

Houston Police Department

2009 Annual Racial Profiling Statistical and Comparative Report



As required by Texas Code of Criminal Procedure, Chapter 2: Article 2.134

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REPORT SUMMARY

Each year, by the first of March, Texas law enforcement agencies are required to provide to their governing board an annual report reflecting the prior year's data on motor vehicle stops, searches, and race/ethnicity. This report is meant to meet the state requirement and provides a narrative – along with tables and attached spreadsheets – on Houston, Texas motor vehicle stops and their disposition, search status and stop reason as they relate to race/ethnicity.

The legal bases for the reporting of this information are Articles 2.134 and 3.05 of the Texas Code of Criminal Procedure. Article 2.134 states, in relevant part, “that each local law enforcement agency shall submit a report containing ... a comparative analysis [and] information relating to each complaint filed with the agency alleging that a peace officer ... engaged in racial profiling.” Article 3.05 of the Texas Code of Criminal Procedure defines racial profiling as “a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.”

The Department strives to preserve liberty and justice for all, and to demonstrate professionalism. The Houston Police Department does not condone racial profiling and takes any concern regarding officer lack of adherence to laws and policies prohibiting racial profiling seriously.

The Houston Police Department began reporting racial profiling statistics in 2002. Several persistent patterns regarding motor vehicle stops were identified in the early years that continue to be observed and are the focus of creative and effective police initiatives. The geographic areas with high volumes of calls for police service and “hot spot” areas with repeat calls involving drug activity and serious crimes are positively correlated to higher levels of motor vehicle stop activity and searches. The 2009 annual report reveals the same pattern, with small, but statistically significant (i.e. large numerical values and changes of close to +/- 5.0 percent) differences in four areas:

1. Citations: There was a significant decrease in the number of citations issued when compared to the number of motor vehicle stops made. The number of citations issued decreased by nearly 85,000 while motor vehicle stops decreased by about 12,000. In keeping, the number of stopped motorists who were issued citations decreased by more than 42,000.
2. Warnings: There was an increase in the percentage from the total at which warnings were given to motorists who were stopped for motor vehicle violations. The percentage of warnings increased by 3.9 percent, or 19,565 incidents.
3. Citations for Moving Violations: There was a significant decrease, 5.8 percent, of motorists who were ticketed as a result of a moving traffic violation (N=-35,457).
4. No Search Stops: There was a notable decrease in the number of all motor vehicle stops made for moving traffic violations in which motorists were not searched. The decrease amounted to -12,973 stops, or -1.1 percent.

Equally as significant is the observation that the ratio of stops to citations decreased from 1:1.73 (2008) to 1:1.61 (2009). During 2009, a total of 522,122 stops were made, while 533,858

were initiated during 2008. (The 2008 Racial Profiling Report showed that in 2008, there were 533,830 motor vehicle stops. The change is partly attributable to reclassification of certain stops and is relatively minor when considering the large number of stops.) At the same time, 839,408 citations were issued in 2009, compared to 924,049 in 2008. (See **Table A**).

In terms of race/ethnicity, the most significant percentage changes are noted in the number of Black motorists who were arrested (-5.2 percent) or released (-4.8 percent). Also, the percentage of White motorists who were arrested increased 4.4 percent. Each of these categories – released and arrested – account for about 17 percent of all motor vehicle stops. For Blacks, the bulk of the decrease in incidents that resulted in arrests and releases were from non-moving traffic stops (N=-1,516 and -3,307, respectively).

In summary, officers made fewer stops in 2009 than in 2008. Those stopped were less likely to be issued a ticket and more likely to be warned. Also, motorists stopped as a result of a moving traffic violation were less likely to be ticketed.

For more details, refer to the charts that follow, or refer to the report sections on 2009 statistics and the comparative analysis.

Table A. Motor Vehicle Stops and Citations Issued: 2008 – 2009 Comparison

Year	Motor Vehicle Stops	Citations
2008	533,858	924,049
2009	522,122	839,408

The number of citations issued by the Metropolitan Transit Authority (METRO) are not analyzed in this report but are available in **Appendix D**. Also, citations issued do not include those issued as a result of red light cameras erected at intersections throughout the city limits of Houston as part of the Digital Auto Red Light Enforcement Program (DARLEP).

In comparing the 2009 racial profiling data to the 2008 data, the following comparisons relate to race/ethnicity:

Table B. Motor Vehicle Stops by Race/Ethnicity: 2008 – 2009 Comparison

Race/Ethnicity	2008	2009	Difference *
Asian/Pacific Islander	4.0%	3.6%	-0.4
Black	34.9%	33.5%	-1.4
Hispanic	32.2%	33.4%	1.2
White	28.8%	29.5%	0.7
Native American	0.0%	0.0%	0.0
Middle Eastern**	N/A	0.0%	N/A
Total	100.0%	100.0%	0.0

* Difference is numeric change in percentage when comparing 2009 to 2008 data; it is not percent change. Positive differences are increases in 2009 over 2008 data, while negative values are decreases.

** Middle Eastern as a category was not captured prior to September 2009. Statistics reported in this report were for September to December 2009 only and do not reflect a full year of data.

Table B. Comparison of each race/ethnic by year reveals the range of difference to be between -1.4 percent (Black) to +1.2 percent (Hispanic). The largest change was a decrease in the number of motorists in the Black category which were stopped (N=-11,631). See **Table C** below.

Table C. Change in Motor Vehicle Stop Disposition: 2008 – 2009 Comparison

Disposition	Asian/ P.I.	% of Disposition	Black	% of Disposition	Hispanic	% of Disposition	White	% of Disposition	Native American	% of Disposition	Middle Eastern	% of Disposition
Arrested	28	-0.3%	-1,580	-5.2%	3,541	1.0%	6,354	4.4%	35	0.0%	10	0.0%
Released	-223	-0.3%	-3,315	-4.8%	3,052	2.6%	2,885	2.5%	5	0.0%	26	0.0%
Ticketed	-3,255	-0.5%	-13,573	-0.4%	-11,625	1.0%	-13,730	-0.2%	6	0.0%	58	0.0%
Warned	692	-0.1%	6,837	-2.7%	7,399	3.0%	4,590	-0.2%	19	0.0%	28	0.0%
Total	-2,758	-0.4%	-11,631	-1.4%	2,367	1.2%	99	0.7%	65	0.0%	122	0.0%
		of all Detentions	Total	of all Detentions	Total	of all Detentions	Total	of all Detentions	Total	of all Detentions	Total	of all Detentions

Table C provides comparative data between motor vehicle stop disposition for each race/ethnicity. The largest decreases occurred in the Black and White categories that were Ticketed; there were 13,573 fewer Black motorists and 13,730 fewer White motorists. However, when accounting for the large number of overall stops, the largest changes were seen in the number of Black motorists who were Arrested (a decrease of 5.2 percent) and White motorists who were Arrested (an increase of 4.4 percent).

Table D. Change in Motor Vehicle Stop Searches: 2008 – 2009 Comparison

Search Status	Asian/ P.I.	% of Search	Black	% of Search	Hispanic	% of Search	White	% of Search	Native American	% of Search	Middle Eastern	% of Search
Consent Search	-28	-0.2%	-658	-5.6%	743	3.9%	359	1.9%	-3	0.0%	6	0.0%
Incident to Arrest	2	0.0%	-1,040	-5.3%	771	3.7%	319	1.5%	2	0.0%	3	0.0%
No Search	-2,709	-0.5%	-9,208	-1.1%	1,057	1.0%	-567	0.6%	69	0.0%	113	0.0%
Plain View	4	0.2%	-54	-7.0%	99	5.6%	29	1.3%	-1	-0.1%	0	0.0%
Probable Cause Search	-27	-0.3%	-671	-1.9%	-303	0.6%	-41	1.6%	-2	0.0%	0	0.0%
	-2,758 Total	-0.4% of all Detentions	-11,631 Total	-1.4% of all Detentions	2,367 Total	1.2% of all Detentions	99 Total	0.7% of all Detentions	65 Total	0.0% of all Detentions	122 Total	0.0% of all Detentions

Table D is a comparison of searches conducted subsequent to a motor vehicle stop. The most significant percentage difference occurred in the Black category for Consent Search, where 5.6 percent fewer motorists consented to searches. The largest increase was in the Hispanic category for Plain View Search, where there was an increase of 5.6 percent.

Table E. 1. Motor Vehicle Stop Reason and Disposition: 2008 – 2009 Comparison

Stop Reason	Stop Disposition	Asian/ P.I.	Black	Hispanic	White	Native American	Middle Eastern	Total %
Moving Traffic	Arrested	-0.6%	-4.7%	1.7%	3.5%	0.0%	0.0%	2.1%
	Released	-0.2%	-4.1%	2.9%	1.3%	0.0%	0.0%	0.9%
	Ticketed	-0.5%	-0.4%	0.8%	0.1%	0.0%	0.0%	-5.8%
	Warned	0.0%	-2.6%	2.4%	0.1%	0.0%	0.1%	2.1%
Investigation	Arrested	0.0%	-80.0%	0.0%	-20.0%	0.0%	0.0%	0.0%
	Released	-20.0%	-40.0%	-20.0%	-20.0%	0.0%	0.0%	0.0%
	Ticketed	0.0%	-100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Warned	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Non-Moving Traffic	Arrested	0.1%	-3.9%	-0.5%	4.2%	0.1%	0.0%	-0.1%
	Released	-0.5%	-5.1%	2.5%	3.1%	0.0%	0.0%	0.0%
	Ticketed	-0.3%	-0.6%	0.9%	0.1%	0.0%	0.0%	-0.9%
	Warned	-0.4%	-2.2%	3.6%	-1.1%	0.0%	0.0%	1.8%
Stolen/ Wanted	Arrested	-0.7%	-3.9%	1.8%	2.8%	0.0%	0.0%	0.0%
	Released	-6.0%	8.3%	-2.0%	-0.3%	0.0%	0.0%	0.0%
	Ticketed	-1.3%	0.6%	-9.3%	10.0%	0.0%	0.0%	0.0%
	Warned	0.0%	-33.3%	30.0%	3.3%	0.0%	0.0%	0.0%
		-0.4% of all Detentions	-1.4% of all Detentions	1.2% of all Detentions	0.7% of all Detentions	0.0% of all Detentions	0.0% of all Detentions	0.0%

Table E. 1. represents comparative data by percent change for motorists stopped broken down by stop reason, then stop disposition for each race/ethnicity. Large percentage changes reflect small changes in actual values across the two time periods. For example, one Investigation was conducted on a Black motorist in 2008 and none was issued in 2009. The 100 percent decrease is decidedly minor.

