

**City of Austin
Austin Police Department**

**2017 Annual
Racial Profiling Report**

February 2018

Introduction

This report contains data regarding motor vehicle stops made by Austin Police Department police officers during 2017. The department maintains a strong stance against racial profiling; its policy and practice is to provide law enforcement services and to enforce the law equally and fairly without discrimination toward any individual(s) or group. In 2017, the City of Austin had a citizen complaint process where any allegations of racial profiling can be brought forward for investigation.

The report contains the following:

- Motor vehicle stops - by year and by race/ethnicity;
- Searches resulting from those stops - by year, by race/ethnicity and by type;
- Search results (“hit rate”) - by year and by race/ethnicity; and
- Racial profiling complaints - including reason for contact and outcome.

Although the state requires the reporting of motor vehicle stops that result in a citation or arrest, this report goes beyond that requirement to include all motor vehicle stops.

Changes in department policy

During 2017, the department updated its racial profiling policy to comply with the Sandra Bland Act, and consolidated information previously contained in three sections into one section for clarity.

In late 2017, the department produced a brochure entitled “You and the Police.” The goal of this brochure is to educate our community about how to interact with police, as well as how to submit a commendation or complaint. As of January 2018, APD officers provide this brochure during contacts with citizens. After the first quarter of 2018, the information for how to file a commendation or complaint will be printed on tickets.

Changes in this year’s report

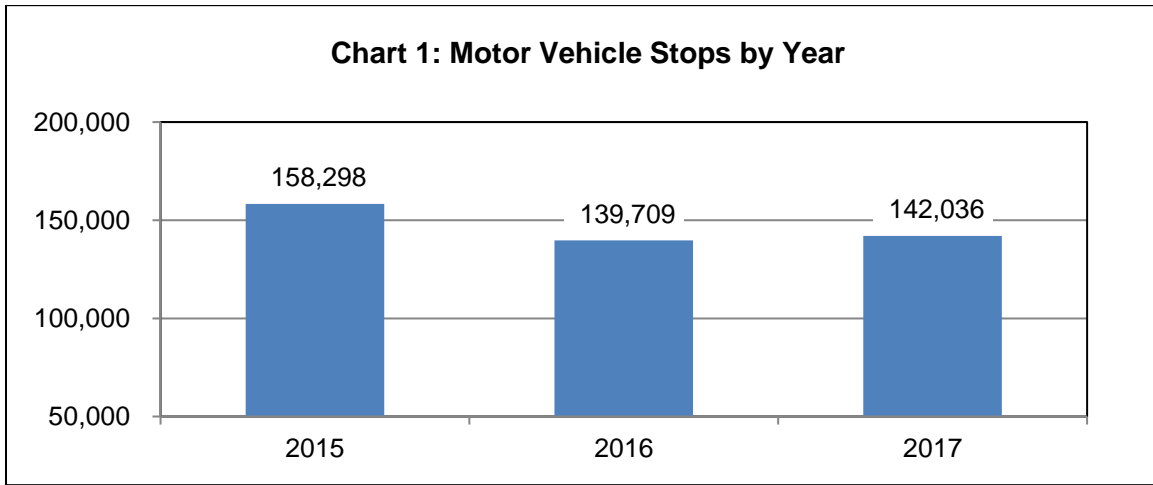
Improvements in data collection were made this year, resulting in a 2.8% increase in stops. This resulted primarily from adding stops that were not previously included, such as:

- arrests that started as crash calls; and
- arrests that officers manually identify as traffic stops. This manual traffic stop flag was added at the beginning of 2017 to ensure that we captured all arrests that resulted from traffic stops, rather than relying on a set definition of call types.

Motor vehicle stops

Austin police officers made 142,036 motor vehicle stops in 2017. These are stops that resulted in a citation, warning, field observation, or arrest. This compares to 139,709 in 2016. The primary reason for a motor vehicle stop is a traffic violation such as speeding, an illegal turn, or other observed violation of Texas motor vehicle laws.

As shown in the following chart, motor vehicle stops increased less than 2% from 2016 to 2017.



