



Travis County Sheriff's Office

2023 Racial Profiling Report

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"The public release of an annual racial profiling report is one of many ways our agency holds true to its core values and mission.

I'm confident that you will find the results of this year's report to be in keeping with the level of trust and integrity the Travis County community expects of us.

We strive to be known for our integrity and kindness. The Austin area is a special place, and we embrace the diversity of the people who call Travis County home. We truly care about protecting and serving others and I believe this report reflects that."



-Sheriff Sally Hernandez

MISSION

"TCSO is a family of highly trained professionals whose mission is to provide innovative law enforcement and correctional services in a holistic manner through collaborative partnerships."

VISION

"The vision of the TCSO is a strong bond with our diverse community; that they be confident in our compassion, approachability, competence and trustworthiness."

TABLE OF CONTENTS

| | |
|---|----|
| BACKGROUND | 4 |
| DEFINITION | 4 |
| BIAS BASED PROFILING POLICY 1.8.11 | 5 |
| RACIAL PROFILING COMPLIMENTS & COMPLAINTS | 6 |
| TRAINING | 7 |
| TIER 2 DATA | 8 |
| SEARCHES | 10 |
| CITATIONS AND WARNINGS | 11 |
| USE OF FORCE | 12 |
| RACIAL PERCENTAGES AND CENSUS INFORMATION | 13 |
| AUDITS | 14 |
| HISTORICAL DATA | 14 |
| ATTACHMENTS | |
| 2023 TCOLE DRS RACIAL PROFILING FORM | |
| 2023 TCOLE RACIAL PROFILING STATISTICS | |

BACKGROUND

During the 77th Legislative Session the Texas Congress passed [Senate Bill 1074](#), *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 (Commissioners Court).

DEFINITION

“Racial Profiling as the law enforcement practice of using race, ethnicity, national origin, or religious appearance as one factor; among others, when police decide which people are suspicious enough to warrant police stops, questioning, frisks, searches, and other routine police practices.¹”



¹ https://www.americanbar.org/groups/criminal_justice/publications/criminal-justice-magazine/2020/winter/racial-profiling-past-present-and-future/

BIAS BASED PROFILING POLICY 1.8.11

PURPOSE: To provide officers with guidelines and standard operating procedures to gather data to comply with bias-based profiling legislation.

POLICY: It is the policy of the Sheriff's Office that bias based profiling or any other discriminatory practice by agency personnel is strictly prohibited.

PROCEDURE:

I. Racial Profiling means a law enforcement-initiated action based on an individual's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

II. All sworn peace officers are required to attend state-mandated training in bias-based profiling issues including legal aspects. The TCSO Training Academy will incorporate training in bias-based profiling in all aspects of training that include public contacts.

a. Public Education - This Office will provide public education relating to the agency's complaint process. This may be done via the Internet, media, and printed material, or by other means.

b. Citizen Complaint Process - A personnel complaint related to bias-based profiling may be presented to the Office in person, by telephone, or by letter. Every effort is made to facilitate the filing of the complaint by ensuring that the process is convenient, courteous, and prompt. No complaint other than violations of criminal law will be considered credible if older than thirty (30) days, except under extenuating circumstances.

c. Corrective Measures - After investigation, an officer found in violation of this policy will be subject to disciplinary action. The disciplinary action will be consistent with Agency policies and procedures.

d. Administrative Review - Annually, the Sheriff or his/her designee will conduct an administrative review of agency practices including citizen concerns.

III. Agency personnel will annotate the required information consistent with TCSO Racial Profiling Standard Operating Procedure. An Annual Report, in compliance with the reference, will be compiled, analyzed, and submitted to both the Texas Commission on Law Enforcement and our governing body, Commissioners Court, no later than March 1st of each year.