Table E. 2. Motor Vehicle Stop Reason and Disposition: 2008 – 2009 Comparison

Stop Reason	Stop Disposition	Asian/ P.I.	Black	Hispanic	White	Native American	Middle Eastern	Number
Moving Traffic	Arrested	19	58	4,079	5,519	15	8	9,698
	Released	62	-12	2,177	1,568	-3	19	3,811
	Ticketed	-2,842	-10,664	-9,485	-12,501	-6	41	-35,457
	Warned	516	3,412	3,612	3,115	6	17	10,678
Investigation	Arrested	0	-4	0	-1	0	0	-5
	Released	-1	-2	-1	-1	0	0	-5
	Ticketed	0	-1	0	0	0	0	-1
	Warned	0	0	0	0	0	0	0
Non-Moving Traffic	Arrested	16	-1,516	-507	841	20	2	-1,144
	Released	-280	-3,307	877	1,318	8	7	-1,377
	Ticketed	-411	-2,903	-2,120	-1,239	12	17	-6,644
	Warned	176	3,427	3,786	1,475	13	11	8,888
Stolen/ Wanted	Arrested	-7	-118	-31	-5	0	0	-161
	Released	-4	6	-1	0	0	0	1
	Ticketed	-2	-5	-20	10	0	0	-17
	Warned	0	-2	1	0	0	0	-1
		-2,758	-11,631	2,367	99	65	122	-11,736
		Total	Total	Total	Total	Total	Total	

Table E. 2. provides changes in value for stop reason and stop disposition. The changes in dispositions for the Investigation and Stolen/Wanted stops are very small, ranging from -161 to 1, when considering the difference between total stops was -11,736 in both years studied. When considering Moving Traffic stops, the largest change was seen in the Ticketed disposition: There were 35,457 fewer drivers ticketed under this stop reason.

Table F. 1. Results of Motor Vehicle Stop Reason and Search: 2008 – 2009 Comparison

Stop Reason	Search	Asian/ P.I.	Black	Hispanic	White	Native American	Middle Eastern	Total %
Moving Traffic	Consent Search	-0.4%	-6.4%	5.4%	1.4%	0.0%	0.1%	0.3%
	Incident to Arrest	-0.1%	-6.8%	5.2%	1.6%	0.0%	0.0%	0.2%
	No Search	-0.5%	-1.0%	0.9%	0.5%	0.0%	0.0%	-1.1%
	Plain View	-0.4%	-9.2%	9.6%	0.0%	0.0%	0.0%	0.0%
	Probable Cause Search	-0.2%	1.0%	-2.3%	1.6%	0.0%	0.0%	0.0%
Investigation	Consent Search	0.0%	-33.3%	0.0%	-66.7%	0.0%	0.0%	0.0%
	Incident to Arrest	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	No Search	-25.0%	-50.0%	-25.0%	0.0%	0.0%	0.0%	0.0%
	Plain View	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Probable Cause Search	0.0%	-100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Non-Moving Traffic	Consent Search	-0.1%	-4.7%	2.6%	2.1%	0.0%	0.0%	-0.1%
	Incident to Arrest	0.1%	-3.6%	2.2%	1.3%	0.0%	0.0%	0.0%
	No Search	-0.3%	-1.8%	0.9%	1.2%	0.0%	0.0%	1.0%
	Plain View	0.9%	-4.3%	1.1%	2.5%	-0.1%	0.0%	0.0%
	Probable Cause Search	-0.3%	-3.7%	2.8%	1.3%	0.0%	0.0%	-0.1%
Stolen/ Wanted	Consent Search	-4.9%	1.7%	-5.6%	8.7%	0.0%	0.0%	0.0%
	Incident to Arrest	-0.6%	0.0%	0.6%	0.0%	0.0%	0.0%	0.0%
	No Search	-2.0%	-6.1%	0.2%	7.9%	0.0%	0.0%	0.0%
	Plain View	0.0%	-22.2%	11.1%	11.1%	0.0%	0.0%	0.0%
	Probable Cause Search	0.0%	-10.4%	-1.7%	12.1%	0.0%	0.0%	0.0%
		-0.4%	-1.4%	1.2%	0.7%	0.0%	0.0%	0.0%
		of all	of all					
		Detentions	Detentions	Detentions	Detentions	Detentions	Detentions	

Table F. 1. represents the percentage point difference for stop reason and search status. The percentage changes show relatively small changes. Where large percentages are shown, these reflect small fluctuations in actual values.

Table F. 2. Results of Motor Vehicle Stop Reason and Search: 2008 – 2009 Comparison

Stop Reason	Search	Asian/ P.I.	Black	Hispanic	White	Native American	Middle Eastern	Number
Moving Traffic	Consent Search	-12	247	798	291	-1	6	1,329
	Incident to Arrest	4	-334	691	260	-2	1	620
	No Search	-2,224	-6,985	-993	-2,865	16	78	-12,973
	Plain View	-2	-21	92	12	0	0	81
	Probable Cause Search	-11	-113	-205	3	-1	0	-327
Investigation	Consent Search	0	-1	0	-2	0	0	-3
	Incident to Arrest	0	0	0	0	0	0	0
	No Search	-1	-2	-1	0	0	0	-4
	Plain View	0	0	0	0	0	0	0
	Probable Cause Search	0	-4	0	0	0	0	-4
Non-Moving Traffic	Consent Search	-14	-908	-55	64	-2	0	-915
	Incident to Arrest	3	-635	112	81	4	2	-433
	No Search	-478	-2,187	2,066	2,284	53	35	1,773
	Plain View	6	-31	6	16	-1	0	-4
	Probable Cause Search	-16	-538	-93	-50	-1	0	-698
Stolen/ Wanted	Consent Search	-2	4	0	6	0	0	8
	Incident to Arrest	-5	-71	-32	-22	0	0	-130
	No Search	-6	-34	-15	14	0	0	-41
	Plain View	0	-2	1	1	0	0	0
	Probable Cause Search	0	-16	-5	6	0	0	-15
		-2,758	-11,631	2,367	99	65	122	-11,736
		Total	Total	Total	Total	Total	Total	

Table F. 2. provides values for stop reason and search status. The most significant observation involves the number of No Search events in the Moving Traffic stop reason: There were 12,973 fewer No Search events involving Moving Traffic stops, meaning that fewer Moving Traffic stops were initiated and at the same time fewer searches were conducted. There largest increases were seen in the No Search event in the Non-Moving Traffic category, where there was an increase of 1,773 stops, and in the Consent Search event in the Moving Traffic stop reason, where there was an increase of 1,329 stops.

The largest decrease was seen in the Black category, where there were 6,985 fewer motorists who were part of a No Search Moving Traffic stop. White motorists saw the largest numerical increase, where 2,284 more motorists were part of a No Search Non-Moving Traffic stop.

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2009 Motor Vehicle Stops

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FORMAT OF REPORT

In order to comply with the reporting requirements delineated above, the Houston Police Department developed a computer program to capture data related to detentions effected by Houston police officers while performing their duties as police officers (the RP Data System©). Officers are provided with access to the computer program via their laptop computer, their division's desktop computers, their in-car mobile data terminal (MDT), or through a handheld computer for ticket writing. Once entered, this data can be compiled into a report for a predetermined date range. This report can be used to make general interpretations regarding stops, searches, and race/ethnicity.

The RP Data System program includes drop down menus with race code definitions prescribed by the U.S. Department of Justice (race code definitions, December, 2000). Stop dispositions include arrest, release, ticket, and warning. Arrest includes situations in which the vehicle operator is taken into custody and placed in a detention facility or placed directly into the Harris County, Ft. Bend County, Montgomery County, or Brazoria County jails for a municipal offense, a *capias*, a warrant, or when the officer has probable cause to believe a crime or breach of the peace has been committed and the arrest is reviewed by a supervisor or an assistant district attorney. A release occurs when an officer exercises discretion to enable the motorist to leave the scene with no action taken. Examples include when the motorist provides an acceptable explanation for the action or omission that drew the officer's attention resulting in the traffic stop. A ticket situation involves any event in which the motorist is given a summons to municipal court to answer the citation issued. A warning occurs when the officer admonishes the operator or when no further action is necessary.

Search categories include consent, incident to arrest, plain view, no search, and a probable cause search. Consent is present when either through verbal or written form, the vehicle operator gives affirmation for the officer to search the operator's vehicle. A search incident to arrest occurs when the officer arrests the motorist and searches the person or the vehicle for safety and inventory purposes. Plain view searches occur when officers visually observe the visible portions of the operator's vehicle without movement of coverings, opening of a trunk or glove compartment, etc. No search status occurs when, with the exception of a plain view search or safety search, the officer does not conduct a detailed search. A probable cause search occurs when an officer perceives certain articulable details, actions or omissions on the part of the motorist that exceed an officer's "reasonable suspicion" that a felony or breach of the peace has or will occur.

The "Released" stop disposition is comprised of detentions in which it was determined that further enforcement action or intervention was unnecessary. The "Warned" stop disposition involves detentions where a verbal warning was given and recorded. Officers do not issue warning citations, and a form for this activity does not exist. However, officer discretion allows verbal warnings.

A "Probable Cause Search" is comprised of those detentions where a search was conducted of a person or vehicle based upon probable cause. Probable cause searches include searches conducted as a result of arrest.

Probable cause is the standard of suspicion required for formal police action. It includes evidence and observations that lead a reasonable person to believe that a suspect has committed or will imminently commit a crime. Experience, information, and circumstantial and other factors are considered in the officer's decision to take police action and stop a motorist.

Definitions

The following are terms commonly used within the text of this report.

Racial profiling is defined as a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity (Texas Code of Criminal Procedure, Article 3.05). A Resource Guide on Racial Profiling Data Collection Systems (2000) published by the U.S. Department of Justice defines racial profiling as:

Any police-initiated action that relies on the race, ethnicity or national origin rather than the behavior of an individual or information that leads the police to a particular individual who has been identified as being, or having been, engaged in criminal activity. Narrowly defined, this means that contact is initiated with a minority because that individual is a minority, and not because that individual has behaved inconsistently with the law. More broadly defined, it means that contact is initiated with a minority in part because that individual is a minority.

Further, Lamberth Consulting states:

Racial profiling is often discussed in the context of police-initiated motor vehicle stops and often occurs due to factors such as the belief that minorities carry drugs or commit crimes more frequently than non-minorities. Thus, the most publicized form of racial profiling occurs when a police officer stops a minority on the roadway. Profiling may occur in other contexts as well, such as searches by the Immigrations and Customs Enforcement Agency, activities of the Drug Enforcement Agency, police-initiated pedestrian stops, and state/national parks enforcement. Within this expanded context, racial profiling can be thought of as the inappropriate use of public authority when interacting with minorities." (<http://lamberthconsulting.com/>, retrieved February 17, 2009).

