

STATE OF OKLAHOMA
OFFICE OF CIVIL RIGHTS ENFORCEMENT



ANNUAL
RACIAL PROFILING REPORT
CALENDAR YEAR 2021

JANUARY 31, 2022

JOHN M. O'CONNOR
ATTORNEY GENERAL



The men and women of the law enforcement community have my profound gratitude and respect. I appreciate their professionalism and commitment to the principles of honor, duty, integrity, service, and sacrifice.

As required by Oklahoma statute, the Office of Civil Rights Enforcement (“OCRE”) has compiled a report detailing citizen complaints of racial profiling. By law, complaints of racial profiling are not investigated by my office, but rather are forwarded to the arresting officer’s law enforcement agency. The law then directs the law enforcement agency to investigate the complaint for purposes of disciplinary action and/or criminal prosecution.

My office remains committed to working with our law enforcement partners to keep our communities safe, while ensuring the rights of all Oklahomans are respected and preserved.

Sincerely,

John M. O’Connor
Attorney General of Oklahoma

OFFICE OF CIVIL RIGHTS ENFORCEMENT

MISSION STATEMENT

The Office of Civil Rights Enforcement is dedicated to enforcing Oklahoma's anti-discrimination laws and to educating Oklahomans regarding their rights and responsibilities under civil rights laws.

This report is submitted pursuant to Oklahoma's Racial Profiling Law, 22 O.S.Supp.2017 §§ 34.3 - 34.5. The Racial Profiling Law ("Law") requires every municipal, county, and state law enforcement agency to adopt a detailed written policy that clearly defines the elements constituting racial profiling and that prohibits racial profiling based solely on an individual's race or ethnicity *Id.* at § 34.3(E). The law enforcement agency must make the policy available for public inspection during the agency's normal business hours. *Id.* The Law prohibits municipal, county, and state law enforcement officers from engaging in racial profiling. *Id.* at §34.3(B)

WHAT CONSTITUTES UNLAWFUL RACIAL PROFILING

"Racial profiling" includes interdicting, stopping, arresting, detaining, or engaging in any other form of disparate treatment against an individual based solely on the individual's race or ethnicity. *Id.* at §§ 34.3 - 34.4.

RIGHT TO FILE A RACIAL PROFILING COMPLAINT

Any person who believes he or she has been subjected to racial profiling may file a complaint with the Office of Civil Rights Enforcement ("OCRE") and may also file a complaint with the district attorney in the county where the racial profiling is believed to have occurred. *Id.* at § 34.4.

COMPLAINT FORM

The official form to be used for filing a racial profiling complaint is the *Office of Civil Rights Enforcement Racial Profiling Complaint*. (See Attachment "1") The complaint is available at the Oklahoma City and Tulsa offices of the OCRE, and is also available online on the Attorney General's website: www.ok.gov/oag.

WHERE TO FILE A COMPLAINT

An individual or his or her representative may file a fully completed, signed, and dated complaint with the OCRE in person, by email, facsimile, or regular mail. The OCRE's contact information is as follows:

OKLAHOMA CITY OFFICE:
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105
(405) 521-3921

TULSA OFFICE:
15 W. 6th Street, Suite 1000
Tulsa, Oklahoma 74119
(918) 581-2342

EMAIL:
ocre.complaints@oag.ok.gov

FACSIMILE
(405) 521-6246

INVESTIGATION OF THE COMPLAINT

The Attorney General is not charged with the investigation of racial profiling complaints. Rather, by law, upon receipt of a *Racial Profiling Complaint*, the OCRE must forward a copy of the complaint to the law enforcement agency that employs the law enforcement officer against whom the complaint is lodged. The law enforcement agency must investigate the complaint for purposes of disciplinary action and/or criminal prosecution. *Id.* at § 34.4. If the investigation reveals the officer was in direct violation of the agency's written policy regarding racial profiling, the agency must take appropriate action consistent with applicable laws, rules, ordinances, or policy. *Id.* at § 34.3(F).

OFFICE OF CIVIL RIGHTS ENFORCEMENT RACIAL PROFILING COMPLAINTS RECEIVED IN CALENDAR YEAR 2021

The Office of Civil Rights Enforcement (“OCRE”) received eighteen (18) racial profiling complaints in the 2021 calendar year. As required by law, the OCRE forwarded each complaint to the appropriate law enforcement agency for its own investigation and responsive action as warranted. All complaints were based on race. Summary information regarding the complaints is itemized in Table 1 below. Complaints received during the 2021 calendar year that failed to state a claim under Oklahoma’s Racial Profiling Law, 22 O.S.Supp.2017 §§ 34.3 - 34.5, have been identified as “no jurisdiction” in Table 1.

Additionally, Table 2 of this report includes summary information regarding the disposition of one (1) complaint from the 2020 Racial Profiling Report that were either resolved in 2021 or remain pending as of the completion of this report.

By law, the names of the complainants have been withheld.

Table 1

NO.	AGENCY	DISPOSITION
1.	Oklahoma City Police Department	*No Jurisdiction
2.	Caddo County Detention Center	No Cause
3.	Oklahoma Highway Patrol	Pending
4.	Oklahoma City Police Department, Oklahoma Highway Patrol, Del City Police Department, and DEA	*No Jurisdiction
5.	Oklahoma City Police Department	No Cause
6.	Oklahoma City Police Department, Southwest Division	Pending
7.	Canadian County Sheriff’s Office	Pending
8.	Olive Branch Clinic	*No Jurisdiction
9.	Bethany Police Department	No Cause
10.	St. Francis Trauma Center	*No Jurisdiction
11.	Tulsa Police Department	*No Jurisdiction

12.	Durant Police Department	*No Jurisdiction
13.	Mustang Police Department	*No Jurisdiction
14.	Fairview Police Department	*No Jurisdiction
15.	Atoka County Sheriff's Office	No Cause
16.	Ada Police Department	*No Jurisdiction
17.	Oklahoma Bureau of Narcotics	Pending
18.	Oklahoma Bureau of Narcotics	Pending

Table 2

NO.	AGENCY	DISPOSITION
1.	Oklahoma Highway Patrol	Pending