RACIAL PROFILING COMPLIMENTS AND COMPLAINTS

The Texas Racial Profiling Law requires police agencies to provide information to the public regarding ways to report compliments or complaints regarding racial profiling. Each citation or warning issued by the Travis County Sheriff's Office details how to report a compliment or complaint. This information includes a physical address and phone number for our Internal Affairs Division, which is supervised by a sergeant, staffed with three detectives and open during regular business hours, Monday through Friday. The Internal Affairs Division reports directly to the Chief Deputy.

During 2023, the Travis County Sheriff's Office Internal Affairs section received two complaints regarding racial profiling from citizens. Both were investigated and cleared unfounded.



Compliments from the community are a high honor. All compliments received are shared with the chain of command so the complimented staff member may be commended. A copy of the compliment is placed in the employee's personnel file for consideration during times of promotion or assignment change.

Compliments or complaints can also be made online via TCSO's website:

<https://www.tcsheiff.org/services/public-resources/file-a-compliment-complaint>

TRAINING

The Travis County Sheriff's Office recognizes the importance of addressing racial profiling and incorporates it into specialized officer training aligned with internal policies and state regulations. In 2023, all deputies within the Law Enforcement Bureau attended a minimum of 40 hours of continuing education training. Mandated topics included decision-based use of force scenario training that encouraged de-escalation communication, as well as Cultural Diversity and Trauma-Informed Approach to Sexual Assault Investigations. Additional training continues to be available for several relevant topics, such as Interpersonal Communication Skills, Crimes against people with Disabilities, and ADA Laws and Regulations.

TCSO certifies all deputies as Mental Health Officers, as outlined by the Texas Commission on Law Enforcement. The training educates deputies to better recognize, evaluate, de-escalate, and properly assist those in mental health crisis. This training lessens the need for deputies to use force and increases their ability to effectively communicate with all members of our community.

Supervisors also received training in leadership, with an emphasis on community-oriented policing.

Training outside of TCSO is valued and whenever possible, employees are permitted to attend training provided by various subject matter experts. TCSO recognizes the current challenge of law enforcement staffing across the country and seeks out ways to stand out amongst other agencies.

BODY WORN CAMERAS

All TCSO deputies are equipped with body worn cameras. TCSO values the increased transparency afforded by body worn cameras.

TIER 2 DATA

The Travis County Sheriff's Office currently does not have cameras in all vehicles; therefore, is required to complete the Tier 2 Report. This data is for January 1 - December 31, 2023, and the report was generated on February 6, 2024.

TOTAL STOPS 15,862

| Street Address or Approximate Location of Stop | |
|--|-------|
| City Street | 2,500 |
| US Highway | 3,634 |
| County Road | 7,684 |
| State Highway | 1,918 |
| Private Property | 126 |

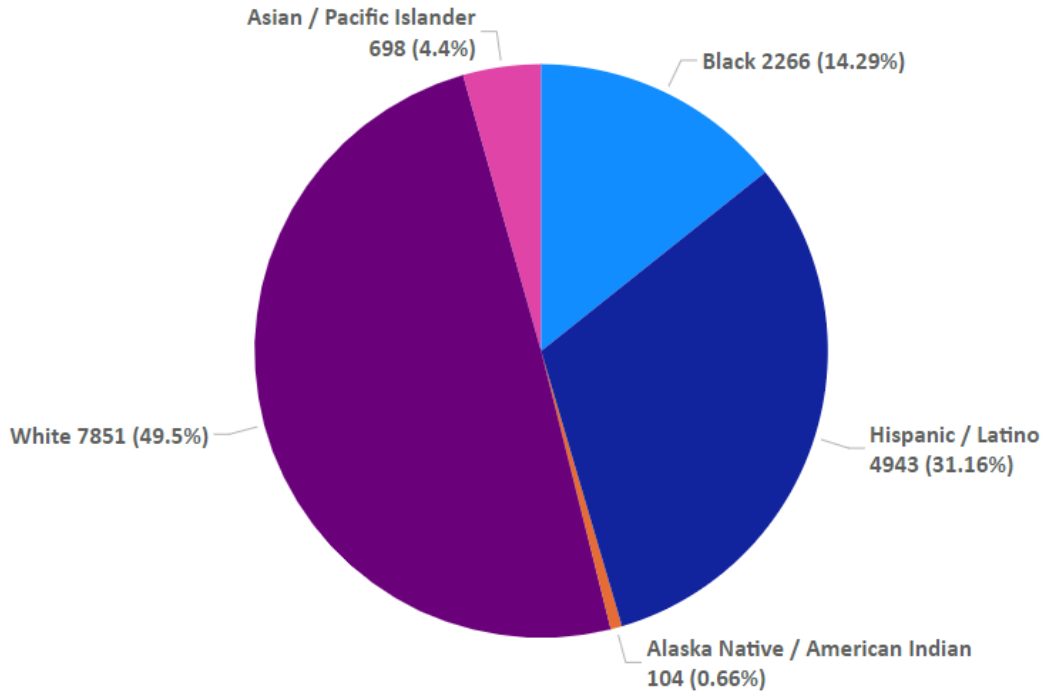
| Race or Ethnicity | |
|---------------------------------|-------|
| Alaska Native / American Indian | 104 |
| Asian / Pacific Islander | 698 |
| Black | 2,266 |
| White | 7,851 |
| Hispanic / Latino | 4,943 |

