

**City of Austin  
Austin Police Department**

**2012 Annual  
Racial Profiling Report**

**February 2013**

## Introduction

This report contains data regarding motor vehicle stops made by Austin Police Department police officers during 2012. 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 following report contains the following:

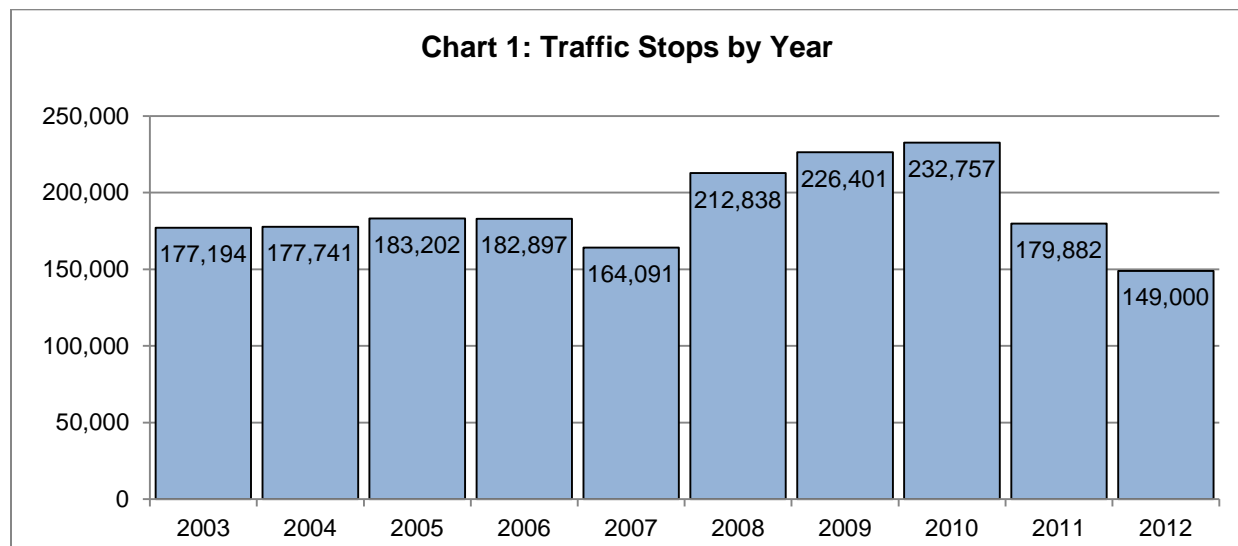
- Number of motor vehicle stops, by year and by race/ethnicity
- Types of searches (consent, non-consent) that result from stops, by year and by race/ethnicity
- Results of searches (“hit rate”), by year and by race/ethnicity

## Motor vehicle stops

**Austin police officers made 149,000 motor vehicle stops in 2012 compared to 179,882 in 2011.** The primary reason for a motor vehicle stop is a traffic violation such as speeding, an illegal turn, and expired registration.

The total number of stops declined from 2011 to 2012 for several likely reasons. First, the Highway Enforcement Command shifted its focus to enforcing hazardous violations at top crash locations. This strategy seeks to reduce traffic fatalities and serious-injury crashes, but it also results in fewer citations issued and, therefore, fewer vehicles stopped.

A second factor is the shrinking discretionary time available to patrol officers, who make most of the department’s traffic enforcement stops. The department’s uncommitted time (when patrol officers are not responding to calls for service) dropped from 27% in 2011 to 15% in 2012.



As a consequence of these two factors, the number of traffic citations declined from 167,477 in 2011 to 149,257 in 2012, a 11% reduction. This compares to a 17% reduction in the number of motor vehicle stops.

