



Travis County Sheriff's Office 2019 Annual Report on Racial Profiling

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BACKGROUND

During the 77th 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).

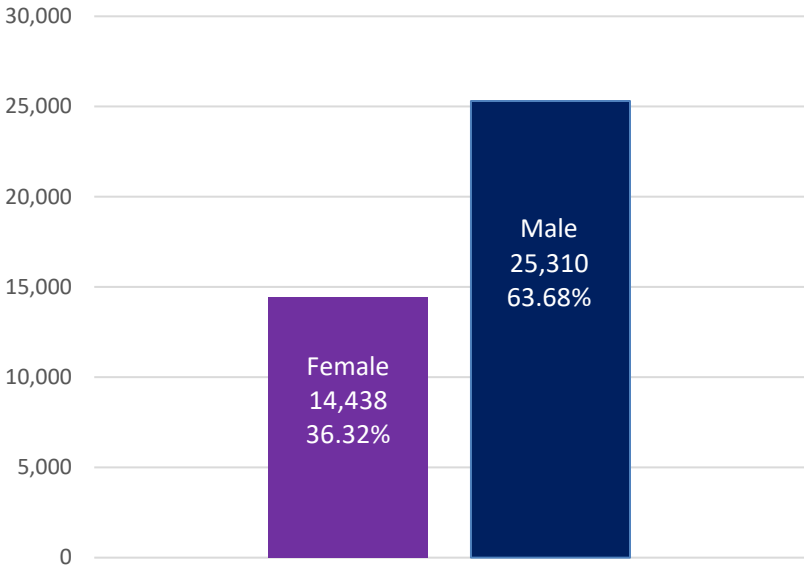
Per Senate Bill 1074 persons detained were classified as Black, Asian / Pacific Islander (Asian), White, Hispanic / Latino, or Alaskan Native / American Indian.

DATA COLLECTION

Between January 1, 2019 and December 31, 2019, Travis County Sheriff's Office deputies detained 39,748 individuals on traffic stops or pedestrian contacts.

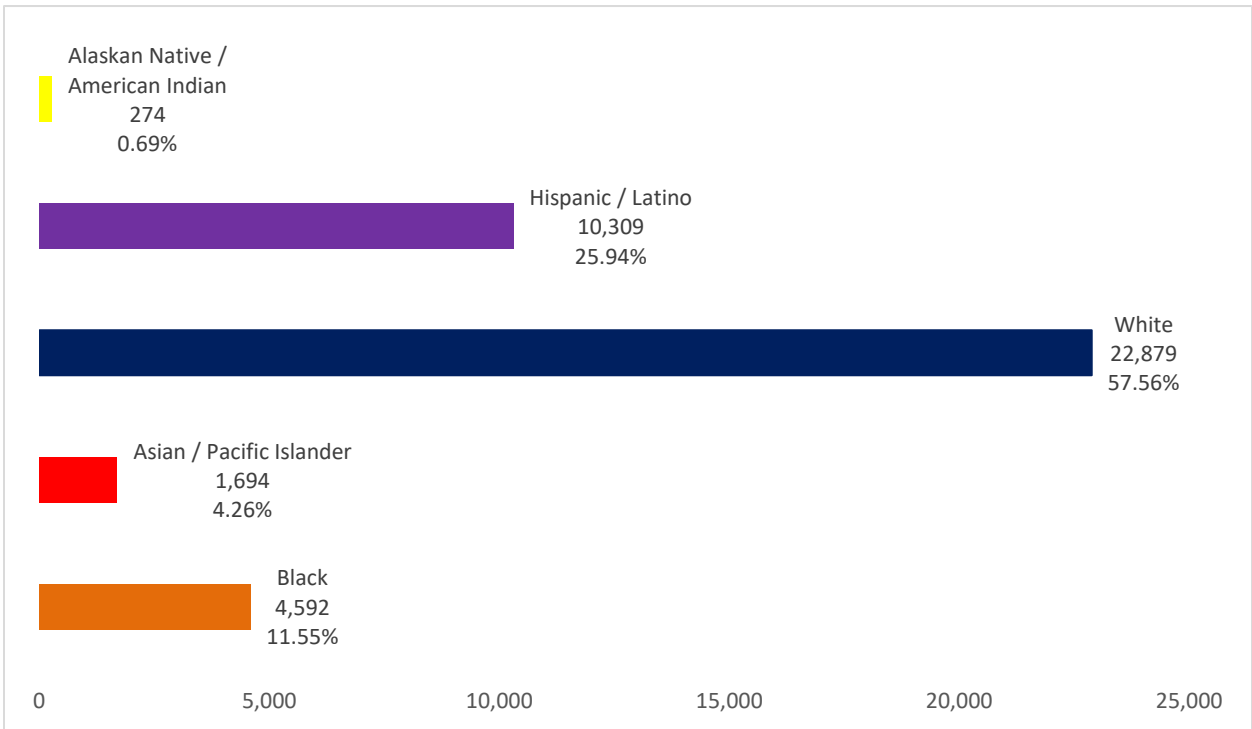
** It should be noted that these figures do not correspond with other statistical data on the number of citations written as they reflect the one entry dealing with the person contacted during the stop. Thus, these numbers will be significantly lower than the number of actual traffic citations or warnings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

Gender	Total	Total
Female	14,438	36.32%
Male	25,310	63.68%
Total	39,748	100.00%



Race Known	Total	Total
Yes	845	2.13%
No	38,903	97.87%
Total	39,748	100.00%

Race	Total	Total
Black	4,592	11.55%
Asian / Pacific Islander	1,694	4.26%
White	22,879	57.56%
Hispanic / Latino	10,309	25.94%
Alaskan Native / American Indian	274	0.69%
Total	39,748	100.00%



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 38,832 of the 39,748 contacts. Searches were conducted in 916 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	22,474	4,407	10,001	1,678	272	38,832
Searches Conducted	405	185	308	16	2	916
Total	22,879	4,592	10,309	1,694	274	39,748

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 (39,748). The results are displayed in Table 2.