| Was Race or Ethnicity Known Prior to Stop | |
|---|--------|
| Yes | 267 |
| No | 15,595 |

| Female | |
|---------------------------------|--------------|
| Alaska Native / American Indian | 33 |
| Asian / Pacific Islander | 188 |
| Black | 880 |
| White | 2,575 |
| Hispanic / Latino | 1,349 |
| TOTAL | 5,025 |

| Male | |
|---------------------------------|---------------|
| Alaska Native / American Indian | 71 |
| Asian / Pacific Islander | 510 |
| Black | 1,386 |
| White | 5,276 |
| Hispanic / Latino | 3,594 |
| TOTAL | 10,837 |

TCSO Contacts by Race or Ethnicity



SEARCHES

The US Constitution protects against unreasonable searches which is why this component of racial profiling data is reviewed. There are various types of searches. The data provided includes all searches conducted during a detention. In 2023, 107 (0.67%) of contacts resulted in a search being conducted. The following tables will look at the breakdown of searches and contraband discovered.

| Was a Search Conducted? | Yes | No |
|---------------------------------|------------|---------------|
| Alaska Native / American Indian | 0 | 104 |
| Asian / Pacific Islander | 1 | 697 |
| Black | 18 | 2,248 |
| White | 51 | 7,800 |
| Hispanic / Latino | 37 | 4,906 |
| TOTAL | 107 | 15,755 |

| Was Contraband Discovered? | Yes | No |
|---------------------------------|-----------|-----------|
| Alaska Native / American Indian | 0 | 0 |
| Asian / Pacific Islander | 0 | 0 |
| Black | 11 | 8 |
| White | 32 | 23 |
| Hispanic / Latino | 17 | 16 |
| TOTAL | 60 | 47 |

While numbers, in and of themselves, do not give the entire picture of what was happening during a detention, looking at the reason for the stop is important data to further understand what is happening within the agency.

| Reason for Search | | | | | |
|---------------------------------|-----------|------------|----------------|-----------|--------------------|
| Race / Ethnicity | Consent | Contraband | Probable Cause | Inventory | Incident to Arrest |
| Alaska Native / American Indian | 0 | 0 | 0 | 0 | 0 |
| Asian / Pacific Islander | 0 | 0 | 0 | 0 | 1 |
| Black | 2 | 2 | 12 | 1 | 0 |
| White | 10 | 10 | 22 | 5 | 4 |
| Hispanic / Latino | 2 | 2 | 12 | 0 | 10 |
| TOTAL | 14 | 14 | 46 | 6 | 15 |

| Description of Contraband | | | | | |
|---------------------------------|-----------|-----------|----------|----------|----------|
| Race / Ethnicity | Drugs | Alcohol | Weapons | Property | Other |
| Alaska Native / American Indian | 0 | 0 | 0 | 0 | 0 |
| Asian / Pacific Islander | 0 | 0 | 0 | 0 | 0 |
| Black | 10 | 1 | 0 | 0 | 1 |
| White | 16 | 13 | 0 | 2 | 6 |
| Hispanic / Latino | 13 | 4 | 0 | 0 | 1 |
| TOTAL | 39 | 18 | 0 | 2 | 8 |