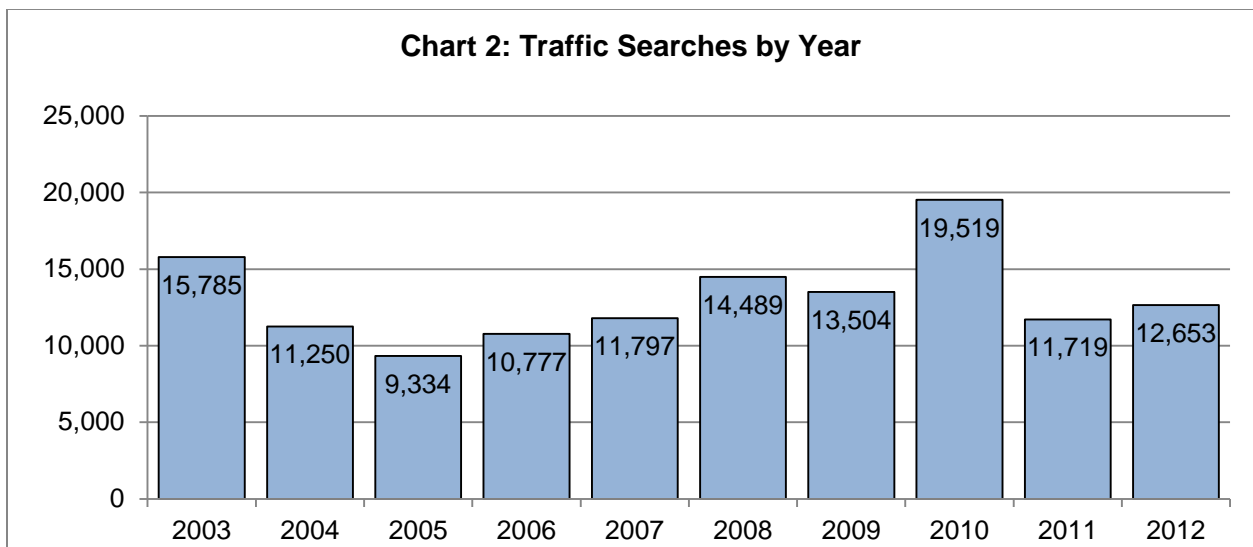
The percentage of stops by race and ethnicity in 2012 was similar to that of 2011.

**Table 1: Traffic Stops by Race/Ethnicity**

Race/Ethnicity	2012 Traffic Stops		2011 Traffic Stops	
	count	% of total	count	% of total
White	76,799	52%	98,428	55%
Hispanic	46,993	32%	52,453	29%
Black	19,805	13%	22,917	13%
Asian	3,969	3%	4,740	3%
Native American	113	0%	83	0%
Middle Eastern	1,321	1%	1,261	1%
<b>Total</b>	<b>149,000</b>	<b>100%</b>	<b>179,882</b>	<b>100%</b>

### Motorist searches

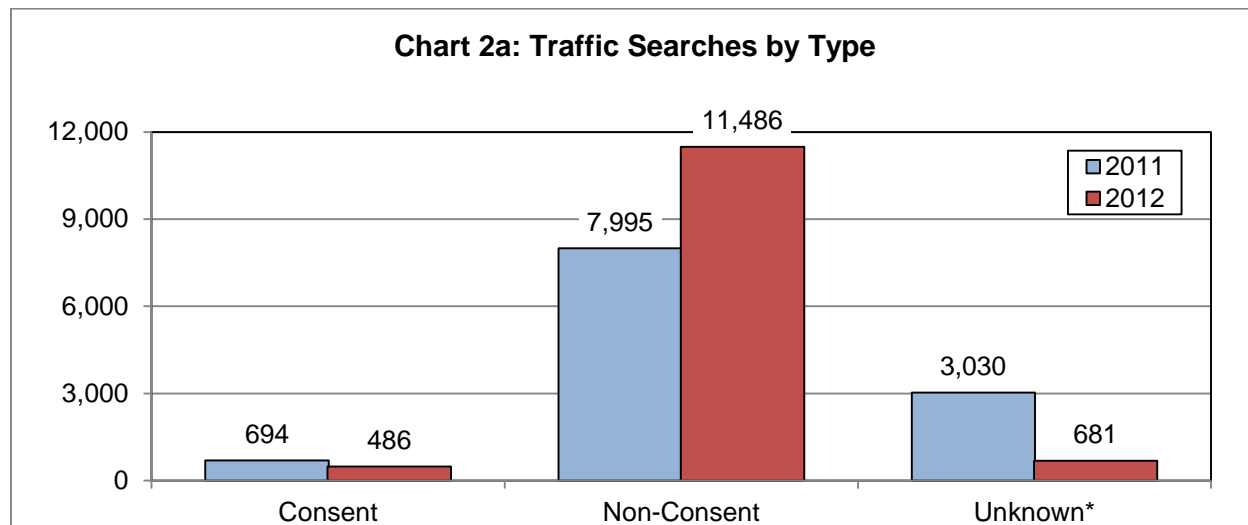
The total number of searches resulting from a motor vehicle stop increased 8%; from 11,719 in 2011 to 12,653 in 2012.



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 2011 and 2012.



\* consent status is missing

Although total searches increased from 2011 to 2012, consent searches were down 30%, from 694 in 2011 to 486 in 2012, while non-consent searches were up 44%, from 7,995 to 11,486.

One reason for the decline in consent searches is the chief's ongoing 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 subject prior to initiating a consent search. This likely led to a reduction in the number of consent searches that will continue into 2013.

