

# TIER 2 REPORTING

## FULL REPORTING

### Check One

- No motor vehicle or audio equipment
- We choose to fully report even though we qualify for the partial exemption



## Racial Profiling Reporting (Tier 2)

**Department Name** Arlington Police Department  
**Agency Number** TX2200100  
**Chief Administrator Name** Will Johnson  
**Reporting Name** Katrina Hickman  
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### Certification to Report 2.132 (Tier 2)

**Policy Requirements (2.132(b) CCP): Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:**

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's complaint process;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
  - (A) the race or ethnicity of the individual detained;
  - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
  - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
  - (A) the Commission on Law Enforcement Officer Standards and Education; and
  - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

These policies are in effect.

Chief Administrator 

Date 2/28/13



Racial Profiling Reporting  
(Tier 2)

(State of Texas Mandatory Form)

- Instructions: Please fill out all boxes. If zero use 0.  
1. Total on lines 3, 10, 13, 18, 21, 40, and 51 Must be equal  
2. Total on lines 27 and 30 Must equal line 19

Gender:

1. 49,577 Female  
2. 77,695 Male

3. **127,272 Total**

Race or Ethnicity:

4. 40,487 African-American  
5. 4,356 Asian  
6. 55,333 Caucasian  
7. 26,647 Hispanic  
8. 408 Middle Eastern  
9. 41 Native American

10. **127,272 Total**

Race or Ethnicity known prior to stop?

11. 6,640 Yes  
12. 120,632 No

13. **127,272 Total**

Reason for stop:

14. 20,734 Violation of law other than traffic  
15. 0 Pre-existing knowledge (i.e. warrant)  
16. 65,486 Moving Traffic Violation  
17. 41,052 Vehicle Traffic Violation (Equipment,  
Inspection or Registration)

18. **127,272 Total**



**Racial Profiling Reporting  
(Tier 2)**

**Search conducted?**

- 19. 1,405 Yes
- 20. 125,867 No

**21. 127,272 Total**

**Reason for search:  
(choose 1 for each search)**

- 22. 463 Consent search
- 23. 0 Contraband/evidence in plain sight
- 24. 942 Probable cause or reasonable suspicion
- 25. 0 Inventory search performed as result of towing
- 26. 0 Incident to arrest/warrant

**27. 1,405 Total Must equal #19**

**Contraband discovered?**

- 28. 831 Yes
- 29. 574 No
- 30. 1,405 Total Must equal #19

**Description of Contraband  
(Chose only One)**

- 31. 248 Illegal drugs/drug paraphernalia
- 32. 29 Currency
- 33. 38 Weapons
- 34. 495 Alcohol
- 35. 0 Stolen property
- 36. 21 Other
- 37. 831 Total Must equal #28

**Arrest result of stop or search:**

- 38. 3,645 Yes
- 39. 123,627 No

**40. 127,272 Total**

Racial Profiling Report – Tier 2



**Racial Profiling Reporting  
(Tier 2)**

**Arrest based on:**

- 41. 656 Violation of the Penal Code
- 42. 798 Violation of a Traffic Law
- 43. 53 Violation of City Ordinance
- 44. 2,138 Outstanding Warrant

**Street address or approximate location of the stop:**

- 45. 86,821 City Street
- 46. 13,597 US Highway
- 47. 26,854 State/County Road
- 48. 0 Private Property or Other

**Written warning or a citation as a result of the stop:**

- 49. 72,155 Yes
- 50. 55,117 No

51. 127,272 Total

**Please submit electronically the analysis in PDF format required by 2.134 CCP(c) which contains:**

- (1) a comparative analysis of the information compiled under Article 2.133 to:
  - (A) 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; and
  - (B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and
- (2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

This analysis meets the above Requirements

  
Chief Administrator

2/28/13  
Date

***All five (5) pages will be entered via a TCLEOSE Web entry form and the analysis is to be uploaded to the website in PDF format***

