# City of Austin
# Austin Police Department

# 2014 Annual
# Racial Profiling Report

**February 2015**

**Introduction**

This report contains data regarding motor vehicle stops made by Austin Police Department police officers during 2014. 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. The City of Austin has a citizen complaint process where any allegations of profiling can be brought forward for investigation.

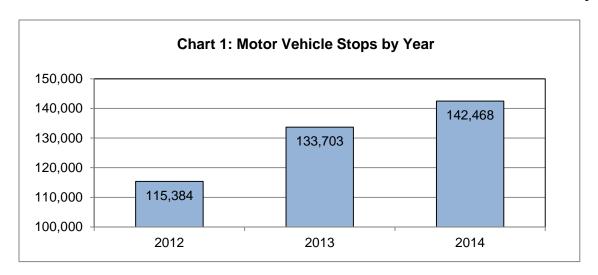The report contains the following:

- 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

**Motor vehicle stops**

**Austin police officers made 142,468 motor vehicle stops in 2014.** These are stops that resulted in a citation or an arrest. This compares to 133,703 in 2013. 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 2013 to 2014 reflects the department's continued emphasis on traffic enforcement. Prior to 2013, Austin's traffic fatality count averaged 61 per year (10-year average), then rose sharply to 78 in 2012 and remained high at 75 in 2013.

In response, APD increased its department-wide focus on traffic enforcement beginning in 2013. As a result, citations increased 17% from 2012 to 2013, then increased an additional 5% from 2013 to 2014. This sustained increase in citations is reflected in the number of traffic stops.
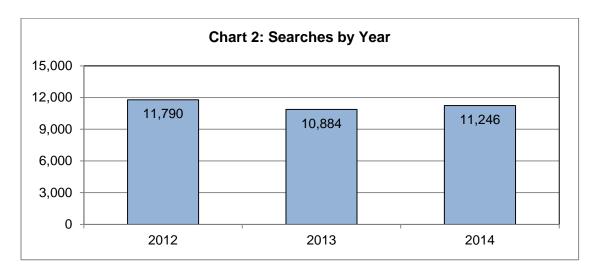
**Chart 1: Motor Vehicle Stops by Year**

| Year | Stops |
|------|-------|
| 2012 | 115,384 |
| 2013 | 133,703 |
| 2014 | 142,468 |

The distribution of stops by race and ethnicity in 2014 was similar to that seen in 2013.

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

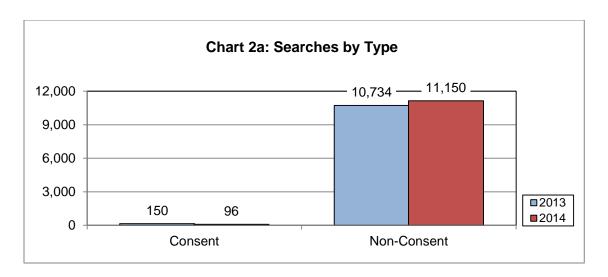| Race/Ethnicity | 2014 Traffic Stops | | 2013 Traffic Stops | |
|---|---|---|---|---|
| | count | % of total | count | % of total |
| White | 75,218 | 53% | 68,445 | 51% |
| Hispanic | 43,794 | 31% | 42,807 | 32% |
| Black | 17,178 | 12% | 16,748 | 13% |
| Asian | 4,267 | 3% | 3,866 | 3% |
| Middle Eastern | 1,948 | 1% | 1,729 | 1% |
| Native American | 63 | 0% | 108 | 0% |
| Total | 142,468 | 100% | 133,703 | 100% |

## Searches resulting from motor vehicle stops

The number of searches resulting from a motor vehicle stop increased 3%: from 10,884 in 2013 to 11,246 in 2014. The search rate (searches as a percent of stops) remained stable at 8% in both 2013 and 2014.



**Chart 2: Searches by Year**

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 2013 and 2014.

