# City of Austin
# Austin Police Department

# 2013 Annual
# Racial Profiling Report

**February 2014**

## Introduction

This report contains data regarding motor vehicle stops made by Austin Police Department police officers during 2013. The department maintains a strong stance against racial profiling; our 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. The City of Austin has a citizen complaint process where any allegations of profiling can be brought forward for investigation.

The report contains the following:

- Motor vehicle stops - by year and by race/ethnicity
- Searches resulting from stops - by year, by type and by race/ethnicity
- Search results ("hit rate") - by year and by race/ethnicity

## Reporting Changes

The methodology used to report 2013 results changed from prior years due to several factors:

- During 2013, the department launched eCitation, the electronic tool that will eventually become the primary way officers issue citations; this has already helped to produce more complete data for traffic stops and searches.

- Our data retrieval method now allows us to include vehicle searches conducted during traffic stops that result in a citation. In prior years, only person searches were included. This results in more comprehensive data.

- The department is reporting racial profiling data consistent with state law, which requires the collection of information about those motor vehicle stops in which a citation is issued or an arrest is made. In prior years, we included other types of motor vehicle stops (e.g., warnings).

To address these changes in methodology and to allow for meaningful comparisons from year to year, we have re-run prior year results using a close approximation of this improved method and have included them throughout this report.

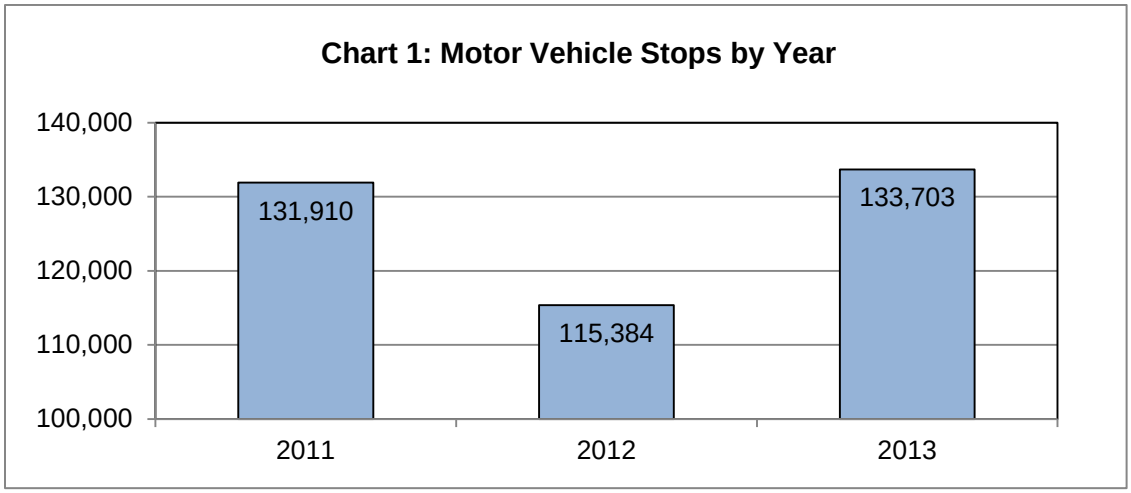
## Motor vehicle stops

**Austin police officers made 133,703 motor vehicle stops in 2013.** These are stops that resulted in a citation or an arrest. This compares to 115,384 in 2012. The primary reason for a motor vehicle stop is a traffic violation such as speeding, an illegal turn, or expired registration.

The increase in stops from 2012 to 2013 is likely due to the department's renewed emphasis on traffic safety.

In 2012, Austin experienced a large increase in fatality crashes (47 in 2011, 75 in 2012). At the same time, the department experienced a decline in discretionary – or uncommitted – time available to patrol officers, who make most of the department's traffic enforcement stops. Uncommitted time declined 19% from 2011 to 2012; during the same period, the number of citations issued dropped 15%.

To address both trends, APD increased its department-wide focus on traffic safety, resulting in a 17% increase in the number of citations issued: from 106,927 in 2012 to 124,748 in 2013. This increase in citations drove the 2013 increase in traffic stops, most of which resulted in a citation.



