

# Racial Profiling Report | Full report

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<b>Agency Name:</b>	Travis County Sheriff's Office
<b>Reporting Date:</b>	02/26/2019
<b>TCOLE Agency Number:</b>	453100
<b>Chief Administrator:</b>	Sheriff Sally Hernandez
<b>Agency Contact Information:</b>	
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This Agency filed a full report

Travis County Sheriff's Office has adopted a detailed written policy on racial profiling. Our policy:

- 1.) clearly defines acts constituting racial profiling;
- 2.) strictly prohibit peace officers employed by the Travis County Sheriff's Office from engaging in racial profiling;
- 3.) implements a process by which an individual may file a complaint with the Travis County Sheriff's Office if the individual believes that a peace officer employed by the Travis County Sheriff's Office has engaged in racial profiling with respect to the individual;
- 4.) provides public education relating to the agency's complaint process;
- 5.) requires appropriate corrective action to be taken against a peace officer employed by the Travis County Sheriff's Office who, after an investigation, is shown to have engaged in racial profiling in violation of the Travis County Sheriff's Office'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; 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.

**Executed by:** Sheriff Sally Hernandez

Chief Administrator

**Travis County Sheriff's Office**

**Date:** 02/26/2019

## Travis County Sheriff's Office Motor Vehicle Racial Profiling Information

Total stops: 34537

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### Gender

**Female:** 12218

**Male:** 22319

### Race or ethnicity

**Black:** 4128

**Asian/Pacific Islander:** 1376

**White:** 19253

**Hispanic/Latino:** 9747

**Alaska Native/American Indian:** 33

### Was race or ethnicity known prior to stop?

**Yes:** 1098

**No:** 33439

### Reason for stop?

**Violation of law:** 1360

**Pre existing knowledge:** 700

**Moving traffic violation:** 21803

**Vehicle traffic violation:** 10674

### Street address or approximate location of the stop

**City street:** 10769

**US highway:** 3985

**State highway:** 2237

**County road:** 16979

**Private property or other:** 567

### Was a search conducted?

**Yes:** 1669

**No:** 32868

### Reason for Search?

**Consent:** 397

**Contraband:** 63

**Probable cause:** 1068

**Inventory:** 32

**Incident to arrest:** 109

Was Contraband discovered?

**Yes:** 1669

**No:** 32868

Description of contraband

**Drugs:** 802

**Currency:** 1

**Weapons:** 18

**Alcohol:** 10

**Stolen property:** 65

**Other:** 773

Result of the stop

**Verbal warning:** 0

**Written warning:** 25239

**Citation:** 9147

**Written warning and arrest:** 22

**Citation and arrest:** 21

**Arrest:** 108

Arrest based on

**Violation of Penal Code:** 72

**Violation of Traffic Law:** 52

**Violation of City Ordinance:** 1

**Outstanding Warrant** 26

Was physical force resulting in bodily injury used during stop

**Yes:** 27

**No:** 34510

Submitted electronically to the



# The Texas Commission on Law Enforcement



# Travis County Sheriff's Office 2018 Annual Report on Racial Profiling

*Report Prepared By:*

*Senior Planner Tracy Miller*

*February 18, 2019*

## BACKGROUND

During the 77<sup>th</sup> Legislative Session the Texas Congress passed SB 1074 titled *PROHIBITION OF RACIAL PROFILING BY PEACE OFFICERS*. The Act amended the Code of Criminal Procedures to include the following articles:

- 2.132 Requiring law enforcement agencies to develop a detailed written policy on racial profiling.
- 2.133 Requiring law enforcement agencies to collect reports on traffic and pedestrian stops.
- 2.134 Requiring law enforcement agencies to analyze the data collected and report the data to their respective governing bodies (The Commissioners Court).

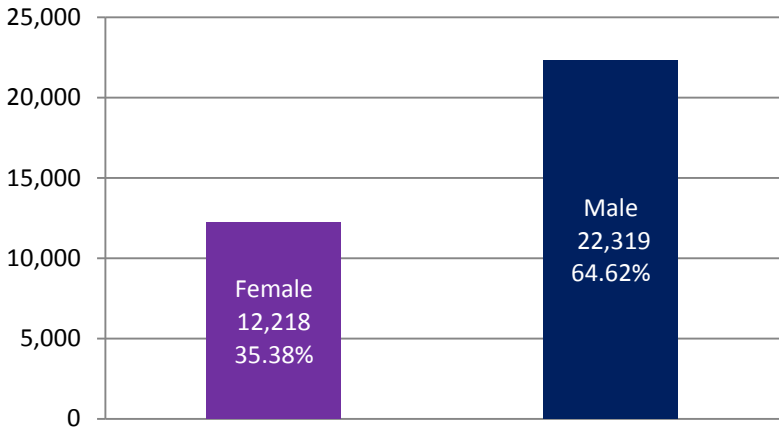
Per Senate Bill 1074 persons detained were classified as Black, Asian / Pacific Islander (Asian), White, Hispanic / Latino, or Alaskan Native / American Indian.

