

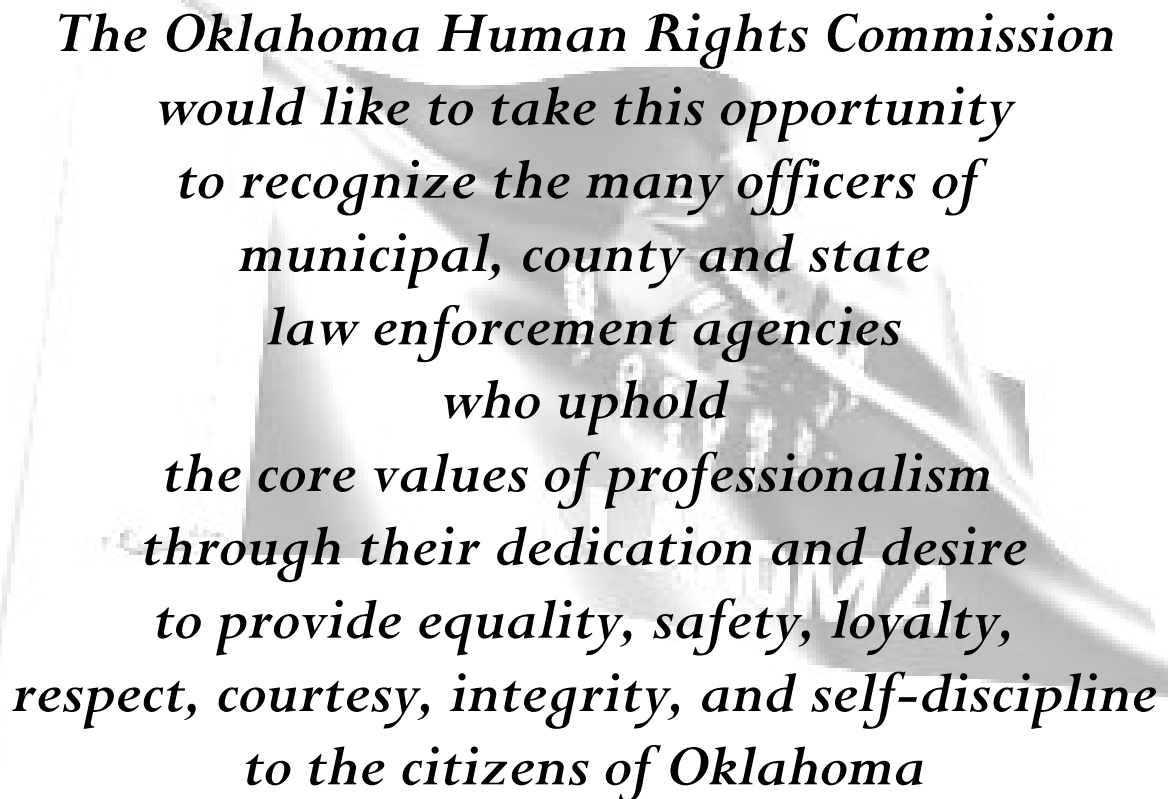
**STATE OF OKLAHOMA  
HUMAN RIGHTS COMMISSION**



**ANNUAL  
RACIAL PROFILING REPORT  
CALENDAR YEAR 2011**



**JOHN D. CARRINGTON**  
*Executive Director*



*The Oklahoma Human Rights Commission  
would like to take this opportunity  
to recognize the many officers of  
municipal, county and state  
law enforcement agencies  
who uphold  
the core values of professionalism  
through their dedication and desire  
to provide equality, safety, loyalty,  
respect, courtesy, integrity, and self-discipline  
to the citizens of Oklahoma*



*Mary Fallin*  
Governor



*John Carrington*  
Executive Director

*State of Oklahoma*  
**HUMAN RIGHTS COMMISSION**

This report is submitted pursuant to Oklahoma's Racial Profiling Law, 22 O.S. § 34.3 et seq., which was effective July 1, 2000. The Racial Profiling Law prohibits any law enforcement officer of any municipal, county, or state law enforcement agency from stopping, arresting, or detaining a person based solely on an individual's race or ethnicity. The Law established a right for individuals to file racial profiling complaints. The Oklahoma Human Rights Commission has adopted procedures for filing racial profiling complaints. (See attachment #1)

**RIGHT TO FILE COMPLAINT**

Any person who is stopped or arrested by an officer of any municipal, county or state law enforcement agency and who believes the stop or arrest was racial profiling, that person may file a complaint with the Oklahoma Human Rights Commission and may also file a complaint with the district attorney in the county where the stop or arrest occurred.

**WHO MAY FILE A RACIAL PROFILING COMPLAINT**

Any person who was stopped or arrested by any officer and believes the stop or arrest was racial profiling may file a complaint.