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**[www.tcleose.state.tx.us](http://www.tcleose.state.tx.us)**

**Arlington Police Department**

**Contact Data Annual Report**

**January 1, 2012--- December 31, 2012**

**Police Contact Data  
Annual Report  
January 1, 2012 --- December 31, 2012**

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## INTRODUCTION

Since January 1, 2004, the Arlington Police Department (APD) in accordance with the Texas Racial Profiling Law (S.B. No. 1074) has been collecting police contact data for the purposes of identifying and responding, if necessary, to concerns regarding racial profiling practices. Arlington was one of the first police departments in the country to collect and analyze racial profiling information, and has voluntarily collected police contact data since September 2000. A yearly report of the data analysis is presented to the Arlington City Council. In 2010, Texas House Bill 3389 amended the law concerning racial profiling to include the collection of specific data and to require that all agencies report them to TCLOESE as well as the governing body. In addition, the report submitted by agencies must conform to one of three options that best describes the conditions under which motor vehicle stops were conducted. These options are:

1. Law enforcement agencies that do not routinely make motor vehicle stops can be fully exempt from reporting;
2. Law enforcement agencies that routinely perform traffic stops or motor vehicle stops and who have their vehicles that routinely perform these stops equipped with video and audio equipment can report under CCP 2.135. (Tier 1 reporting)
3. Law enforcement agencies that routinely perform traffic stops or motor vehicle stops and who do not equip their vehicles with video or audio equipment must report under CCP 2.133 and perform an analysis as required under CCP 2.134. (Tier 2 reporting)

The Arlington Police Department has chosen to meet the requirements under option three. Our submission to TCLEOSE and the Arlington City Council includes this analytic report and a report of the data collected under CCP 2.133.

Although assertive traffic enforcement and proactive crime intervention tactics are necessary strategies for our officers, the General Orders of the Arlington Police Department's General Orders expressly prohibit racial profiling or taking action based solely upon an individual's demographic characteristics. These include race, ethnicity, national origin, gender, sexual orientation, religion, economic status, age, cultural group, or other non-crime related group characteristics. For those citizens who believe they have been unfairly treated because they possess one or more of these characteristics, information on filing a complaint of racial profiling is available at all APD facilities through brochures printed in English, Spanish, and Vietnamese. This information is also available on the department's website. In addition, police supervisors are required by policy to assist members of the public with filing a complaint when such allegations are made. Allegations regarding racial profiling are thoroughly investigated by our Internal Affairs Division regardless of complainant participation or the number of complaints received. **During the year 2012, the APD received no citizen complaints of racial profiling.**

## **TRAFFIC STOP DATA REQUIREMENTS**

This report contains valuable data regarding 128,985 traffic stops between January 1 and December 31, 2012. The purpose of this report is to analyze circumstances surrounding vehicle contacts, the race/ethnicity of persons contacted, and the contact's outcome. The Computer Aided Dispatch System (CAD) records all traffic contacts within the city limits of Arlington, Texas, and officers are required to record the following information at the conclusion of each contact:

- Race: (Asian, Black, Hispanic, Native American, White, Middle-Eastern, Other)
- Gender: ( Male or Female)
- Reason for Contact: (Investigative, Non-Hazardous Traffic Violation, Hazardous Traffic Violation)
- Outcome of the Contact: (Arrest-Misdemeanor, Arrest-Felony, Citation, Released without citation or arrest)
- Resident Status: (Arlington resident or Non-resident/Visitor)
- Type of Search: (Consent to Search, Probable Cause, No search conducted)
- Type of offense for which an arrest was made (Traffic, Criminal, City Ordinance, Warrant)

## **TRAFFIC STOP DESCRIPTIVE DATA**

APD officers completed 128,985 traffic stops having full dispositions between January 1, 2012 and December 31, 2012. A general demographic profile of drivers stopped in Arlington, TX is available from the tables below.