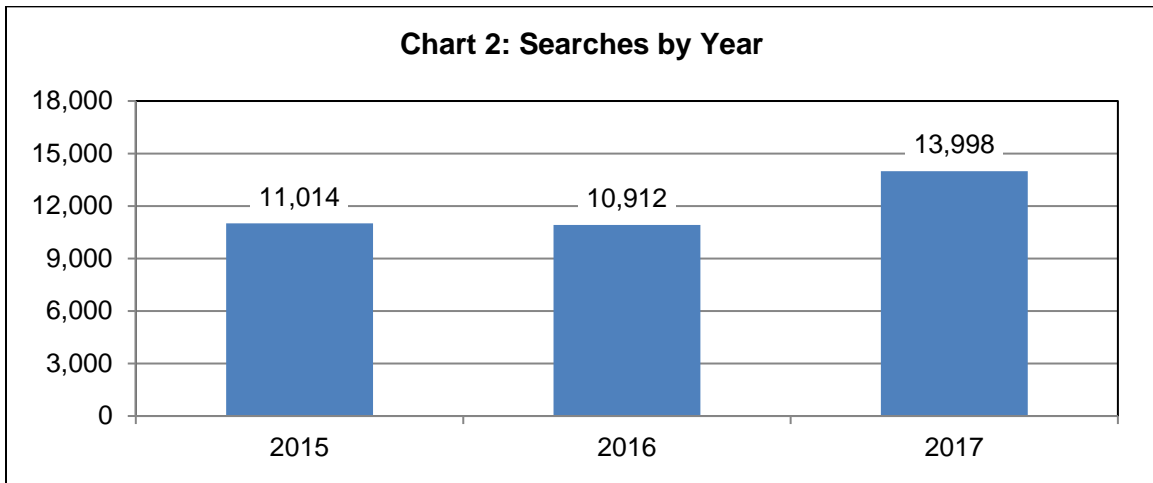
The distribution of stops by race/ethnicity in 2017 was similar to that seen in 2016.

Table 1: Motor Vehicle Stops by Race/Ethnicity

Race/Ethnicity	2017 Stops		2016 Stops	
	count	% of total	count	% of total
White	67,347	47%	66,695	48%
Hispanic	44,899	32%	45,356	32%
Black	19,977	14%	18,171	13%
Asian	4,596	3%	4,327	3%
Middle Eastern	1,982	1%	1,756	1%
Native American	87	0%	78	0%
Other	3,148	2%	3,326	2%
Total	142,036	100%	139,709	100%

Searches resulting from motor vehicle stops

The number of searches resulting from motor vehicle stops increased 28%: from 10,912 in 2016 to 13,998 in 2017. The search rate (searches as a percent of stops) was 10% during 2017, up from 8% during 2016. These increases are largely explained by the inclusion of more arrests in this year's data, because arrests have significantly higher search rates than citations or other stops.



The distribution of searches by race/ethnicity in 2017 was similar to that seen in 2016.

Table 2: Searches by Race/Ethnicity

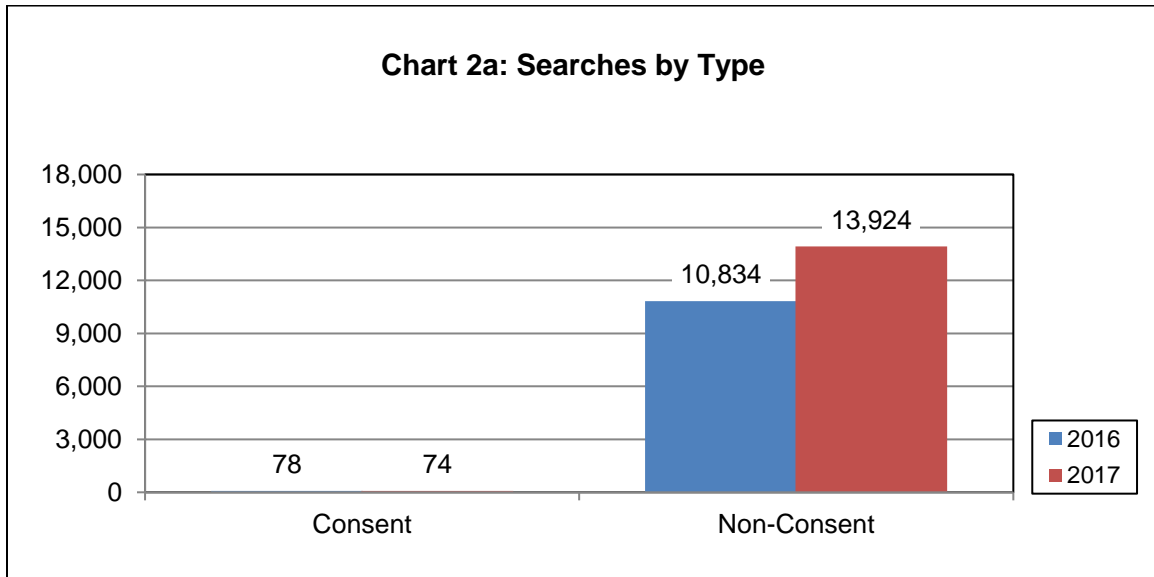
Race/Ethnicity	2017 Searches		2016 Searches	
	count	% of total	count	% of total
White	4,139	30%	3,520	32%
Hispanic	5,932	42%	4,494	41%
Black	3,602	26%	2,603	24%
Asian	162	1%	131	1%
Middle Eastern	66	0%	56	1%
Native American	12	0%	7	0%
Other	85	1%	101	1%
Total	13,998	100%	10,912	100%

