

# Austin Police Department

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## Annual Racial Profiling Report: 2018



Prepared by the Austin Police Department  
Research and Planning Unit  
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## **Introduction**

This report contains data regarding motor vehicle stops made by Austin Police Department police officers during 2018. The department maintains a strong stance against racial profiling; the 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 2018, 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; and
- Search results (“hit rate”) - by year and by race/ethnicity.

## **Changes in this year’s reporting**

There were no changes in 2018 to Racial Profiling policy or report methodology.

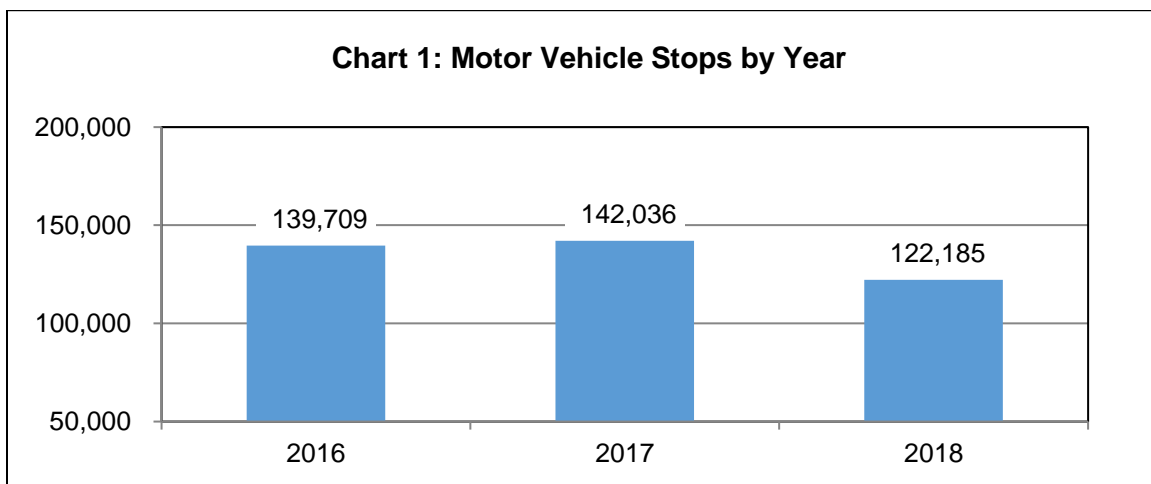
The Sandra Bland Act of 2017 expanded the mandated report to Texas Commission on Law Enforcement (TCOLE). At the same time, the racial profiling law’s definition for “race or ethnicity” condensed to include only: Alaska native or American Indian; Asian or Pacific Islander; Black; White; and Hispanic or Latino. However, APD’s data also include subjects with Middle Eastern and Other races, as is shown in this full report. TCOLE does not establish guidelines on how to report races outside its definition. Therefore, APD has chosen to exclude these stops from the report to TCOLE in order to preserve the actual counts of the reportable races.

This full report will continue to provide a more comprehensive representation of APD stop and search data, as it includes all races in APD’s data.

## Motor vehicle stops

**Austin police officers made 122,185 motor vehicle stops in 2018.** These are stops that resulted in a citation, warning, field observation, or arrest. This compares to 142,036 in 2017. The primary reason for a motor vehicle stop was 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 decreased 14% from 2017 to 2018. This decline was due to several limitations on officers' availability: a recall of vehicles resulting in two officers per patrol vehicle for approximately five months of the year; a vacancy rate for patrol officers averaging over 10% citywide; and a change in the vacation policy, which limited officers' ability to work overtime on grant-funded traffic enforcement.