Race or Ethnicity is defined as a person's particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent (Texas Code of Criminal Procedure, Article 3.132). Refer to Legal/Procedural Requirements, **page 12**, for race/ethnicity definitions used in this report.

Motor Vehicle Stop is defined as an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance or other investigative purpose that results in the detention of the driver or passenger (§2.132 (b)(6), Texas Code of Criminal Procedure (2005)).

Methodology

Data from the 2009 annual reports were compared to data compiled for calendar year 2008. **Table 1** indicates the number of complaints alleging racial profiling that were received by the police department along with their disposition. **Tables 2 – 8** reveal the racial profiling statistics in descriptive form for calendar year 2009. Finally, **Tables 9 – 12** serve to compare 2008 to 2009 descriptive statistics on race/ethnicity and motor vehicle stops and searches.

The comparison tables report numeric change only and not percent change.

Factors That May Contribute to Decreases in Motor Vehicle Stops by Police

Motor vehicle stop data and citations issued during 2009 showed a significant decrease over the prior year. Possible reasons for the decrease in stops and citations include efforts at traffic management through the Mobility Incident Management Division and the Digital Automated Red Light Enforcement Program (DARLEP), which issued citations across 70 locations throughout the city. The DARLEP program began in September 2006, with a focus on ten high-traffic accident intersections.

Other factors that may have contributed toward decreases in motor vehicle stops include:

- The driving public's adherence to traffic laws, and
- A change in driving habits/demographics in response to increased fuel costs and/or economic conditions.

The 2009 comparative report indicates modest increases and decreases in many categories of stop type and search status. While two categories showed increases of up to 19,595 or decreases of 42,119, most categories remained within +/-1,000.

During 2009 there were 11,736 fewer motor vehicle stops and 84,641 fewer citations written. The motor vehicle stop-to-citation ratio decreased from 1:1.73 to 1:1.61. Finally, the department's major crime initiatives focused on reduction of violent crimes and on hiring officers to both meet the levels of attrition and necessary growth.

RACIAL PROFILING ALLEGATIONS

Table 1 summarizes the number of citizen complaints made in which racial profiling was alleged. There were no racial profiling allegations reported in 2009. The 2008 analysis of complaints made by citizens alleging racial profiling reveals that nine stops were reported and investigated.

Table 1. Comparison of Citizen Complaints and Complaint Clearances

Clearance Classification								
Year	Sustained	Not Sustained	Never Formalized	Unfounded	Active	Information	Exonerated	Total
2008	0	4	0	2	0	2	1	9
Percent	0.0%	44.4%	0.0%	22.2%	0.0%	22.2%	11.1%	100.0%
2009	0	0	0	0	0	0	0	0
Percent	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

The definition of clearance terms is as follows:

- Sustained – evidence is sufficient to prove the allegation;
- Not sustained – insufficient evidence to either prove or disprove the allegation;
- Never formalized** – an affidavit with specific details regarding the allegation was not submitted by the complainant;
- Unfounded – allegation is false or not factual;
- Active – the allegation is currently being investigated;
- Information – the complaint was not made in written form, specific details were not available, and the inquiry did not indicate a policy or law violation.
- Exonerated – the incident occurred but was lawful and proper.

** Chapter 143.123(f) of the Texas Local Government Code, states, in relevant part, that interrogation of a police officer will not occur until sworn statements are made by the Affiant.

2009 MOTOR VEHICLE STOPS

The following tables report motor vehicle stop data captured for 2009 and are available in full format in **Appendix B**. Statistics pertaining to Middle Eastern motorists were captured beginning in September 2009 and do not reflect full year statistics.

Table 2. Overview of Motor Vehicle Stops by Race/Ethnicity

Disposition	Asian/ P.I.	% of Race
Asian/P.I.	18,695	3.6%
Black	174,657	33.5%
Hispanic	174,176	33.4%
White	154,103	29.5%
Native American	369	0.0%
Middle Eastern	122	0.0%
Total	522,122	100.0%

The total number of motor vehicle stops recorded by Houston police officers for calendar year 2009 amounted to 522,122.

Table 3. Disposition by Race/Ethnicity

Disposition	Asian/ P.I.	Black	Hispanic	White	Native American	Middle Eastern	Number
Arrested	2,747	29,267	29,723	29,403	59	10	91,209
Released	2,475	38,846	28,111	22,818	53	26	92,329
Ticketed	11,196	82,253	97,361	87,616	222	58	278,706
Warned	2,277	24,291	18,981	14,266	35	28	59,878
Total	18,695	174,657	174,176	154,103	369	122	522,122
Percent	3.6%	33.5%	33.4%	29.5%	0.0%	0.0%	100.0%

Table 3 displays the disposition of the motor vehicle stops represented in **Table 2**, by race/ethnicity. Motorists were Ticketed in 53.4 percent of the motor vehicle stops recorded in 2009. Officers arrested or released motorists by nearly the same percentage: 17.5 and 17.7 percent, respectively.

Table 4. Disposition as a Percentage of Race/Ethnicity

Disposition	Asian/ P.I.	Black	Hispanic	White	Native American	Middle Eastern	Total %
Arrested	14.7%	16.8%	17.1%	19.1%	16.0%	8.2%	17.5%
Released	13.2%	22.2%	16.1%	14.8%	14.4%	21.3%	17.7%
Ticketed	59.9%	47.1%	55.9%	56.9%	60.2%	47.5%	53.4%
Warned	12.2%	13.9%	10.9%	9.3%	9.5%	23.0%	11.5%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Table 4 displays the disposition of motor vehicle stops, represented in **Table 3**, as a percentage of race/ethnicity (e.g. 14.7 percent of all Asian/P.I. motorists detained were arrested, whereas 13.2 percent were released, 59.9 percent were ticketed, and 12.2 percent were warned).

Table 5. Race/Ethnicity as a Percentage of Disposition

Disposition	Asian/ P.I.	Black	Hispanic	White	Native American	Middle Eastern	Total %
Arrested	3.0%	32.1%	32.6%	32.2%	0.1%	0.0%	17.5%
Released	2.7%	42.1%	30.4%	24.7%	0.1%	0.0%	17.7%
Ticketed	4.0%	29.5%	34.9%	31.4%	0.1%	0.0%	53.4%
Warned	3.8%	40.6%	31.7%	23.8%	0.1%	0.0%	11.5%
Total	3.6%	33.5%	33.4%	29.5%	0.0%	0.0%	100.0%

Table 5 displays the race/ethnic groups represented in **Table 3** as a percentage of the total number of motor vehicle stop dispositions. The values in the cells were derived by dividing the number of dispositions by race/ethnicity by the total number of motor vehicle stops for each disposition (e.g. the 2,747 Asian/P.I. motorists who were arrested represent 3.0 percent of the 91,209 motorists who were arrested). Black, Hispanic, and White motorists accounted for the largest percentage of motor vehicle stops.

Table 6. Search Status by Race/Ethnicity

Search Status	Asian/ P.I.	Black	Hispanic	White	Native American	Middle Eastern	Number
Consent Search	149	8,509	5,111	2,285	2	6	16,062
Incident to Arrest	247	9,201	7,422	3,412	9	3	20,294
No Search	18,235	153,202	159,199	147,316	357	113	478,422
Plain View	15	691	467	220	0	0	1,393
Probable Cause Search	49	3,054	1,977	870	1	0	5,951
Total	18,695	174,657	174,176	154,103	369	122	522,122
Percent	3.6%	33.5%	33.4%	29.5%	0.1%	0.0%	100.0%

Table 6 displays the types of searches conducted for all races/ethnicities.

Table 7. Race/Ethnicity as Percentage of Search Status

Search Status	Asian/ P.I.	Black	Hispanic	White	Native American	Middle Eastern	Total %
Consent Search	0.8%	4.9%	2.9%	1.5%	0.5%	4.9%	3.1%
Incident to Arrest	1.3%	5.3%	4.3%	2.2%	2.4%	2.5%	3.9%
No Search	97.5%	87.7%	91.4%	95.6%	96.7%	92.6%	91.6%
Plain View	0.1%	0.4%	0.3%	0.1%	0.0%	0.0%	0.3%
Probable Cause Search	0.3%	1.7%	1.1%	0.6%	0.3%	0.0%	1.1%
Total	3.6%	33.5%	33.4%	29.5%	0.1%	0.0%	100.0%

Table 7 displays the types of searches represented in **Table 6** as a percentage of race/ethnicity (e.g. 1.5 percent of all White motorists stopped consented to a search, whereas 2.2 percent were searched incident to arrest, 95.6 percent were not searched, 0.1 percent underwent a plain view search, and 0.6 percent were searched due to probable cause).

Table 8. Race/Ethnicity as a Percentage of Search Status

Search Status	Asian/ P.I.	Black	Hispanic	White	Native American	Middle Eastern	Total %
Consent Search	0.9%	53.0%	31.8%	14.2%	0.0%	0.0%	3.1%
Incident to Arrest	1.2%	45.3%	36.6%	16.8%	0.0%	0.0%	3.9%
No Search	3.8%	32.0%	33.3%	30.8%	0.1%	0.0%	91.6%
Plain View	1.1%	49.6%	33.5%	15.8%	0.0%	0.0%	0.3%
Probable Cause Search	0.8%	51.3%	33.2%	14.6%	0.0%	0.0%	1.1%
Total	3.6%	33.5%	33.4%	29.5%	0.1%	0.0%	100.0%

Table 8 provides information relative to the percentage of search status per race/ethnic group. This table displays the percent calculation from numerical values in each cell of **Table 6** data.

2008 – 2009 COMPARISON

The information provided in the next set of tables compares 2008 data to 2009 data. For all charts that follow, the Middle Eastern category reveals increases because no data was captured prior to September 2009. As such, the quantities in cells corresponding to Middle Easterners are not true comparisons, but the September to December 2009 quantities minus zero: All Middle Eastern categories will show a positive number.

The data reveals decreases in every cell for the Asian/P.I. and Black category.

Table 9. 2008 – 2009 Comparison of Stop Dispositions

Disposition	Asian/ P.I.	% of Disposition	Black	% of Disposition	Hispanic	% of Disposition	White	% of Disposition	Native American	% of Disposition	Middle Eastern	% of Disposition	Total %
Arrested	28	-0.3%	-1,580	-5.2%	3,541	1.0%	6,354	4.4%	35	0.0%	10	0.0%	2.0%
Released	-223	-0.3%	-3,315	-4.8%	3,052	2.6%	2,885	2.5%	5	0.0%	26	0.0%	0.8%
Ticketed	-3,255	-0.5%	-13,573	-0.4%	-11,625	1.0%	-13,730	-0.2%	6	0.0%	58	0.0%	-6.7%
Warned	692	-0.1%	6,837	-2.7%	7,399	3.0%	4,590	-0.2%	19	0.0%	28	0.0%	3.9%
	-2,758	-0.4%	-11,631	-1.4%	2,367	1.2%	99	0.7%	65	0.0%	122	0.0%	0.0%

Table 9 reveals the change in number of motor vehicle stops conducted for each motor vehicle stop type for each of the five racial/ethnic categories. Arrested, Released and Warned disposition types all realized an increase from 0.8 percent to 3.9 percent, while the Ticketed disposition saw a decrease of 6.7 percent.