**Table I: Traffic Stops by Race/Ethnicity**

<b>RACE/ETHNICITY</b>	<b>WHITE</b>	<b>BLACK</b>	<b>HISPANIC</b>	<b>ASIAN</b>	<b>OTHER</b>	<b>NATIVE AMERICAN</b>	<b>MIDDLE EASTERN</b>	<b>TOTAL</b>
<b>% of Contact</b>	42.90%	31.39%	20.66%	3.38%	1.33%	0.03%	0.32%	100.00%
<b>Count</b>	55,333	40,487	26,647	4,356	1,713	41	408	128,985

**Table II: Traffic Stops by Gender**

<b>Gender:</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>% of Contact</b>	61.17%	38.83%	100.00%
<b>Count</b>	78,895	50,090	128,985

**Table III: Traffic Stops by Resident Status**

<b>Resident Status</b>	<b>Resident</b>	<b>Non-Resident</b>	<b>Total</b>
<b>% of Contact</b>	63.33%	36.67%	100.00%
<b>Count</b>	81,683	47,302	128,985

**Table IV: Traffic Stops by Reason for Contact**

Contact Reason	Hazardous	Non-hazardous	Investigative	Total
% of Contact	51.59%	32.20%	16.21%	100.00%
Count	66,541	41,532	20,912	128,985

**Table V: Traffic Stops by Outcome of Contact**

Outcome of Contact:	Citation	Release	Arrest	Total
% of Contact	56.70%	40.46%	2.84%	100.00%
Count	73,138	52,187	3,660	128,985

**Table VI: Traffic Stops by type of Search**

Type of Search	No Search	Probable Cause	Consent	Total
% of Contact	98.90%	0.74%	0.36%	100.00%
Count	127,570	950	465	128,985

**Profile:** White male, Arlington resident, contacted for hazardous violations, issued a citation with no search conducted.

## **COMPARATIVE ANALYSIS**

Although the data presented in the preceding descriptive analysis is valuable, it presents little information relevant to racial profiling trends. No comparative “benchmark” has been established as a context for analyzing profiling data. Many Texas law enforcement agencies use US Census 2010 data and/or driver’s license data provided by the Texas Department of Public Safety (DPS) as the basis for comparing contact data and the driving population. This report utilizes data from both sources for comparison. The general characteristics of those data are:

- US Census Redistricting Data indicate that in 2010 the population of Arlington, TX was 365,438.
- Census data are inclusive of all Arlington residents, including persons too young, too old, or who simply do not drive a vehicle.
- In years before 2010, DPS license data combined White and Hispanic into a single category. Since 2010, data are separately available for both White and Hispanic drivers. Even so, there is a serious undercount in the number of licensed Hispanic drivers. According to these data, in 2012 just 2.94% of licensed drivers in Arlington were Hispanic.
- Despite the requirement to report stops of drivers who were of Middle-Eastern origin, the DPS does not separately provide data for these persons.
- DPS driver data is reported by zip code and/or county of residency. Therefore, the data reported here also includes licensed drivers in the cities of Dalworthington Gardens and Pantego, both of which are surrounded by the City of Arlington.
- DPS license data includes only licensed drivers. It excludes those with no valid driver’s license and those with a suspended or revoked driver’s license.

- DPS license data does not accurately reflect the driving population as evidenced by the large number of unlicensed drivers cited by police. The number and proportion of such drivers in the Arlington population is unknown.
- The actual Arlington driving population includes of both licensed and unlicensed drivers.

### Race and Unlicensed Drivers:

From January 1 to December 31, 2012, APD officers issued 12,942 citations for “No valid driver’s license” in which race or ethnicity was reported. **This means that 10% (1 in 10) drivers stopped had no valid license.** Of drivers cited for this infraction, 25.5% were White, 44.4% were Hispanic and 29.1% were Black. Drivers from all other groups combined received less than one (1) percent of these citations.

