman noted that an awful lot of black people are getting pulled over for being such a small percentage of the population. In 2020, the Midland Police Department received no complaints but he felt like there were complaints. People feel like nothing will get done so they do not report. He is encouraging people to file a complaint so there is something on record. We need to differentiate between probable cause and actual facts, that is what they discuss with the police advisory committee.

All the business at hand having been completed, the meeting adjourned at 9:47 a.m.

PASSED AND APPROVED April 27, 2021.

Patrick Payton, Mayor

ATTEST:

Amy M. Turner, City Secretary