**Chart 2a: Searches by Type**

A bar chart comparing Consent and Non-Consent searches for 2013 and 2014. Y-axis ranges from 0 to 12,000 in increments of 3,000. Consent: 2013 = 150, 2014 = 96. Non-Consent: 2013 = 10,734, 2014 = 11,150. Legend: 2013 (blue), 2014 (red).

Consent searches decreased from 2013 to 2014, continuing the downward trend seen from 2012 to 2013. Department policy reinforces that officers should be deliberative 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.*

Non-consent searches increased slightly (4%) from 2013 to 2014, but remained the same proportion (99%) of total 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). Percentages show the distribution of searches by type for each race/ethnicity. The increase in searches from 2013 to 2014 is distributed relatively evenly across race/ethnicity.

**Table 2a: Search Types by Race/Ethnicity (2014)**

| Race/Ethnicity | Consent Search count | % of total | Non-Consent Search count | % of total | Total Searches count | % of total |
|---|---|---|---|---|---|---|
| White | 36 | 1% | 3,438 | 99% | 3,474 | 100% |
| Hispanic | 36 | 1% | 4,854 | 99% | 4,890 | 100% |
| Black | 24 | 1% | 2,702 | 99% | 2,726 | 100% |
| Asian | 0 | 0% | 97 | 100% | 97 | 100% |
| Middle Eastern | 0 | 0% | 51 | 100% | 51 | 100% |
| Native American | 0 | 0% | 8 | 100% | 8 | 100% |
| **Total** | **96** | **1%** | **11,150** | **99%** | **11,246** | **100%** |

## Table 2b: Search Types by Race/Ethnicity (2013)

| Race/Ethnicity | Consent Search count | Consent Search % of total | Non-Consent Search count | Non-Consent Search % of total | Total Searches count | Total Searches % of total |
|---|---|---|---|---|---|---|
| White | 40 | 1% | 3,397 | 99% | 3,437 | 100% |
| Hispanic | 77 | 2% | 4,458 | 98% | 4,535 | 100% |
| Black | 31 | 1% | 2,741 | 99% | 2,772 | 100% |
| Asian | 2 | 2% | 91 | 98% | 93 | 100% |
| Middle Eastern | 0 | 0% | 42 | 100% | 42 | 100% |
| Native American | 0 | 0% | 5 | 100% | 5 | 100% |
| **Total** | **150** | **1%** | **10,734** | **99%** | **10,884** | **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 traffic searches, productivity increased from 30% in 2013 to 31% in 2014.

### Table 3: Search Hit Rates – ALL Searches

| Race/Ethnicity | 2014 Hits | 2014 Searches | 2014 Hit Rate | 2013 Hits | 2013 Searches | 2013 Hit Rate |
|---|---|---|---|---|---|---|
| White | 1,002 | 3,474 | 29% | 1,000 | 3,437 | 29% |
| Hispanic | 1,467 | 4,890 | 30% | 1,309 | 4,535 | 29% |
| Black | 1,003 | 2,726 | 37% | 901 | 2,772 | 33% |
| Other | 32 | 156 | 21% | 39 | 140 | 28% |
| **Total** | **3,504** | **11,246** | **31%** | **3,249** | **10,884** | **30%** |

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 as consent searches have declined, hit rates have improved: from 31% in 2013 to 45% in 2014. 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 all races/ethnicities suggests that profiling is not occurring.

### Table 4: Search Hit Rates – CONSENT Searches

| Race/Ethnicity | 2014 Hits | 2014 Searches | 2014 Hit Rate | 2013 Hits | 2013 Searches | 2013 Hit Rate |
|---|---|---|---|---|---|---|
| White | 14 | 36 | 39% | 14 | 40 | 35% |
| Hispanic | 12 | 36 | 33% | 22 | 77 | 29% |
| Black | 17 | 24 | 71% | 9 | 31 | 29% |
| Other | 0 | 0 | n/a | 1 | 2 | 50% |
| **Total** | **43** | **96** | **45%** | **46** | **150** | **31%** |