



# Travis County Sheriff's Office

## 2022 Racial Profiling Report

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Report Prepared By: Senior Planner Tracy Miller

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*"Your Travis County Sheriff's Office is committed to our mission and values every day. As such we remain steadfast in our duties, and our annual racial profiling report is no exception.*

*I'm happy to share that in all 18,372 stops recorded in 2022, we received zero reports of racial profile complaints and zero use-of-force incidents.*

*I believe the data in this year's report continues to illustrate our dedication to honesty, kindness, and integrity. Here at TCSO - from Law Enforcement to Corrections, to Administration - we will never stop striving to earn our community's trust."*

-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.

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## BACKGROUND

During the 77<sup>th</sup> 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.”<sup>1</sup>*



<sup>1</sup> [https://www.americanbar.org/groups/criminal\\_justice/publications/criminal-justice-magazine/2020/winter/racial-profiling-past-present-and-future/](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 manned by personnel Monday through Friday.

The Travis County Sheriff's Office has a full time Internal Affairs Division supervised by a sergeant and staffed with three detectives. The Internal Affairs Division reports directly to the Chief Deputy.

Compliments or complaints can also be made online via TCSO's website:  
<https://www.tcsheriff.org/services/public-resources/file-a-compliment-complaint>

During 2022, the Travis County Sheriff's Office Internal Affairs section did not receive any complaints regarding racial profiling.



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.

# TRAINING

The Travis County Sheriff's Office recognizes the importance of addressing racial profiling. With the assistance of internal policies and state regulations, specialized training guides officers. In 2022, 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. Additional training continues to be available for several relevant topics, such as Cultural Diversity, Interpersonal Communication Skills and, Arrest Search and Seizure.

In 2020, TCSO began certifying 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

In 2022, TCSO began implementing body worn cameras, and as of February 7, 2023, we have issued 243; to date almost every patrol deputy and supervisor has one. Our next step is to issue them to detectives and those not assigned to daily patrol functions. TCSO values the increased transparency afforded by body worn cameras and is developing innovative ways to introduce them into procedures.

## 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, 2022, and the report was generated on February 6, 2023.

**TOTAL STOPS 18,327**

Street Address or Approximate Location of Stop	
City Street	3,576
US Highway	2,786
County Road	9,442
State Highway	2,363
Private Property	160

Race or Ethnicity	
Alaska Native / American Indian	136
Asian / Pacific Islander	762
Black	2,345
White	9,373
Hispanic / Latino	5,711

