



**GENTNER DRUMMOND
ATTORNEY GENERAL**

January 31, 2023

The Honorable Kevin Stitt
Governor of the State of Oklahoma
2300 N. Lincoln Blvd., Ste. 212
Oklahoma City, OK 73105

The Honorable Charles McCall
Speaker of the Oklahoma House of Representatives
2300 N. Lincoln Blvd., Rm. 401
Oklahoma City, Ok 73105

The Honorable Greg Treat
President Pro Tempore of the Oklahoma Senate
2300 N. Lincoln Blvd., Rm. 422
Oklahoma City, OK 73105

Gentlemen:

Pursuant to Title 22, Section 34.5 of the Oklahoma Statutes, please find enclosed the Annual Racial Profiling Report ("Report") for calendar year 2022. As you may know, the Report contains information concerning complaints of racial profiling received by the Office of Attorney General.

If you have any questions regarding the Report, please contact our Office of Civil Rights Enforcement Director, Chris Vaught, at charles.vaught@oag.ok.gov, (405) 522-3180.

A handwritten signature in blue ink, appearing to read "Gentner Drummond".

Gentner Drummond
Oklahoma Attorney General

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



**ANNUAL
RACIAL PROFILING REPORT
CALENDAR YEAR 2022**

JANUARY 31, 2023


**GENTNER DRUMMOND
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,

Gentner Drummond
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 statute, 22 O.S.Supp.2017 §§ 34.3 - 34.5. The Racial Profiling statute ("statute") 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 statute 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. 21 st Street Oklahoma City, Oklahoma 73105 (405) 521-3921	TULSA OFFICE: 15 W. 6 th 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 2022**

The Office of Civil Rights Enforcement (“OCRE”) received fourteen (14) racial profiling complaints in the 2022 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 2022 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 five (5) complaints from the 2021 Racial Profiling Report that were either resolved in 2022 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 Bureau of Narcotics	Pending
2.	Individual	*No Jurisdiction
3.	Tulsa County Sheriff’s Office	No Cause
4.	Oklahoma Highway Patrol	No Cause
5.	Oklahoma City Police Department	Pending
6.	Rogers County District Attorney’s Office	*No Jurisdiction
7.	Oklahoma City Police Department	Pending
8.	City Rescue Mission	*No Jurisdiction
9.	Johnston County Sheriff’s Office	No Cause
10.	Johnston County Sheriff’s Office	No Cause
11.	Oklahoma County Sheriff’s Office	No Cause
12.	Comanche County Sheriff’s Office	No Cause
13.	Oklahoma County Jail	*No Jurisdiction
14.	Oklahoma Highway Patrol	Pending

Table 2

NO.	AGENCY	DISPOSITION
1.	Oklahoma Highway Patrol	No Cause
2.	Oklahoma City Police Department	Pending
3.	Canadian County Sheriff's Office	No Cause
4.	Oklahoma Bureau of Narcotics	No Cause
5.	Oklahoma Bureau of Narcotics	Pending