In contrast to the decline in consent searches, non-consent searches increased during 2012. This was driven primarily by an increase in **searches conducted after an arrest**. During 2012, the department boosted its DWI enforcement to address the increase in traffic fatalities. This effort contributed to a 34% increase in DWI arrests from 2011 to 2012, which mirrors the 44% increase in non-consent searches conducted as the result of an arrest.

It should be noted that 2011 results contained a large number of searches (3,030, or 26%) where search type (consent, non-consent) was missing. In 2012, the problem's source was identified – inconsistent transfer of information from paper citations to the city's database – and fixed. As a result, 2012 results show far fewer unknown searches (681, or 5%). And going forward, the department's planned electronic citation system will further reduce the chance of missing data.

## Motorist searches by race/ethnicity

The tables below show the number of traffic searches by race/ethnicity and type (consent, non-consent). In addition, percentages show the distribution of searches by type for each race/ethnicity. Search patterns – both volume and type – are generally stable from 2011 to 2012.

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

Race/Ethnicity	Consent Search		Non-Consent		Consent Unknown*		Total Searches	
	count	% of total	count	% of total	count	% of total	count	% of total
White	146	4%	3,699	90%	247	6%	4,092	100%
Hispanic	190	4%	4,849	91%	274	5%	5,313	100%
Black	146	5%	2,789	90%	153	5%	3,088	100%
Asian	3	3%	107	94%	4	4%	114	100%
Native American	0	0%	9	100%	0	0%	9	100%
Middle Eastern	1	3%	33	89%	3	8%	37	100%
<b>Total</b>	<b>486</b>	<b>4%</b>	<b>11,486</b>	<b>91%</b>	<b>681</b>	<b>5%</b>	<b>12,653</b>	<b>100%</b>

\* consent status is missing

**Table 2b: Traffic Search Types by Race/Ethnicity (2011)**

Race/Ethnicity	Consent Search		Non-Consent		Consent Unknown*		Total Searches	
	count	% of total	count	% of total	count	% of total	count	% of total
White	193	6%	2,410	69%	902	26%	3,505	100%
Hispanic	271	5%	3,481	69%	1,298	26%	5,050	100%
Black	222	7%	2,017	66%	798	26%	3,037	100%
Asian	7	7%	66	68%	24	25%	97	100%
Native American	0	0%	2	67%	1	33%	3	100%
Middle Eastern	1	4%	19	70%	7	26%	27	100%
<b>Total</b>	<b>694</b>	<b>6%</b>	<b>7,995</b>	<b>68%</b>	<b>3,030</b>	<b>26%</b>	<b>11,719</b>	<b>100%</b>

\* consent status is missing

## Search “hit rates” by race/ethnicity

**Productive searches or “hits” are those searches where contraband is found** (e.g., drugs or weapons). The table below shows that, for all traffic searches, productivity increased from 20% in 2011 to 24% in 2012. In addition, hit rates by race/ethnicity are similar for 2011 and 2012.

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

Race/Ethnicity	2012			2011		
	Hits	Searches	Hit Rate	Hits	Searches	Hit Rate
White	998	4,092	24%	701	3,505	20%
Hispanic	1192	5,313	22%	992	5,050	20%
Black	875	3,088	28%	657	3,037	22%
Other	31	160	19%	23	127	18%
<b>Total</b>	<b>3,096</b>	<b>12,653</b>	<b>24%</b>	<b>2,373</b>	<b>11,719</b>	<b>20%</b>

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 assumption is that a low consent search hit rates is a potential indicator of racial profiling.

The importance of determining the productivity of searches or the search “hit rate” is based on the premise that lower hit rates during consent searches are potential indicators of profiling. Hit rates reflect “not only the people within each racial group who are carrying evidence/contraband, they also reflect police choices regarding whom to search.”<sup>1</sup>

The table below shows that, for consent searches, productivity remained constant and relatively high, at 28% for both 2011 and 2012. One caution: consent search hit rates are based on much smaller numbers than total searches, so their reliability is reduced. Regardless, the relatively similar hit rates for White, Hispanic, and Black motorists suggests that profiling is not occurring.

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

Race/Ethnicity	2012			2011		
	Hits	Searches	Hit Rate	Hits	Searches	Hit Rate
White	47	146	32%	43	193	22%
Hispanic	43	190	23%	89	271	33%
Black	45	146	31%	56	222	25%
Other	1	4	25%	3	8	38%
<b>Total</b>	<b>136</b>	<b>486</b>	<b>28%</b>	<b>191</b>	<b>694</b>	<b>28%</b>

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<sup>1</sup> Fridell, Lorie. 2004. By the Numbers: A Guide to Analyzing Race Data from Vehicle Stops. Washington, DC: Police Executive Research Forum, page 271.