

**MIDLAND CITY COUNCIL
BRIEFING SESSION
MINUTES
May 10, 2022**



The City Council convened in briefing session in the Council Chamber, City Hall, Midland, Texas, at 9:30 AM, May 10, 2022.

Council Members present: Dan Corrales, Robin Poole, Lori Blong, Patrick Payton, Scott Dufford, John Norman

Council Members absent: Jack Ladd

Staff members present: City Manager Robert Patrick, Deputy City Manager Morris Williams Jr, City Manager Tina Jauz, Assistant City Attorney Nicholas Toulet-Crump

The meeting was called to order at 9:30 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 J. Fritsch of Justice Research Consultants, LLC regarding the 2021 Racial Profiling Analysis. Dr. Eric J. Fritsch, Justice Research Consultants, LLC gave a brief overview of the 2021 Racial Profiling Analysis noting the importance of reporting standards. He reported that there are eight different benchmarks for traffic stop data and that officers don't always know the race and ethnicity of the driver prior to a stop. In Midland, only one half percent of the time they know the race/ethnicity with the state average being about 3.5% of the time. Mr. Fritsch reported that if they don't know the ethnicity they can't legally racial profile.

In a comparative analysis of traffic stop outcomes four things that happen during traffic stops are: verbal warnings, citations, written warning or arrest. Searches, consent searches and contraband discovered were also reported. Black disparity is reported higher due to probable cause such as the smell of marijuana, which is the most common reason for probable cause.

The report showed that Midland Police Department is in full compliance with the following Texas laws: Criminal Procedure, Training and Education Regarding Racial Profiling, Racial Profiling Complaint Process and Public Education about the Complaint

Process, Collection of Racial Profiling Data, Reporting of Information to TCOLE and Texas Law regarding CCP Articles 2.132-2.134.

Council Member Norman inquired about the percentage of Black and Hispanic motorist being higher. Dr. Fritsch reported that the benchmark does not have an interpretative value and that it is not a good benchmark. A city would need to focus on post-stop outcomes. Data collected from post-stop outcomes is provided by the officer that stops the individual such as filling out the citation. The disparity and reason for it is completely unknown. There is no true disparity unless there is a benchmark.

All the business at hand having been completed, the meeting adjourned at 9:56 a.m.

PASSED AND APPROVED May 24, 2022.

Patrick Payton, Mayor

ATTEST:

Amy M. Turner, City Secretary