CITATIONS AND WARNINGS

The Travis County Sheriff's Office allows the deputy discretion when submitting violation(s) as a written warning or a citation. As has been the national trend, we too are facing the challenges of an increased number of vacancies. As a result, deputies were not able to be as proactive with traffic stops as in previous years. We are seeing the number of new hires trending in a positive direction. Below you will find the breakdown for detentions.

| Result of the Stop | | | | |
|---------------------------------|-----------------|--------------|--------------------------|-------------------|
| Race / Ethnicity | Written Warning | Citation | Written Warning & Arrest | Citation & Arrest |
| Alaska Native / American Indian | 95 | 9 | 0 | 0 |
| Asian / Pacific Islander | 566 | 131 | 0 | 1 |
| Black | 1,762 | 502 | 0 | 2 |
| White | 6,380 | 1,463 | 5 | 3 |
| Hispanic / Latino | 3,636 | 1,299 | 5 | 3 |
| TOTAL | 12,439 | 3,404 | 10 | 9 |

| Arrest based on | | | | |
|---------------------------------|-------------------------|-----------------------|---------------------|--------------------|
| Race / Ethnicity | Violation of Penal Code | Violation Traffic Law | Outstanding Warrant | Violation City Ord |
| Alaska Native / American Indian | 0 | 0 | 0 | 0 |
| Asian / Pacific Islander | 0 | 1 | 0 | 0 |
| Black | 2 | 0 | 0 | 0 |
| White | 3 | 1 | 4 | 0 |
| Hispanic / Latino | 1 | 2 | 5 | 0 |
| TOTAL | 6 | 4 | 9 | 0 |

USE OF FORCE

In 2017, the Sandra Bland Act was passed and signed into law, requiring agencies to include whether or not physical force was used during the traffic stop or detention.

| Was Physical Force Used? | Yes | No |
|---------------------------------|----------|---------------|
| Alaska Native / American Indian | 0 | 104 |
| Asian / Pacific Islander | 0 | 698 |
| Black | 0 | 2,266 |
| White | 0 | 7,851 |
| Hispanic / Latino | 0 | 4,943 |
| TOTAL | 0 | 15,862 |

| Number of Complaints of Racial Profiling | |
|--|----------|
| Resulted in Disciplinary Action | 0 |
| Did not result in Disciplinary Action | 2 |
| TOTAL | 2 |

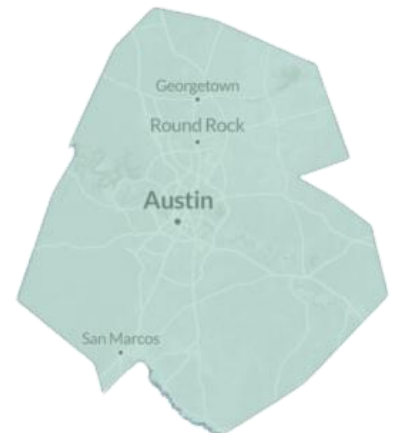


RACIAL PERCENTAGES & CENSUS INFORMATION

| Race / Ethnicity | Total of Traffic Stops or Detentions | | Citations | | Warnings | |
|---------------------------------|--------------------------------------|----------------|--------------|---------------|---------------|---------------|
| | Total | % | Total | % | Total | % |
| Alaska Native / American Indian | 104 | 0.66% | 9 | 0.06% | 95 | 0.60% |
| Asian / Pacific Islander | 698 | 4.40% | 132 | 0.83% | 566 | 3.57% |
| Black | 2,266 | 14.29% | 504 | 3.18% | 1,762 | 11.11% |
| White | 7,851 | 49.50% | 1,466 | 9.24% | 6,385 | 40.25% |
| Hispanic / Latino | 4,943 | 31.16% | 1,302 | 8.21% | 3,641 | 22.95% |
| TOTAL | 15,862 | 100.00% | 3,413 | 21.52% | 12,449 | 78.48% |