## DATA COLLECTION

Between January 1, 2018 and December 31, 2018 Travis County Sheriff's Office deputies detained 34,537 individuals on traffic stops or pedestrian contacts.

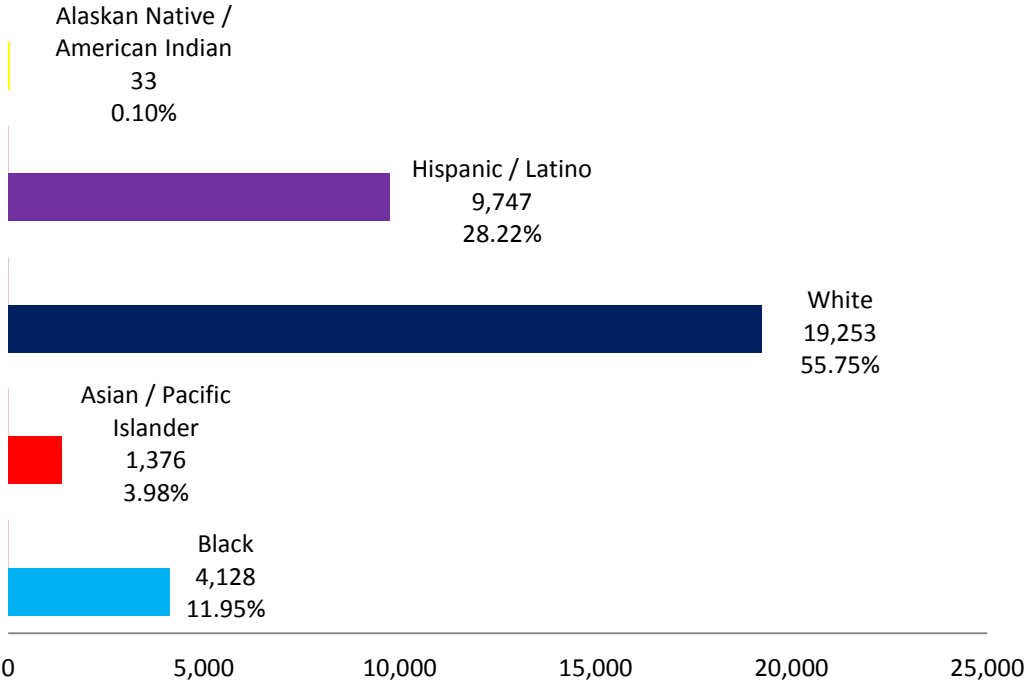
*\* It should be noted that these figures do not correspond with other statistical data on the number of citations written as they reflect the one entry dealing with the person contacted during the stop. Thus, these numbers will be significantly lower than the number of actual traffic citations or warnings written in the course of a year.*

Gender	Total	Total
Female	12,218	35.38%
Male	22,319	64.62%
<b>Total</b>	<b>34,537</b>	<b>100.00%</b>



Race Known	Total	Total
Yes	1,098	3.18%
No	33,439	96.82%
<b>Total</b>	<b>34,537</b>	<b>100.00%</b>

Race	Total	Total
Black	4,128	11.95%
Asian / Pacific Islander	1,376	3.98%
White	19,253	55.75%
Hispanic / Latino	9,747	28.22%
Alaskan Native / American Indian	33	0.10%
<b>Total</b>	<b>34,537</b>	<b>100.00%</b>





## COMPARATIVE ANALYSIS

Comparative analysis of disposition was completed for searches. Four different scenarios were examined. The first involved contact where no search occurred. In fact, no search occurred in 32,868 of the 34,537 contacts. Searches were conducted in 1,669 cases. The first model examines the total number of search types for each race / ethnic group. The results are displayed in Table 1.