Table 10. 2008 – 2009 Comparison of Search Status

Search Status	Asian/ P.I.	% of Search	Black	% of Search	Hispanic	% of Search	White	% of Search	Native American	% of Search	Middle Eastern	% of Search	Total %
Consent Search	-28	-0.2%	-658	-5.6%	743	3.9%	359	1.9%	-3	0.0%	6	0.0%	0.1%
Incident to Arrest	2	0.0%	-1,040	-5.3%	771	3.7%	319	1.5%	2	0.0%	3	0.0%	0.1%
No Search	-2,709	-0.5%	-9,208	-1.1%	1,057	1.0%	-567	0.6%	69	0.0%	113	0.0%	-0.1%
Plain View	4	0.2%	-54	-7.0%	99	5.6%	29	1.3%	-1	-0.1%	0	0.0%	0.0%
Probable Cause Search	-27	-0.3%	-671	-1.9%	-303	0.6%	-41	1.6%	-2	0.0%	0	0.0%	-0.2%
	-2,758	-0.4%	-11,631	-1.4%	2,367	1.2%	99	0.7%	65	0.0%	122	0.0%	0.0%

Table 10 displays the change in number of Search Status conducted for each motor vehicle stop for each of the five racial/ethnic categories. There were fewer Probable Cause Searches in 2009, compared to 2008, across all racial/ethnic groups.

Table 11. 2008 – 2009 Comparison of Stop Reason and Disposition

Stop Reason	Stop Disposition	Asian/ P.I.	% of Stop	Black	% of Stop	Hispanic	% of Stop	White	% of Stop	Native American	% of Stop	Middle Eastern	% of Stop	Total %	Number
Moving Traffic	Arrested	19	-0.6%	58	-4.7%	4,079	1.7%	5,519	3.5%	15	0.0%	8	0.0%	2.1%	9,698
	Released	62	-0.2%	-12	-4.1%	2,177	2.9%	1,568	1.3%	-3	0.0%	19	0.0%	0.9%	3,811
	Ticketed	-2,842	-0.5%	-10,664	-0.4%	-9,485	0.8%	-12,501	0.1%	-6	0.0%	41	0.0%	-5.8%	-35,457
	Warned	516	0.0%	3,412	-2.6%	3,612	2.4%	3,115	0.1%	6	0.0%	17	0.1%	2.1%	10,678
Investigation	Arrested	0	0.0%	-4	-80.0%	0	0.0%	-1	-20.0%	0	0.0%	0	0.0%	0.0%	-5
	Released	-1	-20.0%	-2	-40.0%	-1	-20.0%	-1	-20.0%	0	0.0%	0	0.0%	0.0%	-5
	Ticketed	0	0.0%	-1	-100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0.0%	-1
	Warned	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0.0%	0
Non-Moving Traffic	Arrested	16	0.1%	-1,516	-3.9%	-507	-0.5%	841	4.2%	20	0.1%	2	0.0%	-0.1%	-1,144
	Released	-280	-0.5%	-3,307	-5.1%	877	2.5%	1,318	3.1%	8	0.0%	7	0.0%	0.0%	-1,377
	Ticketed	-411	-0.3%	-2,903	-0.6%	-2,120	0.9%	-1,239	0.1%	12	0.0%	17	0.0%	-0.9%	-6,644
	Warned	176	-0.4%	3,427	-2.2%	3,786	3.6%	1,475	-1.1%	13	0.0%	11	0.0%	1.8%	8,888
Stolen/ Wanted	Arrested	-7	-0.7%	-118	-3.9%	-31	1.8%	-5	2.8%	0	0.0%	0	0.0%	0.0%	-161
	Released	-4	-6.0%	6	8.3%	-1	-2.0%	0	-0.3%	0	0.0%	0	0.0%	0.0%	1
	Ticketed	-2	-1.3%	-5	0.6%	-20	-9.3%	10	10.0%	0	0.0%	0	0.0%	0.0%	-17
	Warned	0	0.0%	-2	-33.3%	1	30.0%	0	3.3%	0	0.0%	0	0.0%	0.0%	-1
		-2,758	-0.4%	-11,631	-1.4%	2,367	1.2%	99	0.7%	65	0.0%	122	0.0%	0.0%	-11,736

Table 11 displays the percent differences in the stop reason and stop disposition for each racial/ethnic category for 2009, compared to 2008. This table also contains the value of each cell by race/ethnicity, revealing very small statistical changes between the two years. The largest decreases are in the Ticketed category under the Moving Traffic stop reason, where there were 35,457 fewer of these types of stops across the two years. The most notable increases were in the Moving Traffic stop reason for the Arrested disposition and the Warned disposition, where there were 9,698 and 10,678 more stops, respectively. Also, the Warned disposition for the Non-Moving Traffic stop reason saw stops increase by 8,888.

Table 12. 2008 – 2009 Comparison of Stop Reason and Search Status

Stop Reason	Search	Asian/ P.I.	Black	Hispanic	White	Native American	Middle Eastern	Total %
Moving Traffic	Consent Search	-0.4%	-6.4%	5.4%	1.4%	0.0%	0.1%	0.3%
	Incident to Arrest	-0.1%	-6.8%	5.2%	1.6%	0.0%	0.0%	0.2%
	No Search	-0.5%	-1.0%	0.9%	0.5%	0.0%	0.0%	-1.1%
	Plain View	-0.4%	-9.2%	9.6%	0.0%	0.0%	0.0%	0.0%
	Probable Cause Search	-0.2%	1.0%	-2.3%	1.6%	0.0%	0.0%	0.0%
Investigation	Consent Search	0.0%	-33.3%	0.0%	-66.7%	0.0%	0.0%	0.0%
	Incident to Arrest	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	No Search	-25.0%	-50.0%	-25.0%	0.0%	0.0%	0.0%	0.0%
	Plain View	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
	Probable Cause Search	0.0%	-100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Non-Moving Traffic	Consent Search	-0.1%	-4.7%	2.6%	2.1%	0.0%	0.0%	-0.1%
	Incident to Arrest	0.1%	-3.6%	2.2%	1.3%	0.0%	0.0%	0.0%
	No Search	-0.3%	-1.8%	0.9%	1.2%	0.0%	0.0%	1.0%
	Plain View	0.9%	-4.3%	1.1%	2.5%	-0.1%	0.0%	0.0%
	Probable Cause Search	-0.3%	-3.7%	2.8%	1.3%	0.0%	0.0%	-0.1%
Stolen/ Wanted	Consent Search	-4.9%	1.7%	-5.6%	8.7%	0.0%	0.0%	0.0%
	Incident to Arrest	-0.6%	0.0%	0.6%	0.0%	0.0%	0.0%	0.0%
	No Search	-2.0%	-6.1%	0.2%	7.9%	0.0%	0.0%	0.0%
	Plain View	0.0%	-22.2%	11.1%	11.1%	0.0%	0.0%	0.0%
	Probable Cause Search	0.0%	-10.4%	-1.7%	12.1%	0.0%	0.0%	0.0%
		-0.4%	-1.4%	1.2%	0.7%	0.0%	0.0%	0.0%

Table 12 reveals the percent change in stop reason and search status for each racial/ethnic group between 2008 and 2009. Most cells in the comparison show very small percentage differences. Where there are large percentage differences, these represent numerical changes. For example, there was a large percent decrease in White motorists subjected to Investigation, Consent Search (-66.7 percent); however, this is because in 2008, there were two motorists under this classification and none in 2009. Also, there was a large percent increase in Black motorists subjected to Investigation, Probable Cause Search (100.0 percent); however, N=4 in 2008, and N=0 in 2009.

CONCLUSIONS

The Houston Police Department is committed to working cooperatively with the community to resolve issues of mutual concern. An important issue is that of racially biased policing. The Houston Police Department has consistently made strides in providing fair and equitable services of the highest quality to Houston's citizens, neighborhoods, businesses and organizations.

The department began reporting racial profiling data in 2002 and has remained committed to the endeavor of consistently assessing its performance. The 2009 comparative report reveals that there is no substantial, statistically significant evidence that racial profiling has occurred against any race/ethnic group represented in Houston. Most differences between the two years involve modest increases and decreases in nearly every type of stop and search when weighed against the total number of motor vehicle stops (N=522,122).

The Houston Police Department will continue to collect, record, and analyze racial profiling data and continue to consider the five recommendations for law enforcement agencies in regard to racial profiling as developed by the International Association of Chiefs of Police:

- To design policies prohibiting the practice of racial profiling;
- To implement a training program based on the department's policies;
- To make sure that all officers are held accountable;
- To communicate with the community; and
- To consistently continue these efforts.

In conclusion, from micro level to macro level analysis of Houston's motor vehicle stop data, there is no evidence that policing initiatives involving motor vehicle stops create a bias or perception that the police department is engaged in racial profiling. Furthermore, there were no racial profiling complaints made in 2009. Although motor vehicle stops have decreased, there are small to moderate percent differences in most racial/ethnic categories of stops and searches.

The 2009 comparative report indicates small to moderate changes in stop type and search status statistics. In 2009, there were 11,736 fewer motor vehicle stops conducted, and 84,641 fewer citations written. As an indicator, the motor vehicle stop to citation ratio decreased from 1:1.73 to 1:1.61.

LEGAL/PROCEDURAL REQUIREMENTS

On September 1, 2001, the Texas Legislature enacted Chapter 2, Articles 2.131 through 2.137 of the Texas Code of Criminal Procedure, making racial profiling illegal and requiring law enforcement officers to record certain data about detentions they effect while acting in their official capacities. (Although the statutes required law enforcement officers to capture information on traffic and pedestrian stops, in 2005, Senate Bill 1503 enabled a more narrow focus to encourage the collection of motor vehicle stop data only. Starting in September 2009 and in accordance with state legislative law, the department began capturing data as to whether a suspect is of “Middle Eastern” descent.) Specifically, law enforcement officers are required to capture the following data about persons detained¹ during traffic and pedestrian stops:

- 1) A physical description of each person detained as a result of the stop, including:
 - a) the person’s gender; and
 - b) the person’s race or ethnicity, as stated by the person or, if the person does not state the person’s race or ethnicity, as determined by the officer to the best of the officer’s ability;
 - “Race or ethnicity” means of a particular decent, including Caucasian, African, Hispanic, Asian, or Native American decent.
 - Race definitions:²
 - *White/Caucasian*; A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.
 - *Asian/Pacific Islander*; A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands.
 - *Black/African*; A person having origins in any of the black racial groups of Africa.
 - *Hispanic*; A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race.
 - *Native American*; A person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.
- 2) the traffic law or ordinance alleged to have been violated or the suspected offense;
- 3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
- 4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

¹ As promulgated by The Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) and adopted by HPD via Circular #02-1113-271, “detained” is defined as when a person stopped is not free to leave.