**Table VII: Traffic Stops by Race and Ethnicity with “No Drivers License”**

Race/Ethnicity:	White	Hispanic	Black	Asian	Other	Native American	Middle Eastern	Total
DPS Licensed Drivers	239,334	10,689	70,772	32,856	8,502	849	0	363,002
% DPS Licensed Drivers	65.93%	2.94%	19.50%	9.05%	2.34%	0.23%	0.00%	100.00%
Contacts	55,333	26,647	40,487	4,356	1,713	41	408	128,985
% Contacts	42.90%	20.66%	31.39%	3.38%	1.33%	0.03%	0.32%	100.00%
Cites No DL	3,303	5,748	3,771	103	14	3	0	12,942
% Cites No DL	25.52%	44.41%	29.14%	0.80%	0.11%	0.02%	0.00%	100.00%
% Contacts by race-No DL	5.97%	21.57%	9.31%	2.36%	0.82%	7.32%	0.00%	10.03%

### Population, Licensed Drivers, and Race of Contacts:

The table below allows comparisons among the number and percentage of licensed drivers contacted by race in traffic stops in 2012, the number and percent by race of licensed Arlington drivers and the number and percent of Arlington residents by race in the 2010 Census.

**Table VIII: Race and Ethnicity of Licensed Arlington Drivers, Drivers in Traffic Stops, and Persons in the 2010 Census**

Race/Ethnicity	White	Hispanic	Black	Asian	Other	Native American	Middle Eastern	Total
DPS Licensed Drivers	239,334	10,689	70,772	32,856	8,502	849	0	363,002
% DPS	65.93%	2.94%	19.50%	9.05%	2.34%	0.23%	0.00%	100.00%
Contacts	55,333	26,647	40,487	4,356	1,713	41	408	128,985
% of Contacts	42.90%	20.66%	31.39%	3.38%	1.33%	0.03%	0.32%	100.00%
2010 Census	164,022	100,269	67,087	24,564	8,158	1,338	0	365,438
% 2010 Census	44.88%	27.44%	18.36%	6.72%	2.23%	0.37%	0.00%	100.00%

For reasons cited earlier readers are cautioned that Census 2010 and DPS data present challenges in establishing accurate bases for the comparisons by race among driver populations. Nevertheless, the conclusions presented below are from a review of data from the preceding table:

- The percentage of Black drivers contacted was more than 60% greater than their percentage as licensed drivers or the city’s population. The percentage of Asian, and Other drivers contacted was approximately half their percentage as both licensed drivers and the city’s population. A comparison of Hispanic driver contacts and DPS driver information is not meaningful for reasons described earlier.
- Because no data regarding persons of Middle Eastern origin were available from either the Census or DPS, no similar comparisons were completed for these drivers

## **CONTACT DETAILS**

The following tables compare the reason for the contact, the outcome of the contact, and whether or not a vehicle search was conducted. All comparisons were made within race/ethnicity, allowing the reader to determine across racial categories the percentage differences in how traffic stops are resolved.

### **Race and Reason for Contact:**

There are three (3) reasons for contact:

- Hazardous violations are violations that jeopardize the safe and efficient flow of vehicular and pedestrian traffic. Examples include speeding, running a red light, unsafe lane changes, driving without headlights when required, and no seat belt.
- Non-hazardous violations are violations that do not necessarily jeopardize the safe and efficient flow of traffic but are, nevertheless, illegal. Examples include expired registration or motor vehicle inspection and defective headlight or tail light.
- Investigative contacts occur with the need to check suspicious persons or behavior. For example, during the robbery of a bank, the suspect is observed leaving the scene in a red, late model Ford F150 with tinted windows, no tailgate and no license plate. Even though the officer has no license plate information, he may make a stop on a vehicle that matches the description given to identify the driver and determine if the driver is a legitimate suspect in a criminal offense.