**Table 1**

REASON for Search	White	Black	Hispanic	Asian	American Indian	Total
No Search	18,550	3,802	9,121	1,364	31	<b>32,868</b>
Searches Conducted	703	326	626	12	2	<b>1,669</b>
<b>Total</b>	<b>19,170</b>	<b>4,088</b>	<b>9,633</b>	<b>1,369</b>	<b>33</b>	<b>34,537</b>

The second search model examines the rate of incidence of each type of search for the race / ethnicity compared to the total number of contacts by the Travis County Sheriff's Office. The rate of incidence is calculated by taking the numbers for a given group and dividing by the total number of Travis County Sheriff's Office contacts (34,537). The results are displayed in Table 2.

**Table 2** (race/total)

REASON for Search	White	Black	Hispanic	Asian	American Indian	Total
No Search	53.71%	11.01%	26.41%	3.95%	0.09%	95.17%
Searches Conducted	2.04%	0.94%	1.81%	0.03%	0.01%	4.83%
<b>Total</b>	<b>55.90%</b>	<b>11.92%</b>	<b>28.09%</b>	<b>3.99%</b>	<b>0.10%</b>	<b>100.00%</b>

The third search model examines the rate of involvement for each group compared to the total number of each search type. Rate of incidence is calculated by taking the numbers for each group and dividing by the total number of each category. The results are displayed in Table 3.

**Table 3** (race/search total)

REASON for Search	White	Black	Hispanic	Asian	American Indian	Total
No Search	56.44%	11.57%	27.75%	4.15%	0.09%	<b>100.00%</b>
Searches Conducted	42.12%	19.53%	37.51%	0.72%	0.12%	<b>100.00%</b>

The fourth search model compares the rate of incidence for each type of search compared to the number of contacts for each race / ethnicity group. Rate of incidence is calculated by taking the number for each group and dividing by the total number of contacts within group. The results are displayed in Table 4.

**Table 4** (race reason/race total)

<b>REASON for Search</b>	<b>White</b>	<b>Black</b>	<b>Hispanic</b>	<b>Asian</b>	<b>American Indian</b>
No Search	96.35%	92.10%	93.58%	99.13%	93.94%
Searches Conducted	3.65%	7.90%	6.42%	0.87%	6.06%
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

## CONTACTS

For 2018, of the 34,537 contacts, the largest number was identified by race / ethnicity as White 19,253 (55.75%); 9,747 (28.22%) were identified as Hispanic; 4,128 (11.95%) as Black; 1,376 (3.98%) as Asian; and 33 (0.10%) as American Indian.

## SEARCHES

Includes all searches conducted during a detention including frisks (Terry), consensual searches, searches based on probable cause, searches conducted under warrant, and searches incident to an arrest.

**Black:** 4,128 detentions. 3,802 (92.10%) were not searched and 326 (7.90%) were searched.

**Asian:** 1,376 detentions. 1,364 (99.13%) were not searched and 12 (0.87%) were searched.

**White:** 19,253 detentions. 18,550 (96.35%) were not searched and 703 (3.65%) were searched.

**Hispanic:** 9,747 detentions. 9,121 (93.58%) were not searched and 626 (6.42%) were searched.

**American Indian:** 33 detentions. 31 (93.94%) were not searched and two (6.06%) were searched.

## SEARCH ANALYSIS

Of the 34,537 detentions, 1,669 (4.83%) resulted in a search being conducted. Of those searched 703 (41.61%) were White; 626 (37.41%) were Hispanic; 326 (20.01%) were Black; 12 (0.83%) were Asian; and two were American Indian (0.14%). Of the 34,537 detentions, the search authority listed is reflected in Tables 5 and 6.

**Table 5**

REASON for Search	Total
No Search	32,868
Consent	397
Plain View	63
PC or Reasonable Stop	1,068
Impound	32
Incident to On-Site Arrest / Warrant	109
<b>Total</b>	<b>34,537</b>

**Table 6**

REASON for Search	Total
No Search	95.17%
Consent	1.15%
Plain View	0.18%
PC or Reasonable Stop	3.09%
Impound	0.09%
Incident to On-Site Arrest / Warrant	0.32%
<b>Total</b>	<b>100.00%</b>

When searches are examined by race, the following is noted in Table 7 and 8.