² Derived from the U. S. Department of Justice’s race code definitions, December 2000.

- 5) whether probable cause to search existed and the facts supporting the existence of that probable cause;
- 6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- 7) the street address or approximate location of the stop; and
- 8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.³

In addition, law enforcement agencies are required to provide to their agency's governing body an annual report of the data collected by its police officers during the previous calendar year. This report must include:

- 1) a comparative analysis of the information compiled to:
 - a) determine the prevalence of racial profiling by peace officers employed by the agency; and
 - b) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops⁴; and
- 2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

By 2011, the annual report also must be provided to the Texas Commission on Law Enforcement Officer Standards and Education.

On August 15, 2005, then Chief Harold L. Hurtt issued Circular # 05-0815-216, to announce **Racial Profiling Data Collection Revisions**. The circular stated, in relevant part,

It has been a guiding principle of HPD to keep the trust and support of the entire community that discrimination in any form, including racial profiling, is, and always will be, strictly prohibited. HPD will continue to take immediate and appropriate action to investigate allegations of discrimination. The collection of Racial Profiling data is one component among many that allows us to achieve that goal. With that in mind, HPD began working through the legislative process to refine the collection of Racial Profiling data to collect information that is as relevant, reliable, and probative as possible. HPD sought to eliminate the collection of information where the officer did not initiate or had very little discretion regarding who was detained. The collection of data from situations described above such as citizen-initiated contacts or calls for service in the Racial Profiling data creates reports that are misleading and unreliable.

³ The Houston Police Department does not issue written warnings (i.e. "warning tickets").

⁴ A report required under subsection b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer.

The circular announced the significant changes in the Texas Senate's enrolled version of Senate Bill 1503. Specifically, "all HPD officers will only be required to collect Racial Profiling data when they conduct a motor vehicle stop." A significant feature of the revised legislation was the exclusion of the need to collect data on "pedestrian stops." Since that time, pedestrian stop data has not been captured, and therefore, not reported.

In accordance with legislative changes during the 81st Legislature of the State of Texas, HPD issued Circular #09-1229-243. Beginning on January 1, 2010, the changes, in part, were as follows:

- 1) The term "traffic stop" has been replaced with "motor vehicle stop," and is defined as an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.
- 2) "Race or ethnicity" means a person of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent.
- 3) Information must be collected as to whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual.
- 4) The initial reason for the stop must be documented.
- 5) Whether any contraband or other evidence was discovered in the course of a search, to include a description of the contraband or evidence.
- 6) The reason for a search, including whether contraband or other evidence was in plain view; if any probable cause or reasonable suspicion existed to perform the search; or if the search was performed as a result of towing the motor vehicle or the arrest of any person within the motor vehicle.
- 7) Whether the officer made an arrest as a result of the motor vehicle stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code; a violation of a traffic law or ordinance; or an outstanding warrant with a statement of the offense charged.
- 8) Whether the officer issued a written warning or a citation as a result of the stop.

The policy changes and changes in legislative procedures were implemented by the department. In this report, any data collected as a result of implementing these legislative changes is limited as is any analysis of the data.

HISTORICAL PERSPECTIVE

Although racial profiling legislation did not exist in Texas in 1999, the Houston Police Department took proactive action in its philosophy of putting its values and guiding principles into action in the summer of 1999. On August 11, 1999, for example, then Chief of Police C. O. Bradford signed Circular 99-0811-160, "Collection of Officer-Initiated Contact Data," stating, in relevant part,

No person should be targeted by law enforcement because of their gender or color of their skin. Through the development of a database and reporting system to track officer-initiated contact data, HPD is taking a leading role in defining methods to guard against the use of racial profiling as a basis for stopping or searching individuals. From this data, research will be conducted to determine if localized or systemic problems of this nature exist within HPD, so that concrete steps can be taken to eliminate them.

On August 27, 1999, then Chief C. O. Bradford signed Circular #99-0826-176, which states, in relevant part, "The citizens of Houston have placed their faith and trust in the Houston Police Department and it is imperative that the department's actions reflect the gravity of that responsibility." Two significant questions were answered in this circular:

- Why is it necessary to gather such data?

The issue of fairness, collection and sharing of data, and transparency were cited as reasons. Additionally, ". . . the ultimate and best reason to collect data is to send a message of no tolerance for racial profiling. Such actions are contrary to the ethics and sound operations of policing, and [we] never have and never will condone such activities."

- How often and under what circumstances will the data be audited?

Audits are to be conducted on several levels, including individual, beat, district, and station analyses; and raw numbers will not be utilized in isolation to form opinion or initiate investigations. Rather, data will be analyzed with respect to geographic population and other variables.

Two years later, on August 28, 2001, Circular #01-0828-205, Legislative Changes, announced new legislation passed by the 77th Texas Legislature. Racial Profiling was defined in the Texas Code of Criminal Procedure §2.31, reflecting the passage of Senate Bill 1074, "defin[ing] and prohibit[ing] racial profiling and setting forth provisions for the implementation of policies, education, and training programs, prescrib[ing] the collection and reporting of certain information by law enforcement." On August 29, 2001, Circular #01-0829-206, New Racial Profiling Law, announced the effective date of the racial profiling legislation as September 1, 2001, along with a mandate for police departments to develop an internal written policy, create a data collection and reporting system, and specify the training to be provided to Texas peace officers.

The Houston Police Department created a training curriculum, announced on November 16, 2001 (Circular #01-1116-283) to take effect January 1, 2002. However, on December 27, 2001, all members of the Houston Police Department were informed of the creation of General Order 600-02, Racial Profiling Prohibited, identifying the two tiers of data to be collected and announcing the procedures developed to input data into a computerized data collection system. Immediate training began in the form of HPD Intranet website training. Information pamphlets were published for internal and public use and were made available at Police Headquarters, Police Stations, and Police Storefronts. The information was placed on, and remains on, the department's internal website: <http://hpdnet.hpd/>.

The Houston Police Department provided annual reports on traffic and pedestrian stops as required by the legislation. The procedures for collecting data were delineated, and a means for accepting complaints was included. The Central Intake Office was given the responsibility to ensure all allegations involving racial profiling were identified and forwarded to the Internal Affairs Division for investigation. The Investigation of Employee Misconduct, General Order 200-03, was revised accordingly, and methods of reporting data were prescribed. Training alternatives to HPD Academy in-service training were announced on Circular 02-0108-008, Internet/Off-Site Training, and on March 15, 2002, procedures were created to enable officers working extra employment to enter racial profiling data collected during extra employment on department computers (Circular 02-0315-072).

On July 4, 2002, Circular #02-0704-174, Racial Profiling Prohibited (RE-ISSUE), served to keep the concern over racial profiling prominent in the minds of HPD employees. Employees were reminded of the procedures for collection of data.

On November 13, 2002, Circular #02-1113-271, signed by then Acting Chief of Police T. N. Oettmeier, prescribed "Guidelines for Data Collection/Racial Profiling Policy." The announcement referenced legislative changes in the Texas Code of Criminal Procedure (§§ 2.133 (a)(2) to take effect January 1, 2003. Specifically, on that date, law enforcement agencies were to begin collecting "pedestrian stop" data, involving "an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest." The electronic work card software program created to enable the computerized collection of data was announced on November 15, 2002. This enabled the entire marked fleet of police vehicles to receive the racial profiling software (version 1.2.7) for entry of racial profiling information into the electronic work card completed by uniformed officers.

During 2003, several departmentwide computer upgrades were announced and accomplished. The racial profiling software was upgraded and installed into all marked police vehicles subsequent to an announcement on January 13, 2003. RP Data System, Version 1.2.8 was to be installed as soon as possible (Circular # 03-0113-003, T. N. Oettmeier, Acting Chief of Police). On September 22, 2003, the Houston Emergency Center went online, and protocols were initiated to enable officers to obtain racial profiling receipts for data transferred on HPD transfer devices and on the Intranet (Circular #03-0922-134). The disciplinary system was modified to include positive discipline for violations such as failure to download information, complete an offense report, or enter racial profile data (Circular 03-1016-163, Disciplinary Range Category Change).

On April 22, 2004, Circular 04-0422-073, signed by then Chief of Police Harold L. Hurtt, announced a revision to General Order 600-02, Racial Profiling Prohibited, to include new definitions and procedures. The emphasis was on determining standards of productivity and efforts to continue to clarify officer expectations while off-duty and engaged in extra employment.

The Houston Police Department has continued to promulgate change as dictated by changing legislation and community expectations. For example, on August 15, 2005, then Chief Harold L. Hurtt issued Circular # 05-0815-216, to announce Racial Profiling Data Collection Revisions. The circular stated, in relevant part,

It has been a guiding principle of HPD to keep the trust and support of the entire community that discrimination in any form, including racial profiling, is, and always will be, strictly prohibited. HPD will continue to take immediate and appropriate action to investigate allegations of discrimination. The collection of Racial Profiling data is one component among many that allows us to achieve that goal. With that in mind, HPD began working through the legislative process to refine the collection of Racial Profiling data to collect information that is as relevant, reliable, and probative as possible. HPD sought to eliminate the collection of information where the officer did not initiate or had very little discretion regarding who was detained. The collection of data from situations described above such as citizen-initiated contacts or calls for service in the Racial Profiling data creates reports that are misleading and unreliable.

The circular announced the significant changes in the Texas Senate's enrolled version of Senate Bill 1503. Specifically, "all HPD officers will only be required to collect Racial Profiling data when they conduct a motor vehicle stop. A significant feature of the revised legislation was the exclusion of the need to collect data on 'pedestrian stops'."

In accordance with legislative changes during the 81st Legislature of the State of Texas, HPD issued Circular #09-1229-243. Beginning on January 1, 2010, the changes in part were as follows:

- 9) The term "traffic stop" has been replaced with "motor vehicle stop," and is defined as an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.
- 10) "Race or ethnicity" means a person of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent.
- 11) Information must be collected as to whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual.
- 12) The initial reason for the stop must be documented.
- 13) Whether any contraband or other evidence was discovered in the course of a search, to include a description of the contraband or evidence.

