

# ***A Snapshot of Racial Profiling Data from the Austin Area***

## **2004 data**

### **Austin Police Department**

#### **Getting Consent Searched by the Austin Police Department**

Consent searches take place when an officer has no legal basis (or “probable cause”) to search either an individual or his/her vehicle, but he asks that individual for permission to do so. Because consent searches are performed entirely at the discretion of the individual officer, the data that these searches produce may provide a more accurate measure of racial profiling than the data produced by non-discretion searches, which results from situations in which officers are required to perform searches.

|                | <b>CONSENT SEARCH RATES</b>                                   |   |
|----------------|---|---|
|                | <b>Percentage of those stopped who were consent searched*</b> | <b>More likely than Anglos to be consent searched**</b> |
| <b>Blacks</b>  | 1.4%  | <b>&gt;3 times</b>                                      |
| <b>Latinos</b> | 0.76%   | <b>2.4 times</b>  |
| <b>Anglos</b>  | 0.31%   |   |

7.1% of APD searches were consent searches (804 consent searches out of 11,250 searches).

### **Travis County Sheriff’s Office**

#### **Getting Consent Searched by the Travis County Sheriff’s Office**

|                | <b>CONSENT SEARCH RATES</b>                                  |   |
|----------------|--|---|
|                | <b>Percentage of those stopped who were consent searched</b> | <b>More likely than Anglos to be consent searched</b> |
| <b>Blacks</b>  | 0.6%   | <b>0.8 times</b>                                      |
| <b>Latinos</b> | 2.16%  | <b>2.9 times</b>                                      |
| <b>Anglos</b>  | 0.76%  |   |

10.9% of TCSO searches were consent searches (241 consent searches out of 2,203 searches).

\* Figures in this column are rounded.

\*\* Figures in this column are not rounded and represent the actual consent search disparity.



## AUSTIN AND TRAVIS COUNTY COMPARISONS:

- Anglos are 2.5 times more likely to be consent searched by Travis County Sheriff's Office than by Austin Police Department.
- Blacks are 2.3 times more likely to be consent searched by Austin Police Department than by Travis County Sheriff's Office.
- Latinos are 2.8 times more likely to be consent searched by Travis County Sheriff's Office than by Austin Police Department.

### **Pflugerville Police Department**

#### Getting Consent Searched by the Pflugerville Police Department

|                | CONSENT SEARCH RATES                                   |  |
|----------------|--|--|
|                | Percentage of those stopped who were consent searched* | More likely than Anglos to be consent searched** |
| <b>Blacks</b>  | .79%   | <b>1.7 times</b>                                 |
| <b>Latinos</b> | .7%  | <b>1.5 times</b>                                 |
| <b>Anglos</b>  | .46%   |  |

**28.6%** of PPD searches were consent searches (46 consent searches out of 161 searches).

### **Georgetown Police Department**

#### Getting Consent Searched by the Georgetown Police Department

|                | CONSENT SEARCH RATES                                   |  |
|----------------|--|--|
|                | Percentage of those stopped who were consent searched* | More likely than Anglos to be consent searched** |
| <b>Blacks</b>  | 4.52%  | <b>1.9 times</b>                                 |
| <b>Latinos</b> | 4.38%  | <b>1.8 times</b>                                 |
| <b>Anglos</b>  | 2.43%  |  |

**36.5%** of GPD searches were consent searches (214 consent searches out of 587 searches). This percentage exceeds the statewide average of consent searches conducted at traffic stops (30%).

\* Figures in this column are rounded.

\*\* Figures in this column are not rounded and represent the actual consent search disparity.

**Williamson County Sheriff's Department**

**Getting Consent Searched by the Williamson County Sheriff's Department**

|                | CONSENT SEARCH RATES                                   |  |
|----------------|--|--|
|                | Percentage of those stopped who were consent searched* | More likely than Anglos to be consent searched** |
| <b>Blacks</b>  | 7.01%  | <b>1.6 times</b>                                 |
| <b>Latinos</b> | 7.27%  | <b>1.7 times</b>                                 |
| <b>Anglos</b>  | 4.26%  |  |

**16.8%** of WCSD searches were consent searches (594 consent searches out of 3,530 searches).

**San Marcos Police Department**

**Getting Consent Searched by the San Marcos Police Department**

|                | CONSENT SEARCH RATES                                   |  |
|----------------|--|--|
|                | Percentage of those stopped who were consent searched* | More likely than Anglos to be consent searched** |
| <b>Blacks</b>  | 3.16%  | <b>1.3 times</b>                                 |
| <b>Latinos</b> | 3.32%  | <b>1.4 times</b>                                 |
| <b>Anglos</b>  | 2.36%  |  |

**55.3%** of SMPD searches were consent searches (182 consent searches out of 329 searches). This percentage far exceeds the statewide average of consent searches conducted at traffic stops (30%).

**Marble Falls Police Department**

**Getting Consent Searched by the Marble Falls Police Department**

|                | CONSENT SEARCH RATES                                   |  |
|----------------|--|--|
|                | Percentage of those stopped who were consent searched* | More likely than Anglos to be consent searched** |
| <b>Blacks</b>  | 1.69%  | <b>.5 times</b>                                  |
| <b>Latinos</b> | 3.61%  | <b>1.1 times</b>                                 |
| <b>Anglos</b>  | 3.31%  |  |

**49.8%** of MFPD searches were consent searches (100 consent searches out of 201 searches). This percentage far exceeds the statewide average of consent searches conducted at traffic stops (30%).

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\* Figures in this column are rounded.

\*\* Figures in this column are not rounded and represent the actual consent search disparity.

## **Hays County Sheriff's Department**

The Hays County Sheriff's Department did not break out searches or consent searches by race, as required by Texas' racial profiling law (S.B. 1074).

However, HCSD did provide the total number of searches and consent searches that it conducted. As such, we can calculate that **53.1%** of HCSD searches were consent searches (113 consent searches out of 213 searches). This percentage far exceeds the statewide average of consent searches conducted at traffic stops (30%).

\* \* \* \* \*

**Statewide, consent searches comprised 30% of all searches conducted at Texas traffic stops. Departments that conducted consent searches more frequently than this statewide average should provide local government officials and community members with legitimate and mitigating factors to explain their over-searching practices.**