**Table 7**

REASON for Search	White	Black	Hispanic	Asian	American Indian	Total
No Search	18,550	3,802	9,121	842	553	32,868
Consent	208	49	134	2	4	397
Plain View	25	14	24	0	0	63
PC or reasonable stop	407	240	413	0	8	1,068
Impound	14	5	13	0	0	32
Incident to On-Site Arrest / Warrant	49	18	42	0	0	109
<b>Total</b>	<b>19,253</b>	<b>4,128</b>	<b>9,747</b>	<b>844</b>	<b>565</b>	<b>34,537</b>

**Table 8**

REASON for Search	White	Black	Hispanic	Asian	American Indian
No Search	96.36%	92.10%	93.58%	99.76%	97.87%
Consent	1.08%	1.19%	1.37%	0.24%	0.71%
Plain View	0.13%	0.34%	0.25%	0.00%	0.00%
PC or reasonable stop	2.11%	5.81%	4.24%	0.00%	1.42%
Impound	0.07%	0.12%	0.13%	0.00%	0.00%
Incident to On-Site Arrest / Warrant	0.25%	0.44%	0.43%	0.00%	0.00%
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

## COMPARATIVE DATA

Using the **2016 Census population totals** and the **2011 Texas Fair Roads Standards** the following is noted.

Race	Travis County <sup>1</sup>	SMSA <sup>2</sup>	Texas Fair Road <sup>3</sup>	TCSO Contacts
White	49.40%	51.88%	40.00%	53.71%
Black	8.90%	6.88%	19.00%	11.01%
Hispanic / Latino	33.80%	36.74%	41.00%	26.41%
Asian	6.80%	3.42%	0.00%	3.95%
American Indian	1.30%	1.38%	0.00%	0.09%
Other	2.60%	2.56%	0.00%	0.00%

## ANALYSIS

In conducting an analysis of the collected data the Travis County Sheriff's Office has chosen three benchmarks with which to compare the data. The first is the 2016 census data for Travis County. The second is the 2011 Texas Fair Roads Standards. The Texas Fair Roads Standards reflects the percentage of a given demographic that is self-reported as having access to a vehicle. The third benchmark chosen is a comparison between those persons classified as White to those persons classified in the other racial / ethnic groups. This benchmark was chosen because the Travis County Sheriff's Office believes that the intent of SB 1074 is to provide a tool for the law enforcement community to identify trends or patterns that may suggest significant disparate treatment of the minority community when compared to the White majority.

The Travis County Sheriff's Office has chosen a deviation from the benchmark of more than 5%, plus or minus, to be "statistically significant".

## RACIAL PROFILING COMPLAINTS

During 2018 the Internal Affairs division of the Travis County Sheriff's Office reported no complaints of racial profiling.

<sup>1</sup> 2016 Census – Travis County ONLY

<sup>2</sup> 2016 Census – the average for Bastrop, Caldwell, Hays, Williamson and Travis Counties combined

<sup>3</sup> Sul Ross State University DPS – Traffic Contacts and Fair Roads Standard Comparison

## EXCLUDED DATA

A total of 377 records (detailed below) were excluded because the State Report template does not accept the information as provided:

In the **PATROL Citation** report the following three records were excluded:

- ☞ Three were excluded because they were “UNATTENDED VEHICLES” and do not have data to count for the report

In the **E-Citation** report the following 375 records were excluded:

- ☞ 375 records were excluded because the location of the stop was “NULL”

## OBSERVATIONS AND COMMENTS

This is the 16<sup>th</sup> biased-based profiling report issued by the Travis County Sheriff's Office since the inception of HB 1074. During the past 17 years the Travis County Sheriff's Office has collected and analyzed Tier 2 data on well over one million detentions. As each year passes, it becomes more difficult to conduct accurate comparative analysis concerning rates of incidence because the benchmark data becomes out-of-date.

## CONCLUSION

The data does not support a conclusion that the Travis County Sheriff's Office racially profiles traffic offenders / pedestrians when initiating a detention or search. Similarly, data collected from the previous three years supports the conclusion.

Gender	2014	2015	2016	2017	2019
Female	15,770	16,043	11,325	14,967	12,218
Male	26,732	26,001	19,736	24,762	22,319
<b>Total</b>	<b>42,502</b>	<b>42,044</b>	<b>31,061</b>	<b>39,729</b>	<b>34,537</b>

Race	2014	2015	2016	2017	2018
Black	5,053	4,878	3,198	4,402	4,128
Asian / Pacific Islander	1,267	1,379	935	1,258	1,376
White	23,302	22,573	17,207	22,364	19,253
Hispanic / Latino	12,281	12,572	9,276	11,304	9,747
Middle Eastern	538	583	353	376	NA*
Alaskan Native / American Indian	61	19	92	25	33
<b>Total</b>	<b>42,502</b>	<b>42,044</b>	<b>31,061</b>	<b>39,729</b>	<b>34,537</b>

\*NA – no longer separated in the report