Searches resulting from motor vehicle stops: by search type

Searches that result from motor vehicle stops can be categorized as **consent or non-consent searches**:

- **Consent searches** occur when the officer asks for permission to conduct the search and the citizen consents to be searched. Under most circumstances, a driver must give permission for a search in writing before a consent search can be initiated.
- **Non-consent searches** occur after an arrest or if the officer develops probable cause. Probable cause requires reasonable grounds to suspect a person has committed or is committing a crime and gives an officer the legal authority to search without consent.

The following shows the distribution of total searches by type for 2016 and 2017.



Consent searches decreased from 78 in 2016 to 74 in 2017, continuing the downward trend seen from 2015 to 2016. APD Policy 306.5 (Search and Seizure, Consent) reinforces that officers should be deliberate when making search decisions:

Officers should be aware that overuse of the consent search can negatively impact the Department's relationship with our community and only request a consent search when they have an articulable reason why they believe the search is necessary and likely to produce evidence related to an investigation.

The number of non-consent searches increased from 2016 to 2017, but they remained the vast majority (more than 99%) of total searches. This pattern is consistent across all races/ethnicities.

Searches resulting from motor vehicle stops: by search type and race/ethnicity

The tables below show searches by type (consent, non-consent) and race/ethnicity. For non-consent searches, which are the majority of searches, the distribution by race/ethnicity is consistent from 2016 to 2017. For consent searches, however, the distribution by race/ethnicity varies due to their small numbers.

Table 2a: Search Types by Race/Ethnicity (2017)

Race/Ethnicity	Consent Search		Non-Consent Search	
	count	% of total	count	% of total
White	14	19%	4,125	30%
Hispanic	35	47%	5,897	42%
Black	25	34%	3,577	26%
Asian	0	0%	162	1%
Middle Eastern	0	0%	66	0%
Native American	0	0%	12	0%
Other	0	0%	85	1%
Total	74	100%	13,924	100%

Table 2b: Search Types by Race/Ethnicity (2016)

Race/Ethnicity	Consent Search		Non-Consent Search	
	count	% of total	count	% of total
White	30	38%	3,490	32%
Hispanic	21	27%	4,473	41%
Black	26	33%	2,577	24%
Asian	1	1%	130	1%
Middle Eastern	0	0%	56	1%
Native American	0	0%	7	0%
Other	0	0%	101	1%
Total	78	100%	10,834	100%

Searches resulting from motor vehicle stops: “hit rates”

Productive searches or “hits” are searches where contraband is found (e.g., drugs or weapons). The table below shows that, for all searches, productivity was 34% in both 2016 and 2017.

Table 3: Search Hit Rates – ALL Searches

Race/Ethnicity	2017			2016		
	Hits	Searches	Hit Rate	Hits	Searches	Hit Rate
White	1,326	4,139	32%	1,196	3,520	34%
Hispanic	1,977	5,932	33%	1,459	4,494	32%
Black	1,355	3,602	38%	920	2,603	35%
Asian	51	162	31%	39	131	30%
Middle Eastern	22	66	33%	21	56	38%
Native American	3	12	25%	4	7	57%
Other	24	85	28%	28	101	28%
Total	4,758	13,998	34%	3,667	10,912	34%

Because consent searches involve increased officer discretion and judgment (as compared to non-consent searches), it is important to examine consent search hit rates separately.

The table below shows that consent searches continue to produce hit rates that exceed those of all searches. One caution: consent search hit rates are based on much smaller counts than total searches, so conclusions should be made cautiously. Regardless, the relatively high hit rates across races/ethnicities suggests that profiling is not occurring.

Table 4: Search Hit Rates – CONSENT Searches

Race/Ethnicity	2017			2016		
	Hits	Searches	Hit Rate	Hits	Searches	Hit Rate
White	6	14	43%	16	30	53%
Hispanic	14	35	40%	5	21	24%
Black	12	25	48%	13	26	50%
Asian	0	0	n/a	1	1	100%
Middle Eastern	0	0	n/a	0	0	n/a
Native American	0	0	n/a	0	0	n/a
Other	0	0	n/a	0	0	n/a
Total	32	74	43%	35	78	45%