- 14) The reason for a search, including whether contraband or other evidence was in plain view; if any probable cause or reasonable suspicion existed to perform the search; or if the search was performed as a result of towing the motor vehicle or the arrest of any person within the motor vehicle.
- 15) Whether the officer made an arrest as a result of the motor vehicle stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code; a violation of a traffic law or ordinance; or an outstanding warrant with a statement of the offense charged.
- 16) Whether the officer issued a written warning or a citation as a result of the stop.

The policy changes and changes in legislative procedures have been implemented by the department. Beginning in September 2009, the number of Middle Eastern motorists who were part of a motor vehicle stop began being tracked and are reflected in this report for the last four months of 2009. The 2010 comparative racial profiling report will provide more specific information on contraband and evidence seized, and more a more detailed analysis of written warnings and citations issued. More detail will also be provided on Middle Eastern motorists.

APPENDIX A

2008 Data Set

Table 1: Detention Disposition by Race

Disposition	Asian/ P.I.	% of Race	% of Disposition	Black	% of Race	% of Disposition	Hispanic	% of Race	% of Disposition	White	% of Race	% of Disposition	Native American	% of Race	% of Disposition	Middle Eastern*	% of Race	% of Disposition	Number
Arrested	2,719	12.7%	3.3%	30,847	16.6%	37.2%	26,182	15.2%	31.6%	23,049	15.0%	27.8%	24	7.9%	0.0%	0	0.0%	0.0%	82,821
Released	2,698	12.6%	3.0%	42,161	22.6%	46.9%	25,059	14.6%	27.9%	19,933	12.9%	22.2%	48	15.8%	0.1%	0	0.0%	0.0%	89,899
Ticketed	14,451	67.4%	4.5%	95,826	51.4%	29.9%	108,986	63.4%	34.0%	101,346	65.8%	31.6%	216	71.1%	0.1%	0	0.0%	0.0%	320,825
Warned	1,585	7.4%	3.9%	17,454	9.4%	43.3%	11,582	6.7%	28.7%	9,676	6.3%	24.0%	16	5.3%	0.0%	0	0.0%	0.0%	40,313
Total	21,453	100.0%	4.0%	186,288	100.0%	34.9%	171,809	100.0%	32.2%	154,004	100.0%	28.8%	304	100.0%	0.0%	0	0.0%	0.0%	533,858

Table 2: Search Status by Race

Search Status	Asian/ P.I.	% of Race	% of Search	Black	% of Race	% of Search	Hispanic	% of Race	% of Search	White	% of Race	% of Search	Native American	% of Race	% of Search	Middle Eastern*	% of Race	% of Search	Number
Consent Search	177	0.8%	1.1%	9,167	4.9%	58.6%	4,368	2.5%	27.9%	1,926	1.3%	12.3%	5	1.6%	0.0%	0	0.0%	0.0%	15,643
Incident to Arrest	245	1.1%	1.2%	10,241	5.5%	50.6%	6,651	3.9%	32.9%	3,093	2.0%	15.3%	7	2.3%	0.0%	0	0.0%	0.0%	20,237
No Search	20,944	97.6%	4.3%	162,410	87.2%	33.2%	158,142	92.0%	32.3%	147,883	96.0%	30.2%	288	94.7%	0.1%	0	0.0%	0.0%	489,667
Plain View	11	0.1%	0.8%	745	0.4%	56.6%	368	0.2%	28.0%	191	0.1%	14.5%	1	0.3%	0.1%	0	0.0%	0.0%	1,316
Probable Cause Search	76	0.4%	1.1%	3,725	2.0%	53.3%	2,280	1.3%	32.6%	911	0.6%	13.0%	3	1.0%	0.0%	0	0.0%	0.0%	6,995
Total	21,453	100.0%	4.0%	186,288	100.0%	34.9%	171,809	100.0%	32.2%	154,004	100.0%	28.8%	304	100.0%	0.1%	0	0.0%	0.0%	533,858

* Middle Eastern as a category was not captured prior to September 2009. Statistics reported in this report were for September to December 2009 only and do not reflect a full year of data.

Table 3: Stop Reason and Disposition by Race

Stop Reason	Stop Disposition	Asian/ P.I.	% of Race	% of Stop	Black	% of Race	% of Stop	Hispanic	% of Race	% of Stop	White	% of Race	% of Stop	Native American	% of Race	% of Stop	Middle Eastern*	% of Race	% of Stop	Total %	Number
Moving Traffic	Arrested	2,354	11.0%	4.2%	18,005	9.7%	32.1%	17,201	10.0%	30.7%	18,431	12.0%	32.9%	16	5.3%	0.0%	0	0.0%	0.0%	10.5%	56,007
	Released	1,387	6.5%	3.8%	15,970	8.6%	43.2%	9,516	5.5%	25.8%	10,034	6.5%	27.2%	28	9.2%	0.1%	0	0.0%	0.0%	6.9%	36,935
	Ticketed	12,550	58.5%	5.2%	66,840	35.9%	27.6%	76,206	44.4%	31.5%	86,089	55.9%	35.6%	182	59.9%	0.1%	0	0.0%	0.0%	45.3%	241,867
	Warned	806	3.8%	4.8%	6,554	3.5%	38.8%	4,657	2.7%	27.5%	4,877	3.2%	28.9%	10	3.3%	0.1%	0	0.0%	0.0%	3.2%	16,904
Investigation	Arrested	0	0.0%	0.0%	4	0.0%	80.0%	0	0.0%	0.0%	1	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	5
	Released	1	0.0%	20.0%	2	0.0%	40.0%	1	0.0%	20.0%	1	0.0%	20.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	5
	Ticketed	0	0.0%	0.0%	1	0.0%	100.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	1
	Warned	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	0
Non-Moving Traffic	Arrested	354	1.7%	1.4%	12,348	6.6%	47.6%	8,746	5.1%	33.7%	4,483	2.9%	17.3%	8	2.6%	0.0%	0	0.0%	0.0%	4.9%	25,939
	Released	1,306	6.1%	2.5%	26,164	14.0%	49.5%	15,518	9.0%	29.3%	9,884	6.4%	18.7%	20	6.6%	0.0%	0	0.0%	0.0%	9.9%	52,892
	Ticketed	1,898	8.8%	2.4%	28,936	15.5%	36.7%	32,711	19.0%	41.5%	15,234	9.9%	19.3%	34	11.2%	0.0%	0	0.0%	0.0%	14.8%	78,813
	Warned	779	3.6%	3.3%	10,898	5.9%	46.6%	6,922	4.0%	29.6%	4,798	3.1%	20.5%	6	2.0%	0.0%	0	0.0%	0.0%	4.4%	23,403
Stolen/ Wanted	Arrested	11	0.1%	1.3%	490	0.3%	56.3%	235	0.1%	27.0%	134	0.1%	15.4%	0	0.0%	0.0%	0	0.0%	0.0%	0.2%	870
	Released	4	0.0%	6.0%	25	0.0%	37.3%	24	0.0%	35.8%	14	0.0%	20.9%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	67
	Ticketed	3	0.0%	2.1%	49	0.0%	34.0%	69	0.0%	47.9%	23	0.0%	16.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	144
	Warned	0	0.0%	0.0%	2	0.0%	33.3%	3	0.0%	50.0%	1	0.0%	16.7%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	6
		21,453 Total	100.0% of Race	4.0% of all Detentions	186,288 Total	100.0% of Race	34.9% of all Detentions	171,809 Total	100.0% of Race	32.2% of all Detentions	154,004 Total	100.0% of Race	28.8% of all Detentions	304 Total	100.0% of Race	0.1% of all Detentions	0 Total	0.0% of Race	0.0% of all Detentions	100.0%	533,858

* Middle Eastern as a category was not captured prior to September 2009. Statistics reported in this report were for September to December 2009 only and do not reflect a full year of data.

Table 4: Stop Reason and Search by Race

Stop Reason	Search	Asian/ P.I.	% of Race	% of Stop	Black	% of Race	% of Stop	Hispanic	% of Race	% of Stop	White	% of Race	% of Stop	Native American	% of Race	% of Stop	Middle Eastern*	% of Race	% of Stop	Number
Moving Traffic	Consent Search	100	0.5%	1.5%	3,960	2.1%	58.1%	1,844	1.1%	27.1%	911	0.6%	13.4%	1	0.3%	0.0%	0	0.0%	0.0%	6,816
	Incident to Arrest	128	0.6%	1.6%	3,549	1.9%	43.0%	3,040	1.8%	36.8%	1,537	1.0%	18.6%	4	1.3%	0.0%	0	0.0%	0.0%	8,258
	No Search	16,816	78.4%	5.1%	99,029	52.6%	29.5%	101,120	58.9%	30.4%	116,428	75.6%	35.0%	229	75.3%	0.1%	0	0.0%	0.0%	332,622
	Plain View	8	0.0%	1.3%	355	0.2%	55.6%	183	0.1%	28.6%	93	0.1%	14.6%	0	0.0%	0.0%	0	0.0%	0.0%	639
	Probable Cause Search	45	0.2%	1.3%	1,476	0.8%	43.7%	1,393	0.8%	41.2%	462	0.3%	13.7%	2	0.7%	0.1%	0	0.0%	0.0%	3,378
Investigation	Consent Search	0	0.0%	0.0%	1	0.0%	33.3%	0	0.0%	0.0%	2	0.0%	66.7%	0	0.0%	0.0%	0	0.0%	0.0%	3
	Incident to Arrest	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0
	No Search	1	0.0%	25.0%	2	0.0%	50.0%	1	0.0%	25.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	4
	Plain View	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0
	Probable Cause Search	0	0.0%	0.0%	4	0.0%	100.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	4
Non-Moving Traffic	Consent Search	74	0.3%	0.8%	5,189	2.8%	59.1%	2,508	1.5%	28.6%	1,005	0.7%	11.4%	4	1.3%	0.0%	0	0.0%	0.0%	8,780
	Incident to Arrest	109	0.5%	1.0%	6,331	3.4%	55.9%	3,431	2.0%	30.3%	1,443	0.9%	12.8%	3	1.0%	0.0%	0	0.0%	0.0%	11,317
	No Search	4,120	19.2%	2.6%	64,246	34.5%	41.0%	56,909	33.1%	36.3%	31,411	20.4%	20.0%	59	19.4%	0.0%	0	0.0%	0.0%	156,745
	Plain View	3	0.0%	0.4%	384	0.2%	57.5%	182	0.1%	27.2%	98	0.1%	14.7%	1	0.3%	0.1%	0	0.0%	0.0%	668
	Probable Cause Search	31	0.1%	0.9%	2,196	1.2%	62.1%	867	0.5%	24.5%	442	0.3%	12.5%	1	0.3%	0.0%	0	0.0%	0.0%	3,537
Stolen/ Wanted	Consent Search	3	0.0%	6.8%	17	0.0%	38.6%	16	0.0%	36.4%	8	0.0%	18.2%	0	0.0%	0.0%	0	0.0%	0.0%	44
	Incident to Arrest	8	0.0%	1.2%	361	0.2%	54.5%	180	0.1%	27.2%	113	0.1%	17.1%	0	0.0%	0.0%	0	0.0%	0.0%	662
	No Search	7	0.0%	2.4%	133	0.1%	44.9%	112	0.1%	37.8%	44	0.0%	14.9%	0	0.0%	0.0%	0	0.0%	0.0%	296
	Plain View	0	0.0%	0.0%	6	0.0%	66.7%	3	0.0%	33.3%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	9
	Probable Cause Search	0	0.0%	0.0%	49	0.0%	64.5%	20	0.0%	26.3%	7	0.0%	9.2%	0	0.0%	0.0%	0	0.0%	0.0%	76
		21,453 Total	100.0% of Race	4.0% of all Detentions	186,288 Total	100.0% of Race	34.9% of all Detentions	171,809 Total	100.0% of Race	32.2% of all Detentions	154,004 Total	100.0% of Race	28.8% of all Detentions	304 Total	100.0% of Race	0.1% of all Detentions	0 Total	0.0% of Race	0.0% of all Detentions	533,858