**Table IX: Traffic Stops by Reason for Contact by Race and Ethnicity**

Race/Ethnicity	White	Hispanic	Black	Asian	Other	Native American	Middle Eastern	TOTAL
<b>Hazardous</b>	55.46%	46.89%	61.00%	61.00%	61.59%	48.78%	53.92%	51.59%
<b>Count</b>	30,689	12,918	18,984	2,657	1,055	20	220	66,543
<b>Non_hazardous</b>	31.92%	32.55%	29.41%	29.41%	28.02%	39.02%	34.80%	32.20%
<b>Count</b>	17,661	8,772	13,178	1,281	480	16	142	41,530
<b>Investigative</b>	12.62%	20.56%	9.60%	9.60%	10.39%	12.20%	11.27%	16.21%
<b>Count</b>	6,983	4,957	8,325	418	178	5	46	20,912
<b>Total %</b>	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100%	100.00%
<b>Count</b>	55,333	26,647	40,487	4,356	1,713	41	408	128,985

- More than 50% of all drivers were stopped for hazardous traffic violations. Hispanic and Native American drivers were the only races who were stopped for hazardous traffic violations slightly less than 50% of the time.
- As was the case in 2011, White, Hispanic, Native American and Middle Eastern drivers were stopped in greater percentages for investigative reasons than were Black or Asian drivers.

### Race and Outcome of Contact:

Three (3) possible outcomes can result from a traffic stop:

- Arrest
- Citation issued
- Release with no arrest and no citation

**Table X: Traffic Stop Outcomes by Race and Ethnicity**

Race/Ethnicity:	White	Hispanic	Black	Asian	Other	Native American	Middle Eastern	Total
<b>Citation</b>	57.81%	58.77%	53.95%	55.58%	57.38%	51.22%	54.17%	56.70%
<b>Count</b>	31,990	15,661	21,841	2,421	983	21	221	73,138
<b>Arrest</b>	1.98%	3.46%	3.90%	1.03%	0.88%	0.00%	1.23%	2.84%
<b>Count</b>	1,094	922	1,579	45	15	0	5	3,660
<b>Release</b>	40.21%	37.77%	42.15%	43.39%	41.74%	48.78%	44.61%	40.46%
<b>Count</b>	22,249	10,064	17,067	1,890	715	20	182	52,187
<b>Total % Contact</b>	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
<b>Count</b>	55,333	26,647	40,487	4,356	1,713	41	408	128,985

**Table XI: Traffic Stop Arrests by Race and Ethnicity by Offense Type**

<b>Race/Ethnicity</b>	<b>White</b>	<b>Hispanic</b>	<b>Black</b>	<b>Asian</b>	<b>Other</b>	<b>Native American</b>	<b>Middle Eastern</b>	<b>Total</b>
<b>City Ordinance</b>	9	19	25	0	0	0	0	<b>53</b>
% of Race	0.8%	2.1%	1.6%	0.0%	0.0%	0.0%	0.0%	1.4%
<b>Criminal</b>	221	163	265	7	2	0	0	<b>658</b>
% of Race	19.6%	18.1%	16.8%	15.2%	14.3%	0.0%	0.0%	18.0%
<b>Traffic</b>	314	212	254	18	4	0	0	<b>802</b>
% of Race	27.9%	23.6%	16.1%	39.1%	28.6%	0.0%	0.0%	21.9%
<b>Warrant</b>	583	506	1029	21	8	0	0	<b>2,147</b>
% of Race	51.7%	56.2%	65.4%	45.7%	57.1%	0.0%	0.0%	58.7%
<b>Total</b>	<b>1,127</b>	<b>900</b>	<b>1,573</b>	<b>46</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>3,660</b>
% of Race	100.0%	100.0%	100.0%	100.0%	100.0%	0.0%	0.0%	100.0%
<b>% of All Arrests</b>	<b>30.79%</b>	<b>24.59%</b>	<b>42.98%</b>	<b>1.26%</b>	<b>0.38%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>100.0%</b>