The Metropolitan Statistical Area (MSA) includes area surrounding Austin, Georgetown, Round Rock, and San Marcos.

| Census Data | Travis County ² | MSA ³ |
|---------------------------------|----------------------------|------------------|
| Alaska Native / American Indian | 1.2% | 0.1% |
| Asian / Pacific Islander | 7.9% | 7.1% |
| Black | 9.1% | 6.8% |
| White | 48.4% | 48.4% |
| Hispanic / Latino | 33.4% | 32.7% |
| Two or More Races | 2.9% | 4.1% |



TCSO employee racial breakdown as of January 2023

| Race / Ethnicity | TCSO all employees | LE civilian & sworn | LE sworn |
|---------------------------------|--------------------|---------------------|----------|
| Alaska Native / American Indian | 0.26% | 0.22% | 0.28% |
| Asian or Pacific Islander | 2.11% | 0.66% | 0.85% |
| Black/Not Hispanic origin | 14.85% | 9.51% | 7.98% |
| White/Not Hispanic origin | 47.69% | 59.07% | 60.68% |
| Hispanic | 33.97% | 29.20% | 29.06% |
| Two or More Races | 1.39% | 1.33% | 1.14% |

² <https://www.census.gov/quickfacts/traviscountytexas>

³ <https://censusreporter.org/profiles/31000US12420-austin-round-rock-georgetown-tx-metro-area/>

AUDITS

Three audits were completed during the year to ensure processes were accurate and information was being submitted in a timely manner. The data for these audits was randomly pulled by Research and Planning staff and reviewed in depth by the Law Enforcement Major. This allows for a review of potential delayed submissions by deputies, and/or potential racial profiling indicators. These audits will continue to occur.

| Date of Audit | Outcome of Audit |
|-------------------|--|
| May 4, 2023 | Data was reviewed and proved to be valid |
| August 3, 2023 | Data was reviewed and proved to be valid |
| November 16, 2023 | Data was reviewed and proved to be valid |

HISTORICAL DATA

The following tables give historical numbers related to overall contacts for 2018 through 2023. Historical numbers are broken down by gender in the first table and race / ethnicity in the second table. In 2020, COVID-19 agency protocols implemented to protect public health reduced proactive traffic stops. COVID-19 protocols continued into 2021 but relaxed over time. This is indicated by the sharp decrease in overall numbers seen in 2020, then a slight increase in 2021. Staffing vacancies in 2022 and 2023 continued to impact traffic enforcement.

| Gender | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
|--------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Female | 12,218 | 14,438 | 5,742 | 6,396 | 6,177 | 5,025 |
| Male | 22,319 | 25,310 | 11,497 | 12,836 | 12,150 | 10,837 |
| TOTAL | 34,537 | 39,748 | 17,239 | 19,232 | 18,327 | 15,862 |

| Race / Ethnicity | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
|---------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Alaska Native / American Indian | 33 | 274 | 93 | 137 | 136 | 104 |
| Asian / Pacific Islander | 1,376 | 1,694 | 707 | 786 | 762 | 698 |
| Black | 4,128 | 4,592 | 2,190 | 2,170 | 2,345 | 2,266 |
| White | 19,253 | 22,789 | 9,226 | 10,540 | 9,373 | 7,851 |
| Hispanic / Latino | 9,747 | 10,309 | 5,023 | 5,599 | 5,711 | 4,943 |
| TOTAL | 34,537 | 39,658 | 17,239 | 19,232 | 18,327 | 15,862 |