* Middle Eastern as a category was not captured prior to September 2009. Statistics reported in this report were for September to December 2009 only and do not reflect a full year of data.

APPENDIX B

2009 Data Set

Table 1: Detention Disposition by Race

Disposition	Asian/ P.I.	% of Race	% of Disposition	Black	% of Race	% of Disposition	Hispanic	% of Race	% of Disposition	White	% of Race	% of Disposition	Native American	% of Race	% of Disposition	Middle Eastern*	% of Race	% of Disposition	Number
Arrested	2,747	14.7%	3.0%	29,267	16.8%	32.1%	29,723	17.1%	32.6%	29,403	19.1%	32.2%	59	16.0%	0.1%	10	8.2%	0.0%	91,209
Released	2,475	13.2%	2.7%	38,846	22.2%	42.1%	28,111	16.1%	30.4%	22,818	14.8%	24.7%	53	14.4%	0.1%	26	21.3%	0.0%	92,329
Ticketed	11,196	59.9%	4.0%	82,253	47.1%	29.5%	97,361	55.9%	34.9%	87,616	56.9%	31.4%	222	60.2%	0.1%	58	47.5%	0.0%	278,706
Warned	2,277	12.2%	3.8%	24,291	13.9%	40.6%	18,981	10.9%	31.7%	14,266	9.3%	23.8%	35	9.5%	0.1%	28	23.0%	0.0%	59,878
Total	18,695	100.0%	3.6%	174,657	100.0%	33.5%	174,176	100.0%	33.4%	154,103	100.0%	29.5%	369	100.0%	0.0%	122	100.0%	0.0%	522,122

Table 2: Search Status by Race

Search Status	Asian/ P.I.	% of Race	% of Search	Black	% of Race	% of Search	Hispanic	% of Race	% of Search	White	% of Race	% of Search	Native American	% of Race	% of Search	Middle Eastern*	% of Race	% of Search	Number
Consent Search	149	0.8%	0.9%	8,509	4.9%	53.0%	5,111	2.9%	31.8%	2,285	1.5%	14.2%	2	0.5%	0.0%	6	4.9%	0.0%	16,062
Incident to Arrest	247	1.3%	1.2%	9,201	5.3%	45.3%	7,422	4.3%	36.6%	3,412	2.2%	16.8%	9	2.4%	0.0%	3	2.5%	0.0%	20,294
No Search	18,235	97.5%	3.8%	153,202	87.7%	32.0%	159,199	91.4%	33.3%	147,316	95.6%	30.8%	357	96.7%	0.1%	113	92.6%	0.0%	478,422
Plain View	15	0.1%	1.1%	691	0.4%	49.6%	467	0.3%	33.5%	220	0.1%	15.8%	0	0.0%	0.0%	0	0.0%	0.0%	1,393
Probable Cause Search	49	0.3%	0.8%	3,054	1.7%	51.3%	1,977	1.1%	33.2%	870	0.6%	14.6%	1	0.3%	0.0%	0	0.0%	0.0%	5,951
Total	18,695	100.0%	3.6%	174,657	100.0%	33.5%	174,176	100.0%	33.4%	154,103	100.0%	29.5%	369	100.0%	0.1%	122	100.0%	0.0%	522,122

* Middle Eastern as a category was not captured prior to September 2009. Statistics reported in this report were for September to December 2009 only and do not reflect a full year of data.

Table 3: Stop Reason and Disposition by Race

Stop Reason	Stop Disposition	Asian/ P.I.	% of Race	% of Stop	Black	% of Race	% of Stop	Hispanic	% of Race	% of Stop	White	% of Race	% of Stop	Native American	% of Race	% of Stop	Middle Eastern*	% of Race	% of Stop	Total %	Number
Moving Traffic	Arrested	2,373	12.7%	3.6%	18,063	10.3%	27.5%	21,280	12.2%	32.4%	23,950	15.5%	36.5%	31	8.4%	0.0%	8	6.6%	0.0%	12.6%	65,705
	Released	1,449	7.8%	3.6%	15,958	9.1%	39.2%	11,693	6.7%	28.7%	11,602	7.5%	28.5%	25	6.8%	0.1%	19	15.6%	0.0%	7.8%	40,746
	Ticketed	9,708	51.9%	4.7%	56,176	32.2%	27.2%	66,721	38.3%	32.3%	73,588	47.8%	35.7%	176	47.7%	0.1%	41	33.6%	0.0%	39.5%	206,410
	Warned	1,322	7.1%	4.8%	9,966	5.7%	36.1%	8,269	4.7%	30.0%	7,992	5.2%	29.0%	16	4.3%	0.1%	17	13.9%	0.1%	5.3%	27,582
Investigation	Arrested	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	0
	Released	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	0
	Ticketed	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	0
	Warned	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	0
Non-Moving Traffic	Arrested	370	2.0%	1.5%	10,832	6.2%	43.7%	8,239	4.7%	33.2%	5,324	3.5%	21.5%	28	7.6%	0.1%	2	1.6%	0.0%	4.7%	24,795
	Released	1,026	5.5%	2.0%	22,857	13.1%	44.4%	16,395	9.4%	31.8%	11,202	7.3%	21.7%	28	7.6%	0.1%	7	5.7%	0.0%	9.9%	51,515
	Ticketed	1,487	8.0%	2.1%	26,033	14.9%	36.1%	30,591	17.6%	42.4%	13,995	9.1%	19.4%	46	12.5%	0.1%	17	13.9%	0.0%	13.8%	72,169
	Warned	955	5.1%	3.0%	14,325	8.2%	44.4%	10,708	6.1%	33.2%	6,273	4.1%	19.4%	19	5.1%	0.1%	11	9.0%	0.0%	6.2%	32,291
Stolen/ Wanted	Arrested	4	0.0%	0.6%	372	0.2%	52.5%	204	0.1%	28.8%	129	0.1%	18.2%	0	0.0%	0.0%	0	0.0%	0.0%	0.1%	709
	Released	0	0.0%	0.0%	31	0.0%	45.6%	23	0.0%	33.8%	14	0.0%	20.6%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	68
	Ticketed	1	0.0%	0.8%	44	0.0%	34.6%	49	0.0%	38.6%	33	0.0%	26.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	127
	Warned	0	0.0%	0.0%	0	0.0%	0.0%	4	0.0%	80.0%	1	0.0%	20.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	5
		18,695 Total	100.0%	3.6% of all Detentions	174,657 Total	100.0% of Race	33.5% of all Detentions	174,176 Total	100.0% of Race	33.4% of all Detentions	154,103 Total	100.0% of Race	29.5% of all Detentions	369 Total	100.0% of Race	0.1% of all Detentions	122 Total	100.0% of Race	0.0% of all Detentions	100.0%	522,122

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Table 4: Stop Reason and Search by Race

Stop Reason	Search	Asian/ P.I.	% of Race	% of Stop	Black	% of Race	% of Stop	Hispanic	% of Race	% of Stop	White	% of Race	% of Stop	Native American	% of Race	% of Stop	Middle Eastern*	% of Race	% of Stop	Number
Moving Traffic	Consent Search	88	0.5%	1.1%	4,207	2.4%	51.7%	2,642	1.5%	32.4%	1,202	0.8%	14.8%	0	0.0%	0.0%	6	4.9%	0.1%	8,145
	Incident to Arrest	132	0.7%	1.5%	3,215	1.8%	36.2%	3,731	2.1%	42.0%	1,797	1.2%	20.2%	2	0.5%	0.0%	1	0.8%	0.0%	8,878
	No Search	14,592	78.1%	4.6%	91,044	52.1%	28.5%	100,127	57.5%	31.3%	113,563	73.7%	35.5%	245	66.4%	0.1%	78	63.9%	0.0%	319,649
	Plain View	6	0.0%	0.8%	334	0.2%	46.4%	275	0.2%	38.2%	105	0.1%	14.6%	0	0.0%	0.0%	0	0.0%	0.0%	720
Investigation	Probable Cause Search	34	0.2%	1.1%	1,363	0.8%	44.7%	1,188	0.7%	38.9%	465	0.3%	15.2%	1	0.3%	0.0%	0	0.0%	0.0%	3,051
	Consent Search	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0
	Incident to Arrest	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0
	No Search	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0
Non-Moving Traffic	Plain View	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0
	Probable Cause Search	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0
	Consent Search	60	0.3%	0.8%	4,281	2.5%	54.4%	2,453	1.4%	31.2%	1,069	0.7%	13.6%	2	0.5%	0.0%	0	0.0%	0.0%	7,965
	Incident to Arrest	112	0.6%	1.0%	5,696	3.3%	52.3%	3,543	2.0%	32.6%	1,524	1.0%	14.0%	7	1.9%	0.1%	2	1.6%	0.0%	10,884
Stolen/ Wanted	No Search	3,642	19.5%	2.3%	62,059	35.5%	39.1%	58,975	33.9%	37.2%	33,695	21.9%	21.3%	112	30.4%	0.1%	35	28.7%	0.0%	158,518
	Plain View	9	0.0%	1.4%	353	0.2%	53.2%	188	0.1%	28.3%	114	0.1%	17.2%	0	0.0%	0.0%	0	0.0%	0.0%	664
	Probable Cause Search	15	0.1%	0.5%	1,658	0.9%	58.4%	774	0.4%	27.3%	392	0.3%	13.8%	0	0.0%	0.0%	0	0.0%	0.0%	2,839
	Consent Search	1	0.0%	1.9%	21	0.0%	40.4%	16	0.0%	30.8%	14	0.0%	26.9%	0	0.0%	0.0%	0	0.0%	0.0%	52
Total	Incident to Arrest	3	0.0%	0.6%	290	0.2%	54.5%	148	0.1%	27.8%	91	0.1%	17.1%	0	0.0%	0.0%	0	0.0%	0.0%	532
	No Search	1	0.0%	0.4%	99	0.1%	38.8%	97	0.1%	38.0%	58	0.0%	22.7%	0	0.0%	0.0%	0	0.0%	0.0%	255
	Plain View	0	0.0%	0.0%	4	0.0%	44.4%	4	0.0%	44.4%	1	0.0%	11.1%	0	0.0%	0.0%	0	0.0%	0.0%	9
	Probable Cause Search	0	0.0%	0.0%	33	0.0%	54.1%	15	0.0%	24.6%	13	0.0%	21.3%	0	0.0%	0.0%	0	0.0%	0.0%	61
		18,695	100.0%	3.6%	174,657	100.0%	33.5%	174,176	100.0%	33.4%	154,103	100.0%	29.5%	369	100.0%	0.1%	122	100.0%	0.0%	522,122
		Total	% of Race	of all Detentions	Total	% of Race	of all Detentions	Total	% of Race	of all Detentions	Total	% of Race	of all Detentions	Total	% of Race	of all Detentions	Total	% of Race	of all Detentions	