Table 2 (race/total)

REASON for Search	White	Black	Hispanic	Asian	American Indian	Total
No Search	56.54%	11.09%	25.16%	4.22%	0.68%	97.69%
Searches Conducted	1.02%	0.47%	0.77%	0.04%	0.01%	2.31%
Total	57.56%	11.56%	25.93%	4.26%	0.69%	100.00%

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	57.88%	11.35%	25.75%	4.32%	0.70%	100.00%
Searches Conducted	44.21%	20.20%	33.62%	1.75%	0.22%	100.00%

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)

REASON for Search	White	Black	Hispanic	Asian	American Indian
No Search	98.23%	95.97%	97.01%	99.06%	99.27%
Searches Conducted	1.77%	4.03%	2.99%	0.94%	0.73%
Total	100.00%	100.00%	100.00%	100.00%	100.00%

CONTACTS

For 2019, of the 39,748 contacts, the largest number was identified by race / ethnicity as White 22,879 (57.56%); 10,309 (25.94%) were identified as Hispanic; 4,592 (11.55%) as Black; 1,694 (4.26%) as Asian; and 274 (0.69%) 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: 4,592 detentions. 4,407 (95.97%) were not searched and 185 (4.03%) were searched.

Asian: 1,694 detentions. 1,678 (99.06%) were not searched and 16 (0.94%) were searched.

White: 22,879 detentions. 22,474 (98.23%) were not searched and 405 (1.77%) were searched.

Hispanic: 10,309 detentions. 10,001 (97.01%) were not searched and 308 (2.99%) were searched.

American Indian: 274 detentions. 272 (99.27%) were not searched and two (0.73%) were searched.

SEARCH ANALYSIS

Of the 39,748 detentions, 916 (2.30%) resulted in a search being conducted. Of those searched 405 (44.21%) were White; 308 (33.62%) were Hispanic; 185 (20.20%) were Black; 16 (1.753%) were Asian; and two were American Indian (0.22%). Of the 39,748 detentions, the search authority listed is reflected in Tables 5 and 6.

Table 5

REASON for Search	Total
No Search	38,832
Consent	175
Plain View	64
PC or Reasonable Stop	557
Impound	29
Incident to On-Site Arrest / Warrant	91
Total	39,748

Table 6

REASON for Search	Total
No Search	97.70%
Consent	0.44%
Plain View	0.16%
PC or Reasonable Stop	1.40%
Impound	0.07%
Incident to On-Site Arrest / Warrant	0.23%
Total	100.00%

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	22,474	4,407	10,001	1,678	272	38,832
Consent	99	17	56	3		175
Plain View	35	4	23	2		64
PC or reasonable stop	218	143	188	7	1	557
Impound	15	1	11	2		29
Incident to On-Site Arrest / Warrant	38	20	30	2	1	91
Total	22,879	4,592	10,309	1,694	274	39,748

Table 8

REASON for Search	White	Black	Hispanic	Asian	American Indian
No Search	98.23%	95.97%	97.01%	99.06%	99.28%
Consent	0.43%	0.37%	0.54%	0.18%	0.00%
Plain View	0.15%	0.09%	0.22%	0.12%	0.00%
PC or reasonable stop	0.95%	3.11%	1.82%	0.41%	0.36%
Impound	0.07%	0.02%	0.11%	0.12%	0.00%
Incident to On-Site Arrest / Warrant	0.17%	0.44%	0.29%	0.12%	0.36%
Total	100.00%	100.00%	99.99%	100.01%	100.00%

COMPARATIVE DATA

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

Race	Travis County ¹	SMSA ²	Texas Fair Road ³	TCSO Contacts
White	49.40%	51.88%	40.00%	57.56%
Black	8.90%	6.88%	19.00%	11.55%
Hispanic / Latino	33.80%	36.74%	41.00%	25.94%
Asian	6.80%	3.42%	0.00%	4.26%
American Indian	1.30%	1.38%	0.00%	0.69%
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 2019 the Travis County Sheriff's Office Internal Affairs section investigated, and unfounded, one complaint for racial profiling.

¹ 2016 Census – Travis County ONLY

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

³ Sul Ross State University DPS – Traffic Contacts and Fair Roads Standard Comparison

EXCLUDED DATA

A total of 577 records (detailed below) were excluded because the State Report template does not accept the information as provided:

- ⌘ they do not have citation numbers; we believe these are test or training records and cannot be verified
- ⌘ they are unattended vehicles and are automatically excluded from the report

OBSERVATIONS AND COMMENTS

This is the 17th biased-based profiling report issued by the Travis County Sheriff's Office since the inception of HB 1074. During the past 18 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 years supports the conclusion.

Gender	2014	2015	2016	2017	2018	2019
Female	15,770	16,043	11,325	14,967	12,218	14,438
Male	26,732	26,001	19,736	24,762	22,319	25,310
Total	42,502	42,044	31,061	39,729	34,537	39,748

Race	2014	2015	2016	2017	2018	2019
Black	5,053	4,878	3,198	4,402	4,128	4,592
Asian / Pacific Islander	1,267	1,379	935	1,258	1,376	1,694
White	23,302	22,573	17,207	22,364	19,253	22,879
Hispanic / Latino	12,281	12,572	9,276	11,304	9,747	10,309
Middle Eastern	538	583	353	376	NA*	NA*
Alaskan Native / American Indian	61	19	92	25	33	274
Total	42,502	42,044	31,061	39,729	34,537	39,748

*NA – no longer separated in the report