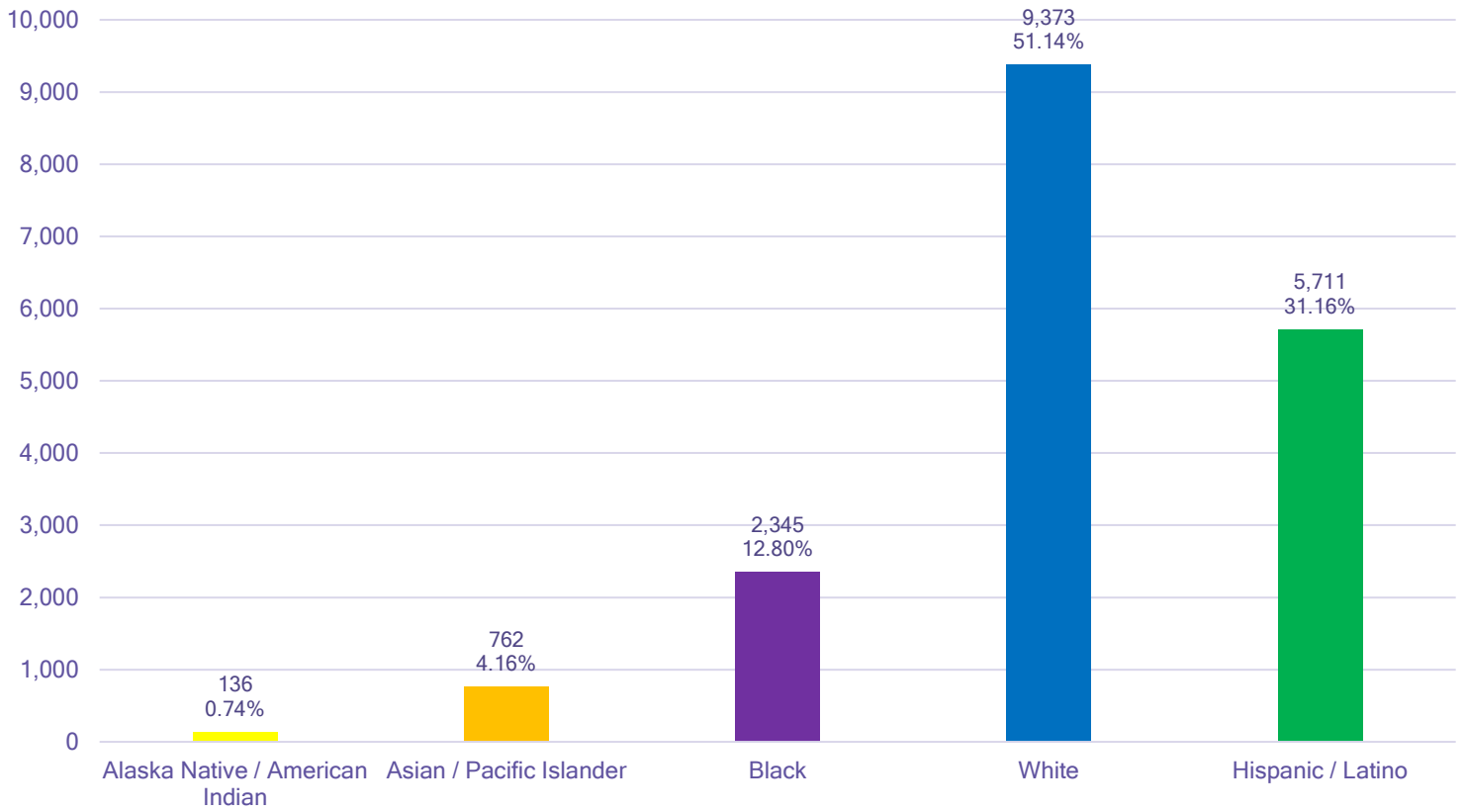
Was Race or Ethnicity Known Prior to Stop	
Yes	334
No	17,993

Female	
Alaska Native / American Indian	40
Asian / Pacific Islander	285
Black	849
White	3,347
Hispanic / Latino	1,656
<b>TOTAL</b>	<b>6,177</b>

Male	
Alaska Native / American Indian	96
Asian / Pacific Islander	477
Black	1,496
White	6,026
Hispanic / Latino	4,055
<b>TOTAL</b>	<b>12,150</b>



### TCSO Contacts by Race



# 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 2022, 107 (0.58%) 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	136
Asian / Pacific Islander	1	761
Black	12	2,333
White	63	9,310
Hispanic / Latino	31	5,680
<b>TOTAL</b>	<b>107</b>	<b>18,220</b>

Was Contraband Discovered?	Yes	No
Alaska Native / American Indian	0	136
Asian / Pacific Islander	1	761
Black	3	2,342
White	32	9,341
Hispanic / Latino	15	5,696
<b>TOTAL</b>	<b>51</b>	<b>18,276</b>

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	1	0	0
Black	4	2	5	0	1
White	15	10	22	5	11
Hispanic / Latino	4	4	13	4	6
<b>TOTAL</b>	<b>23</b>	<b>16</b>	<b>41</b>	<b>9</b>	<b>18</b>

Description of Contraband					
Race / Ethnicity	Drugs	Alcohol	Weapons	Property	Other
Alaska Native / American Indian	0	0	0	0	0
Asian / Pacific Islander	1	0	0	0	0
Black	2	0	1	0	0
White	21	1	1	1	8
Hispanic / Latino	10	4	0	0	1
<b>TOTAL</b>	<b>34</b>	<b>5</b>	<b>2</b>	<b>1</b>	<b>9</b>

# 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	119	17	0	0
Asian / Pacific Islander	633	129	0	0
Black	1,905	438	1	1
White	7,928	1,437	6	2
Hispanic / Latino	4,139	1,566	4	2
<b>TOTAL</b>	<b>14,724</b>	<b>3,587</b>	<b>11</b>	<b>5</b>