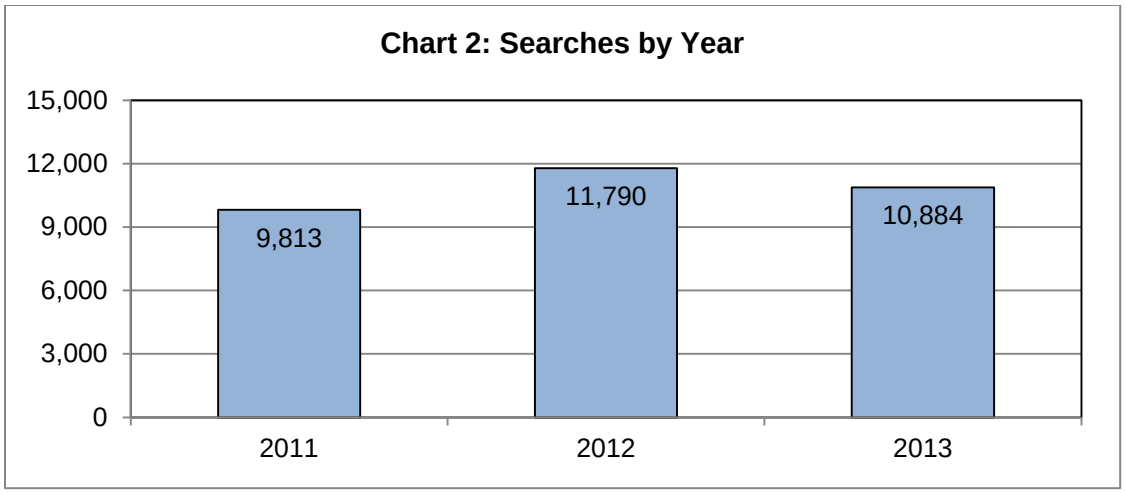

The distribution of stops by race and ethnicity in 2013 was similar to the 2012 distribution.

**Table 1: Motor Vehicle Stops by Race/Ethnicity**

| | 2013 Traffic Stops | | 2012 Traffic Stops | |
|---|---|---|---|---|
| **Race/Ethnicity** | **count** | **% of total** | **count** | **% of total** |
| White | 68,445 | 51% | 58,812 | 51% |
| Hispanic | 42,807 | 32% | 37,659 | 33% |
| Black | 16,748 | 13% | 14,712 | 13% |
| Asian | 3,866 | 3% | 2,989 | 2% |
| Native American | 108 | 0% | 80 | 0% |
| Middle Eastern | 1,729 | 1% | 1,132 | 1% |
| **Total** | **133,703** | **100%** | **115,384** | **100%** |

**Searches resulting from motor vehicle stops**

The number of searches resulting from a motor vehicle stop declined 8%: from 11,790 in 2012 to 10,884 in 2013. The search rate (searches as a percent of stops) is down: from 10% in 2012 to 8% in 2013.

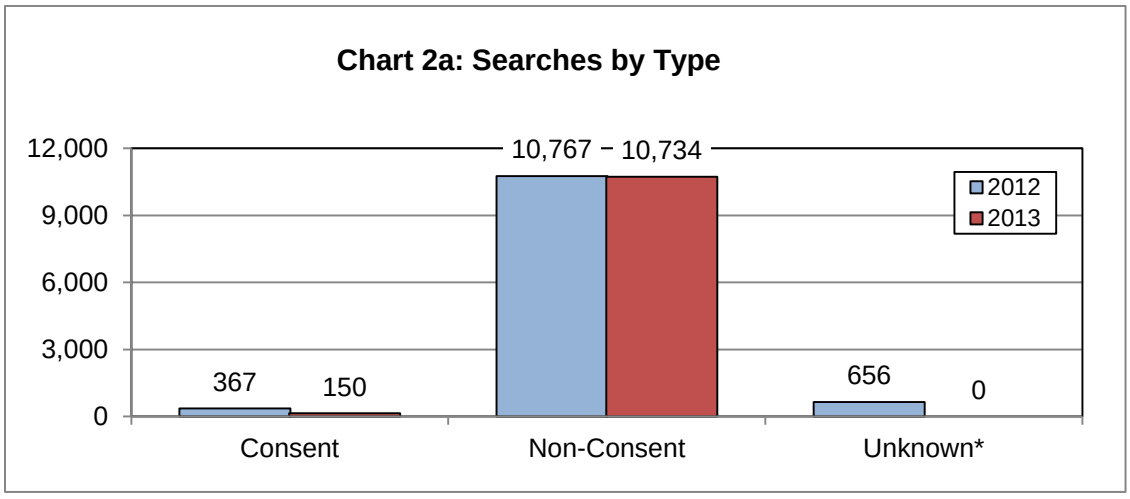



Searches that result from traffic stops can be categorized as **consent or non-consent searches**:

- **Consent searches** occur when the officer asks for permission to conduct the search and the citizen consents to be searched. 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 2012 and 2013.




* consent status is missing

Both consent and non-consent searches decreased from 2012 to 2013, mirroring the overall decrease in searches. The large drop in "unknown" searches (consent status was missing) was achieved through improved data collection and gives a more accurate picture of searches by type.

