

**STATE OF OKLAHOMA
OFFICE OF CIVIL RIGHTS ENFORCEMENT**



**ANNUAL
RACIAL PROFILING REPORT
CALENDAR YEAR 2020**

JANUARY 31, 2021

**MIKE HUNTER
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,

A handwritten signature in blue ink that reads "Mike Hunter".

Mike Hunter
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 2020

The Office of Civil Rights Enforcement (“OCRE”) received eleven (11) racial profiling complaints in the 2020 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 2020 calendar year against entities that were not law enforcement agencies pursuant to Oklahoma’s Racial Profiling Law, 22 O.S.Supp.2017 §§ 34.3 - 34.5, have been identified as “not applicable” in Table 1.

Additionally, Table 2 of this report includes summary information regarding the disposition of six (6) complaints from the 2019 Racial Profiling Report that were either resolved in 2020 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.	Workers’ Compensation Court	*Not Applicable
2.	Mayes County Sheriff’s Office	No Cause
3.	Workers’ Compensation Court	*Not Applicable
4.	Rogers County Sheriff’s Office	No Cause
5.	Tulsa Workers’ Compensation Court	*Not Applicable
6.	Black Lives Matter Group	*Not Applicable
7.	Oklahoma Tax Commission	*Not Applicable
8.	NW Pediatrics of Oklahoma City	*Not Applicable
9.	Salina City Prosecutor	*Not Applicable
10.	Johnson County Sheriff’s Office	No Cause
11.	Oklahoma Highway Patrol	Pending

Table 2

NO.	AGENCY	DISPOSITION
9.	OSU Campus Police	No Cause
22.	Oklahoma Highway Patrol	No Cause
25.	Enid Campus Police	No Cause
26.	Enid Police Department	No Cause
27.	Nowata Sheriff's Office	Pending
28.	Salina Police Department	Pending