**COMPLAINT FORM**

The official form on which to file a racial profiling complaint is Oklahoma Human Rights Commission form RPOHRC. (See attachment #2)

**PLACE TO FILE COMPLAINT**

A racial profiling complaint may be filed with the Oklahoma Human Rights Commission and also with the district attorney.

**METHOD OF FILING COMPLAINT**

A racial profiling complaint may be filed with the Oklahoma Human Rights Commission and the district attorney by completing Commission form RPOHRC. A complaint may also be filed with the district attorney by checking the appropriate box on Oklahoma Human Rights Commission's complaint form. The complainant or his/her representative shall sign and date the form upon completion and mail or personally deliver it to the Oklahoma Human Rights Commission.

*Mary Fallin*  
Governor



*John Carrington*  
Executive Director

*State of Oklahoma*  
**HUMAN RIGHTS COMMISSION**

**RACIAL PROFILING COMPLAINTS RECEIVED, FILED  
AND OTHERWISE CLOSED FOR CALENDER YEAR 2011**

The Oklahoma Human Rights Commission received eight racial profiling allegations during calendar year 2011. Of the eight racial profiling allegations received, four allegations resulted in formal complaints being filed while formal complaints were not filed in the remaining four allegations.

The basis for the four filed complaints consisted of three race based complaints and one national origin based complaint.

The four filed racial profiling complaints during calendar year 2011 were each filed and forwarded to the appropriate law enforcement agencies for investigation. The law enforcement agencies subsequently reported they had investigated the complaints and found no racial profiling.



The Oklahoma Human Rights Commission has two offices where racial profiling complaints may be filed. The addresses and contact information of the offices are as follows:

**OKLAHOMA CITY OFFICE**

Jim Thorpe Building  
2101 N. Lincoln Boulevard, Room 480  
Oklahoma City, OK 73105  
Telephone: (405) 521-3441 or (405) 521-2360  
Toll Free: (888) 456-2558  
Facsimile: (405) 522-3635

**TULSA OFFICE**

Kerr Office Building  
440 S. Houston, Room 302  
Tulsa, OK 74127  
Telephone: (918) 581-2733  
Toll Free: (888) 456-2006  
Facsimile: (918) 581-2940

e-mail: [hrc@ohrc.ok.gov](mailto:hrc@ohrc.ok.gov)  
website: [www.ok.gov/ohrc/](http://www.ok.gov/ohrc/)



## **OKLAHOMA HUMAN RIGHTS COMMISSION MISSION STATEMENT**

The Oklahoma Human Rights Commission works to enforce Oklahoma's Anti-Discrimination Act which prohibits discrimination of employment, housing, and public accommodation; accept, serve and report on complaints of racial profiling, and promote unity and understanding through educational outreach for Oklahoma.

## CHAPTER 25. PROCEDURES FOR FILING RACIAL PROFILING COMPLAINTS

### Section

335:25-1-1.	Purpose
335:25-1-2.	Definitions
335:25-1-3.	Law enforcement officers prohibited from engaging in racial profiling
335:25-1-4.	Complaints
335:25-1-5.	Time period and method for delivering Complaint to the district attorney
335:25-1-6.	Time and method for Commission delivery of complaint to employing agency
335:25-1-7.	Annual report

[Authority: 22 O.S., §§ 34.3 et seq.]

[Source: Codified 7-26-01]

### 335:25-1-1. Purpose

The rules in this chapter have been adopted to describe the procedures for filing a racial profiling complaint with the Commission and with the district attorney. These rules have also been adopted to describe the process for delivering a copy of the complaint to the employing agency.

[Source: Added at 18 Ok Reg 663, eff 12-28-00 (emergency); Added at 18 Ok Reg 3195, eff 7-26-01]

### 335:25-1-2. Definitions

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"**Commission**" means the Oklahoma Human Rights Commission.

"**Commission form**" means "Form RPOHRC" that the Commission promulgated for filing a racial profiling complaint.

"**District attorney**" means the district attorney for the county where the alleged racial profiling occurred.

"**Employing agency**" means the municipal, county or state law enforcement agency where the officer accused of racial profiling was employed when the alleged conduct occurred.

"**Officer**" means any officer of any municipal, county or state law enforcement agency.

"**Racial profiling**" means the detention, interdiction, or other disparate treatment of an individual solely on the basis of the racial or ethnic status of such individual. [22 O.S.Supp.2000, Section 34.3 (A)].

[Source: Added at 18 Ok Reg 663, eff 12-28-00 (emergency); Added at 18 Ok Reg 3195, eff 7-26-01]

### 335:25-1-3. Law enforcement officers prohibited from engaging in racial profiling

*No officer of any municipal, county or state law enforcement agency shall engage in racial profiling.* [22 O.S.Supp.2000, Section 34.3 (B)].

[Source: Added at 18 Ok Reg 663, eff 12-28-00 (emergency); Added at 18 Ok Reg 3195, eff 7-26-01]

### 335:25-1-4. Complaints

(a) **Complaint form.** A racial profiling complaint may be filed on Commission Form RPOHRC.