One probable reason for the decline in consent searches from 2012 to 2013 was the chief's direction to officers about the importance of being deliberative when making search decisions, which was formalized in October 2012 with this update to department policy:

> *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.*

At the same time, policy was also revised to require supervisor approval and the signature of the subject prior to initiating a consent search. Together, these policy changes likely drove the decline in consent searches.

**Searches resulting from motor vehicle stops: by race/ethnicity**

The tables below show the number of searches by race/ethnicity and type (consent, non-consent). In addition, percentages show the distribution of searches by type for each race/ethnicity. The overall decline in searches from 2012 to 2013 is distributed relatively evenly across race/ethnicity.

**Table 2a: Search Types by Race/Ethnicity (2013)**

| | Consent Search | | Non-Consent | | Consent Unknown* | | Total Searches | |
|---|---|---|---|---|---|---|---|---|
| **Race/Ethnicity** | **count** | **% of total** | **count** | **% of total** | **count** | **% of total** | **count** | **% of total** |
| White | 40 | 1% | 3,397 | 99% | 0 | 0% | 3,437 | 100% |
| Hispanic | 77 | 2% | 4,458 | 98% | 0 | 0% | 4,535 | 100% |
| Black | 31 | 1% | 2,741 | 99% | 0 | 0% | 2,772 | 100% |
| Asian | 2 | 2% | 91 | 98% | 0 | 0% | 93 | 100% |
| Native American | 0 | 0% | 5 | 100% | 0 | 0% | 5 | 100% |
| Middle Eastern | 0 | 0% | 42 | 100% | 0 | 0% | 42 | 100% |
| **Total** | **150** | **1%** | **10,734** | **99%** | **0** | **0%** | **10,884** | **100%** |

**Table 2b: Search Types by Race/Ethnicity (2012)**

| | Consent Search | | Non-Consent | | Consent Unknown* | | Total Searches | |
|---|---|---|---|---|---|---|---|---|
| **Race/Ethnicity** | **count** | **% of total** | **count** | **% of total** | **count** | **% of total** | **count** | **% of total** |
| White | 104 | 3% | 3,443 | 91% | 236 | 6% | 3,783 | 100% |
| Hispanic | 150 | 3% | 4,586 | 92% | 268 | 5% | 5,004 | 100% |
| Black | 110 | 4% | 2,611 | 91% | 145 | 5% | 2,866 | 100% |
| Asian | 2 | 2% | 94 | 94% | 4 | 4% | 100 | 100% |
| Native American | 0 | 0% | 7 | 100% | 0 | 0% | 7 | 100% |
| Middle Eastern | 1 | 3% | 26 | 87% | 3 | 10% | 30 | 100% |
| **Total** | **367** | **3%** | **10,767** | **91%** | **656** | **6%** | **11,790** | **100%** |

* consent status is missing

**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 traffic searches, productivity increased from 25% in 2012 to 30% in 2013. These improvements were distributed relatively evenly across race/ethnicity.

**Table 3: Search Hit Rates - ALL Searches**

| | 2013 | | | 2012 | | |
|---|---|---|---|---|---|---|
| **Race/Ethnicity** | **Hits** | **Searches** | **Hit Rate** | **Hits** | **Searches** | **Hit Rate** |
| White | 1,000 | 3,437 | 29% | 928 | 3,783 | 25% |
| Hispanic | 1,309 | 4,535 | 29% | 1,136 | 5,004 | 23% |
| Black | 901 | 2,772 | 33% | 827 | 2,866 | 29% |
| Other | 39 | 140 | 28% | 30 | 137 | 22% |
| **Total** | **3,249** | **10,884** | **30%** | **2,921** | **11,790** | **25%** |

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

The table below shows that, for consent searches, productivity remained constant and relatively high, at 31% for both 2012 and 2013. The relatively similar hit rates for White, Hispanic, and Black motorists suggests that profiling is not occurring.

**Table 4: Search Hit Rates - CONSENT Searches**

| | 2013 | | | 2012 | | |
|---|---|---|---|---|---|---|
| **Race/Ethnicity** | **Hits** | **Searches** | **Hit Rate** | **Hits** | **Searches** | **Hit Rate** |
| White | 14 | 40 | 35% | 38 | 104 | 37% |
| Hispanic | 22 | 77 | 29% | 35 | 150 | 23% |
| Black | 9 | 31 | 29% | 39 | 110 | 35% |
| Other | 1 | 2 | 50% | 1 | 3 | 33% |
| **Total** | **46** | **150** | **31%** | **113** | **367** | **31%** |