

# ***A Snapshot of Racial Profiling Data from the El Paso Area***

## **2004 data**

### **El Paso Police Department**

#### **Getting Consent Searched by the El Paso 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>	.45%	<b>1.2 times</b>
<b>Latinos</b>	.29%	<b>0.8 times</b>
<b>Anglos</b>	.39%	

**76%** of EPPD searches were consent searches (510 consent searches out of 671 searches). This percentage far exceeds the statewide average of consent searches conducted at traffic stops (30%).

### **El Paso County Sheriff's Department**

#### **Getting Consent Searched by the El Paso County Sheriff's Department**

The El Paso County Sheriff's Department broke out its required data elements by:

- (a) Race – including Asian, Black, Native American, Pacific Islander, White, and Other; and
- (b) Ethnicity – including Hispanic and Non-Hispanic.

Both the Race and Ethnicity percentages totaled 100. As such, it was impossible to determine consent search rates for Hispanics, as the percentage of Hispanic ethnicity within each race is unknown. For instance, how many “Whites” are actually “Hispanics?”

The table below shows the rate at which Blacks and Anglos (“Races”) were consent searched.

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\* Percentages in this column are rounded.

\*\* Rates in this column are not rounded and represent the actual consent search disparity, derived by dividing un-rounded consent search percentages.

	<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>	10.74%	<b>1.1 times</b>
<b>Latinos</b>	x	<b>x</b>
<b>Anglos</b>	9.36%	

**77%** of EPCSD searches were consent searches (1,068 consent searches out of 1,387 searches). This percentage far exceeds the statewide average of consent searches conducted at traffic stops (30%).



**EL PASO AND EL PASO COUNTY COMPARISONS:**

- Anglos are 24 times more likely to be consent searched by El Paso County Sheriff's Department than by El Paso Police Department.
- Blacks are 23.9 times more likely to be consent searched by El Paso County Sheriff's Department than by El Paso Police Department.

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**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.**