List 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	0	0	0
Black	0	0	1	0
White	4	0	7	0
Hispanic / Latino	2	2	3	0
<b>TOTAL</b>	<b>6</b>	<b>2</b>	<b>11</b>	<b>0</b>

## 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	136
Asian / Pacific Islander	0	762
Black	0	2,345
White	0	9,373
Hispanic / Latino	0	5,711
<b>TOTAL</b>	<b>0</b>	<b>18,327</b>

Number of Complaints of Racial Profiling	
Resulted in Disciplinary Action	0
Did not result in Disciplinary Action	0
<b>TOTAL</b>	<b>0</b>



# RACIAL PERCENTAGES & CENSUS INFORMATION

Race / Ethnicity	Total of Traffic Stops or Detentions		Citations		Warnings	
	Total	%	Total	%	Total	%
Alaska Native / American Indian	136	0.74%	17	0.09%	119	0.65%
Asian / Pacific Islander	762	4.16%	129	0.70%	633	3.45%
Black	2,345	12.80%	439	2.40%	1,906	10.40%
White	9,373	51.14%	1,439	7.85%	7,934	43.29%
Hispanic / Latino	5,711	31.16%	1,568	8.56%	4,143	22.61%
<b>TOTAL</b>	<b>18,327</b>	<b>100.00%</b>	<b>3,592</b>	<b>19.60%</b>	<b>14,735</b>	<b>80.40%</b>

The Metropolitan Statistical Area (SMSA) includes Bastrop, Caldwell, Hays, Williamson, and Travis Counties combined.

Census Data <sup>2</sup>	Travis County	SMSA
Alaska Native / American Indian	1.20%	1.30%
Asian / Pacific Islander	7.90%	4.10%
Black	9.10%	7.02%
White	48.40%	48.14%
Hispanic / Latino	33.40%	39.44%

TCSO employee racial breakdown as of January 2023

Race / Ethnicity	TCSO all employees	LE civilian & sworn	LE sworn
Alaska Native / American Indian	0.20%	0.30%	0.30%
Asian or Pacific Islander	2.00%	1.30%	0.90%
Black/Not Hispanic origin	12.80%	8.30%	7.30%
Hispanic	32.80%	27.20%	27.20%
White/Not Hispanic origin	52.20%	62.90%	64.30%

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

## 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. Each audit includes the same data that is reported in the TCOLE Racial Profile Report for similar comparison. These audits will continue to occur.

Date of Audit	Outcome of Audit
April 19, 2022	Data was reviewed and proved to be valid
July 28, 2022	Data was reviewed and proved to be valid
October 28, 2022	Data was reviewed and proved to be valid

## HISTORICAL DATA

The following tables give historical numbers related to overall contacts for 2016 through 2022. 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 continued to impact traffic enforcement, keeping the numbers similar to 2020 and 2021.

Gender	2016	2017	2018	2019	2020	2021	2022
Female	11,325	14,967	12,218	14,438	5,742	6,396	6,177
Male	19,736	24,762	22,319	25,310	11,497	12,836	12,150
<b>TOTAL</b>	<b>31,061</b>	<b>39,729</b>	<b>34,537</b>	<b>39,748</b>	<b>17,239</b>	<b>19,232</b>	<b>18,327</b>

Race / Ethnicity	2016	2017	2018	2019	2020	2021	2022
Alaska Native / American Indian	92	25	33	274	93	137	136
Asian / Pacific Islander	935	1,258	1,376	1,694	707	786	762
Black	3,198	4,402	4,128	4,592	2,190	2,170	2,345
White	17,207	22,364	19,253	22,789	9,226	10,540	9,373
Hispanic / Latino	9,276	11,304	9,747	10,309	5,023	5,599	5,711
Middle Eastern*	353	376	NA*	NA*	NA*	NA*	NA*
<b>TOTAL</b>	<b>31,061</b>	<b>39,729</b>	<b>34,537</b>	<b>39,658</b>	<b>17,239</b>	<b>19,232</b>	<b>18,327</b>

Each A\* - no longer separated for the report