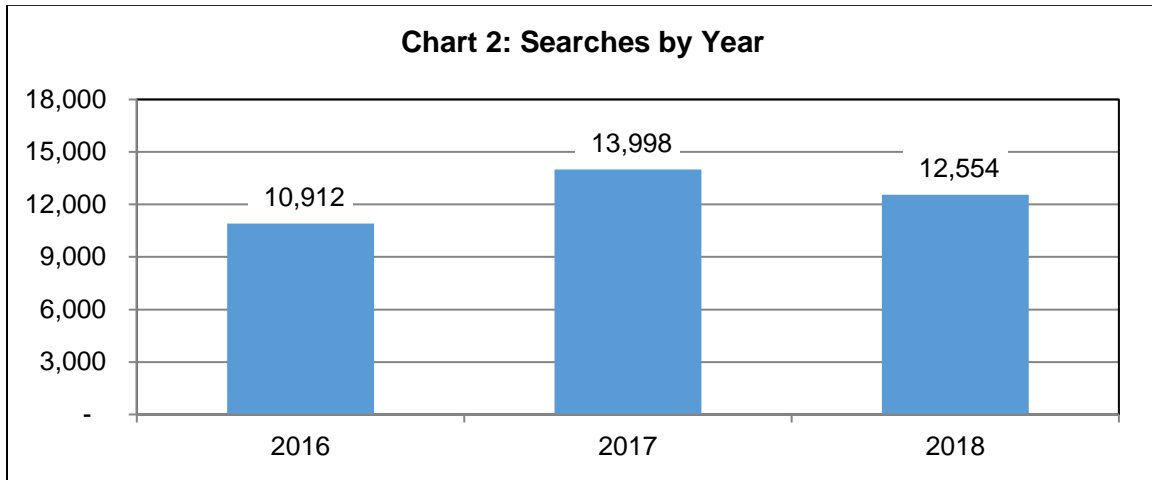
The distribution of stops by race/ethnicity in 2018 was similar to that seen in 2017.

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

Race/Ethnicity	2017 Stops		2018 Stops	
	count	% of total	count	% of total
White	67,347	47.4%	57,173	46.8%
Hispanic	44,899	31.6%	39,946	32.7%
Black	19,977	14.1%	17,754	14.5%
Asian	4,596	3.2%	4,387	3.6%
Middle Eastern	1,982	1.4%	2,180	1.8%
Native American	87	0.1%	60	0.0%
Other	3,148	2.2%	685	0.6%
<b>Total</b>	<b>142,036</b>	<b>100%</b>	<b>122,185</b>	<b>100%</b>

## Searches resulting from motor vehicle stops

The number of searches resulting from motor vehicle stops decreased 10%: from 13,998 in 2017 to 12,554 in 2018. The search rate (searches as a percent of stops) was 10.3% during 2018, up slightly from 10% during 2017.



The distribution of searches by race/ethnicity in 2018 was similar to that seen in 2017.

**Table 2: Searches by Race/Ethnicity**

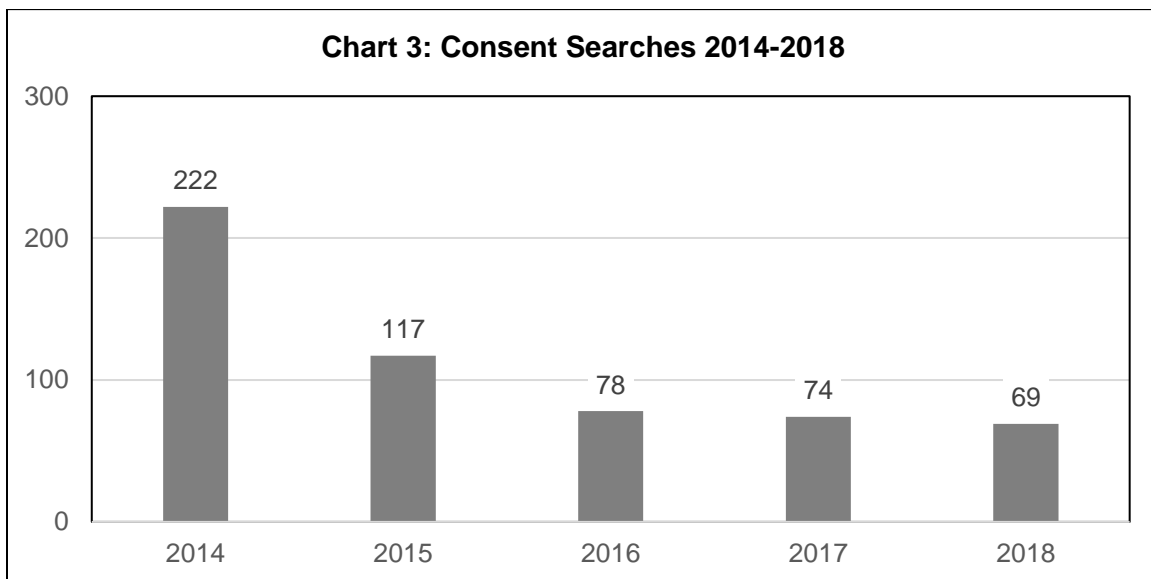
Race/Ethnicity	2017 Searches		2018 Searches	
	count	% of total	count	% of total
White	4,139	29.6%	3,704	29.5%
Hispanic	5,932	42.4%	5,514	43.9%
Black	3,602	25.7%	3,072	24.5%
Asian	162	1.2%	150	1.2%
Middle Eastern	66	0.5%	64	0.5%
Native American	12	0.1%	7	0.1%
Other	85	0.6%	43	0.3%
<b>Total</b>	<b>13,998</b>	<b>100%</b>	<b>12,554</b>	<b>100%</b>