(b) **Persons who may file complaint.** Any person who was stopped or arrested by an officer and believes the stop or arrest was racial profiling may file a complaint.

(c) **Place to file complaint.** A complaint may be filed with the Commission, and also with the district attorney.

(d) **Method of filing complaint.** A complaint may be filed with the Commission and with the district attorney by completing Commission Form RPOHRC. A complainant who also desires for his/her complaint to be filed with the district attorney shall indicate the same by checking the appropriate box on the Commission form. The complainant or his/her representative shall sign and date the form upon completion and deliver it to the Commission. A complaint may be delivered to the Commission by mail or it may be personally delivered.

(e) **Date filed with the Commission.** The file date for a complaint delivered to the Commission by mail is the date postmarked. The file date for a complaint personally delivered to the Commission is the date received by the Commission.

(f) **Date filed with the Commission and the district attorney.** The file date for a complaint delivered to the Commission by mail and filed with the Commission and the district attorney is the date postmarked. The file date for a complaint personally delivered to the Commission and filed with the Commission and the district attorney is the date received by the Commission.

[Source: Added at 18 Ok Reg 663, eff 12-28-00 (emergency); Added at 18 Ok Reg 3195, eff 7-26-01]

### 335:25-1-5. Time period and method for delivering Complaint to the district attorney

Within five (5) working days after receipt of a complaint filed with the district attorney, the Commission shall send a copy of the complaint by certified mail to the district attorney.

[Source: Added at 18 Ok Reg 663, eff 12-28-00 (emergency); Added at 18 Ok Reg 3195, eff 7-26-01]

**335:25-1-6. Time and method for Commission delivery of complaint to employing agency**

Within five (5) working days after receipt of a complaint filed with the Commission or filed with the Commission and the district attorney, the Commission shall send a copy of the complaint by certified mail to the employing agency for investigation.

[Source: Added at 18 Ok Reg 663, eff 12-28-00 (emergency); Added at 18 Ok Reg 3195, eff 7-26-01]

**335:25-1-7. Annual report**

The Commission shall compile an annual report of all complaints received for racial profiling. The Commission shall submit the report on or before January 31 of each year to the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives. [22 O.S.Supp.2000, Section 34.5(B)].

[Source: Added at 18 Ok Reg 663, eff 12-28-00 (emergency); Added at 18 Ok Reg 3195, eff 7-26-01]

# OKLAHOMA HUMAN RIGHTS COMMISSION (OHRC) RACIAL PROFILING COMPLAINT FORM

Attachment #2

Form # RP OHRC 032001

<b>OHRC Use Only</b>	Complaint No.:	Law Enforcement Agency:
----------------------	----------------	-------------------------

**SECTION I: COMPLAINANT INFORMATION**

Name: \_\_\_\_\_ DOB: 

--	--	--

 Race: \_\_\_\_\_ Sex: 

M	F
---	---

SS #: \_\_\_\_\_ Or Driver License #: \_\_\_\_\_

Home Address: \_\_\_\_\_  
Street City State Zip Phone

Business Address: \_\_\_\_\_  
Street City State Zip Phone

**SECTION II: LAW ENFORCEMENT AGENCY INFORMATION**

Law Enforcement Agency: \_\_\_\_\_

Name of Officer: \_\_\_\_\_ Badge # \_\_\_\_\_ Race: \_\_\_\_\_ Sex: 

M	F
---	---

  
(If Known)

Date of incident: \_\_\_\_\_ Date complaint Filed With OHRC: \_\_\_\_\_

Alleged Violation(s) (Reason for the stop or detention): \_\_\_\_\_

Summons Number(s): \_\_\_\_\_

**SECTION III: WITNESS INFORMATION (IF APPLICABLE)**

	Name	Address	Phone No.
1	_____	_____	_____
2	_____	_____	_____
3	_____	_____	_____

**EXPLANATION OF COMPLAINT (Use Additional Sheets As Necessary)**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SECTION IV: FILING INFORMATION**

Indicate, by checking the appropriate box below, whether you wish to have this complaint filed with the District Attorneys Office for the county where the incident occurred:

Yes, I want this complaint filed with the District Attorneys Office.

No, I do not want this complaint filed with the District Attorneys Office.

**Signature of Complainant** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Note:** This complaint may be filed with either of the Oklahoma Human Rights Commission Offices listed below:

- |   |   |
|---|---|
| Oklahoma Human Rights Commission<br>Jim Thorpe Building, Room 480<br>2101 N. Lincoln Blvd.<br>Oklahoma City, OK 73105<br>(405) 521-3441 | Oklahoma Human Rights Commission<br>State Office Building, Room 302<br>440 South Houston<br>Tulsa, OK 74127<br>(918) 581-2733 |
|---|---|