**When comparing the “Outcome of Contact”:**

- Slightly more than half of drivers (56.7%) contacted were issued citations. Fewer than 3% of all drivers contacted were arrested. Because no Native Americans were arrested, percentage comparisons between this group and others are not meaningful.
- When compared with Whites, the percentage of Hispanic drivers arrested was 1.75 times greater. For Blacks, the percentage was nearly twice as great (1.97).
- Black, Asian, Native American and Middle-Eastern drivers were released in slightly higher percentages with no citation issued or arrest than other driver groups.
- Although the percentage of Blacks arrested was less than 4% of all Blacks contacted, they comprised nearly 43% of all persons arrested by race. A smaller percentage of Black drivers was arrested for traffic offenses than any other race but a greater percentage was arrested for warrants than for any other race.

**Race and Type of Search:**

One of three (3) possible “Types of Search” can result from a traffic stop:

- No search is conducted.
- Consent to search, that is, the driver gives consent to have the vehicle searched. Department policy requires written consent to search under the consent to search exception.
- Probable cause search where the officer has reason to believe that contraband is within the confines of the vehicle and/or the safety of the officer and/or the public may be at risk.

**Table XII: Traffic Stops by Search Type by Race and Ethnicity**

<b>Race/Ethnicity:</b>	<b>White</b>	<b>Hispanic</b>	<b>Black</b>	<b>Asian</b>	<b>Other</b>	<b>Native American</b>	<b>Middle Eastern</b>	<b>Total</b>
<b>No Search</b>	99.08%	98.81%	98.61%	99.68%	99.42%	100.00%	99.51%	98.90%
<b>Count</b>	54,823	26,329	39,926	4,342	1,703	41	406	127,570
<b>Consent</b>	0.34%	0.36%	0.43%	0.05%	0.12%	0.00%	0.00%	0.36%
<b>Count</b>	190	97	174	2	2	0	0	465
<b>Probable Cause</b>	0.58%	0.83%	0.96%	0.28%	0.47%	0.00%	0.49%	0.74%
<b>Count</b>	320	221	387	12	8	0	2	950
<b>Total % Contact</b>	100.00%	100.00%	100.00%	100.00%	3.10%	0.07%	100.00%	100.00%
<b>Count</b>	55,333	26,647	40,487	4,356	1,713	41	408	128,985

### **The “Type of Search” Resulting from Traffic Stops**

- Slightly more than one percent (1.1%) of all traffic stops resulted in any type of search. When searches did occur, most were for Probable Cause. However, no vehicles of Native American drivers were searched for any reason.
- The percentage of Probable Cause searches was significantly higher for Hispanic and Black drivers than for any other group.

## **CONCLUSION**

Since 2000, the Arlington Police Department has been a leading agency as our nation’s police departments manage the issues related to racial profiling. A simple analysis of the raw data collected by the Department is not sufficient to render judgment on whether or not a racial profiling problem exists. Creating an environment to prevent racial profiling goes beyond simply collecting numbers. A police department’s workforce diversity, training, and education standards are also important factors for establishing a climate that discourages racial profiling.

During 2012, the Arlington Police Department continued to apply stringent selection criteria for hiring police officers while aggressively seeking to diversify our workforce. The department’s objective for over a decade now has been a workforce that is reflective of the community we serve. Training is also important because it gives officers an opportunity to understand and discuss the issue of racial profiling. In general, education levels have often been cited as a factor in reducing prejudice. Arlington Police Department continues to be an agency requiring a bachelor’s degree for all applicants.

As required by law, we will forward annual reports to the Arlington City Council and TCLEOSE. There are differences, however, between this comprehensive report and the mandatory form submitted to TCLEOSE. That form excludes the racial category “Other” and those drivers are excluded from that report. The Arlington Police Department remains committed to collect police contact data to ensure an on-going evaluation of department practices.