## Searches resulting from motor vehicle stops: consent searches

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.

Consent searches decreased from 74 in 2017 to 69 in 2018, continuing the downward trend seen in previous years.



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 decreased from 2017 to 2018, and 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 2017 to 2018. For consent searches, however, the distribution by race/ethnicity varies more due to their small numbers.

**Table 3a: Search Types by Race/Ethnicity (2018)**

Race/Ethnicity	Consent Search		Non-Consent Search	
	count	% of total	count	% of total
White	19	27.5%	3,685	29.5%
Hispanic	38	55.1%	5,476	43.9%
Black	12	17.4%	3,060	24.5%
Asian	0	n/a	150	1.2%
Middle Eastern	0	n/a	64	0.5%
Native American	0	n/a	7	0.1%
Other	0	n/a	43	0.3%
<b>Total</b>	<b>69</b>	<b>100%</b>	<b>12,485</b>	<b>100%</b>

**Table 3b: Search Types by Race/Ethnicity (2017)**

Race/Ethnicity	Consent Search		Non-Consent Search	
	count	% of total	count	% of total
White	14	18.9%	4,125	29.6%
Hispanic	35	47.3%	5,897	42.4%
Black	25	33.8%	3,577	25.7%
Asian	0	n/a	162	1.2%
Middle Eastern	0	n/a	66	0.5%
Native American	0	n/a	12	0.1%
Other	0	n/a	85	0.6%
<b>Total</b>	<b>74</b>	<b>100%</b>	<b>13,924</b>	<b>100%</b>

## 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 29% in 2018.

**Table 4: Search Hit Rates – ALL Searches**

Race/Ethnicity	2017			2018		
	Hits	Searches	Hit Rate	Hits	Searches	Hit Rate
White	1,326	4,139	32%	999	3,704	27%
Hispanic	1,977	5,932	33%	1,669	5,514	30%
Black	1,355	3,602	38%	957	3,072	31%
Asian	51	162	31%	34	150	23%
Middle Eastern	22	66	33%	15	64	23%
Native American	3	12	25%	3	7	43%
Other	24	85	28%	6	43	14%
<b>Total</b>	<b>4,758</b>	<b>13,998</b>	<b>34%</b>	<b>3,683</b>	<b>12,554</b>	<b>29%</b>

The table below shows that total consent searches produced a hit rate of 30%, higher than for all searches. Consent search hit rates are based on increasingly smaller counts each year; variability across races/ethnicities does not indicate a meaningful trend.

**Table 5: Search Hit Rates – CONSENT Searches**

Race/Ethnicity	2017			2018		
	Hits	Searches	Hit Rate	Hits	Searches	Hit Rate
White	6	14	43%	7	19	37%
Hispanic	14	35	40%	7	38	18%
Black	12	25	48%	7	12	58%
Asian	0	0	n/a	0	0	n/a
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
<b>Total</b>	<b>32</b>	<b>74</b>	<b>43%</b>	<b>21</b>	<b>69</b>	<b>30%</b>