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APPENDIX C

2008 – 2009 Comparative Data Set

Table 1: Detention Disposition by Race

Disposition	Asian/ P.I.	% of Race	% of Disposition	Black	% of Race	% of Disposition	Hispanic	% of Race	% of Disposition	White	% of Race	% of Disposition	Native American	% of Race	% of Disposition	Middle Eastern*	% of Race	% of Disposition	Number
Arrested	28	2.0%	-0.3%	-1,580	0.2%	-5.2%	3,541	1.8%	1.0%	6,354	4.1%	4.4%	35	8.1%	0.0%	10	8.2%	0.0%	8,388
Released	-223	0.7%	-0.3%	-3,315	-0.4%	-4.8%	3,052	1.6%	2.6%	2,885	1.9%	2.5%	5	-1.4%	0.0%	26	21.3%	0.0%	2,430
Ticketed	-3,255	-7.5%	-0.5%	-13,573	-4.3%	-0.4%	-11,625	-7.5%	1.0%	-13,730	-9.0%	-0.2%	6	-10.9%	0.0%	58	47.5%	0.0%	-42,119
Warned	692	4.8%	-0.1%	6,837	4.5%	-2.7%	7,399	4.2%	3.0%	4,590	3.0%	-0.2%	19	4.2%	0.0%	28	23.0%	0.0%	19,565
Total	-2,758	0.0%	-0.4%	-11,631	0.0%	-1.4%	2,367	0.0%	1.2%	99	0.0%	0.7%	65	0.0%	0.0%	122	N/A	0.0%	-11,736
				Total		of all Detentions	Total		of all Detentions	Total		of all Detentions	Total		of all Detentions	Total		of all Detentions	

Table 2: Search Status by Race

Search Status	Asian/ P.I.	% of Race	% of Search	Black	% of Race	% of Search	Hispanic	% of Race	% of Search	White	% of Race	% of Search	Native American	% of Race	% of Search	Middle Eastern*	% of Race	% of Search	Number
Consent Search	-28	0.0%	-0.2%	-658	0.0%	-5.6%	743	0.4%	3.9%	359	0.2%	1.9%	-3	-1.1%	0.0%	6	4.9%	0.0%	419
Incident to Arrest	2	0.2%	0.0%	-1,040	-0.2%	-5.3%	771	0.4%	3.7%	319	0.2%	1.5%	2	0.1%	0.0%	3	2.5%	0.0%	57
No Search	-2,709	-0.1%	-0.5%	-9,208	0.5%	-1.1%	1,057	-0.6%	1.0%	-567	-0.4%	0.6%	69	2.0%	0.0%	113	92.6%	0.0%	-11,245
Plain View	4	0.0%	0.2%	-54	0.0%	-7.0%	99	0.1%	5.6%	29	0.0%	1.3%	-1	-0.3%	-0.1%	0	0.0%	0.0%	77
Probable Cause Search	-27	-0.1%	-0.3%	-671	-0.3%	-1.9%	-303	-0.2%	0.6%	-41	0.0%	1.6%	-2	-0.7%	0.0%	0	0.0%	0.0%	-1,044
Total	-2,758	0.0%	-0.4%	-11,631	0.0%	-1.4%	2,367	0.0%	1.2%	99	0.0%	0.7%	65	0.0%	0.0%	122	N/A	0.0%	-11,736
				Total		of all Detentions	Total		of all Detentions	Total		of all Detentions	Total		of all Detentions	Total		of all Detentions	

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Table 3: Stop Reason and Disposition by Race

Stop Reason	Stop Disposition	Asian/ P.I.	% of Race	% of Stop	Black	% of Race	% of Stop	Hispanic	% of Race	% of Stop	White	% of Race	% of Stop	Native American	% of Race	% of Stop	Middle Eastern*	% of Race	% of Stop	Total %	Number
Moving Traffic	Arrested	19	1.7%	-0.6%	58	0.7%	-4.7%	4,079	2.2%	1.7%	5,519	3.6%	3.5%	15	3.1%	0.0%	8	6.6%	0.0%	2.1%	9,698
	Released	62	1.3%	-0.2%	-12	0.6%	-4.1%	2,177	1.2%	2.9%	1,568	1.0%	1.3%	-3	-2.4%	0.0%	19	15.6%	0.0%	0.9%	3,811
	Ticketed	-2,842	-6.6%	-0.5%	-10,664	-3.7%	-0.4%	-9,485	-6.0%	0.8%	-12,501	-8.1%	0.1%	-6	-12.2%	0.0%	41	33.6%	0.0%	-5.8%	-35,457
	Warned	516	3.3%	0.0%	3,412	2.2%	-2.6%	3,612	2.0%	2.4%	3,115	2.0%	0.1%	6	1.0%	0.0%	17	13.9%	0.1%	2.1%	10,678
Investigation	Arrested	0	0.0%	0.0%	-4	0.0%	-80.0%	0	0.0%	0.0%	-1	0.0%	-20.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	-5
	Released	-1	0.0%	-20.0%	-2	0.0%	-40.0%	-1	0.0%	-20.0%	-1	0.0%	-20.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	-5
	Ticketed	0	0.0%	0.0%	-1	0.0%	-100.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	-1
	Warned	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	0
Non-Moving Traffic	Arrested	16	0.3%	0.1%	-1,516	-0.4%	-3.9%	-507	-0.4%	-0.5%	841	0.5%	4.2%	20	5.0%	0.1%	2	1.6%	0.0%	-0.1%	-1,144
	Released	-280	-0.6%	-0.5%	-3,307	-1.0%	-5.1%	877	0.4%	2.5%	1,318	0.9%	3.1%	8	1.0%	0.0%	7	5.7%	0.0%	0.0%	-1,377
	Ticketed	-411	-0.9%	-0.3%	-2,903	-0.6%	-0.6%	-2,120	-1.5%	0.9%	-1,239	-0.8%	0.1%	12	1.3%	0.0%	17	13.9%	0.0%	-0.9%	-6,644
	Warned	176	1.5%	-0.4%	3,427	2.4%	-2.2%	3,786	2.1%	3.6%	1,475	1.0%	-1.1%	13	3.2%	0.0%	11	9.0%	0.0%	1.8%	8,888
Stolen/ Wanted	Arrested	-7	0.0%	-0.7%	-118	-0.1%	-3.9%	-31	0.0%	1.8%	-5	0.0%	2.8%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	-161
	Released	-4	0.0%	-6.0%	6	0.0%	8.3%	-1	0.0%	-2.0%	0	0.0%	-0.3%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	1
	Ticketed	-2	0.0%	-1.3%	-5	0.0%	0.6%	-20	0.0%	-9.3%	10	0.0%	10.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	-17
	Warned	0	0.0%	0.0%	-2	0.0%	-33.3%	1	0.0%	30.0%	0	0.0%	3.3%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	-1
		-2,758 Total	0.0% of Race	-0.4% of all Detentions	-11,631 Total	0.0% of Race	-1.4% of all Detentions	2,367 Total	0.0% of Race	1.2% of all Detentions	99 Total	0.0% of Race	0.7% of all Detentions	65 Total	0.0% of Race	0.0% of all Detentions	122 Total	N/A of Race	0.0% of all Detentions	0.0%	-11,736

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Table 4: Stop Reason and Search by Race

Stop Reason	Search	Asian/ P.I.	% of Race	% of Stop	Black	% of Race	% of Stop	Hispanic	% of Race	% of Stop	White	% of Race	% of Stop	Native American	% of Race	% of Stop	Middle Eastern*	% of Race	% of Stop	Total %	Number	
Moving Traffic	Consent Search	-12	0.0%	-0.4%	247	0.3%	-6.4%	798	0.4%	5.4%	291	0.2%	1.4%	-1	-0.3%	0.0%	6	4.9%	0.1%	0.3%	1,329	
	Incident to Arrest	4	0.1%	-0.1%	-334	-0.1%	-6.8%	691	0.4%	5.2%	260	0.2%	1.6%	-2	-0.8%	0.0%	1	0.8%	0.0%	0.2%	620	
	No Search	-2,224	-0.3%	-0.5%	-6,985	-0.5%	-1.0%	-993	-1.4%	0.9%	-2,865	-1.9%	0.5%	16	-8.9%	0.0%	78	63.9%	0.0%	-1.1%	-12,973	
	Plain View	-2	0.0%	-0.4%	-21	0.0%	-9.2%	92	0.1%	9.6%	12	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	81	
	Probable Cause Search	-11	0.0%	-0.2%	-113	0.0%	1.0%	-205	-0.1%	-2.3%	3	0.0%	1.6%	-1	-0.4%	0.0%	0	0.0%	0.0%	0.0%	0.0%	-327
Investigation	Consent Search	0	0.0%	0.0%	-1	0.0%	-33.3%	0	0.0%	0.0%	-2	0.0%	-66.7%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	0.0%	-3
	Incident to Arrest	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	0	
	No Search	-1	0.0%	-25.0%	-2	0.0%	-50.0%	-1	0.0%	-25.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	0	
	Plain View	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	0	
	Probable Cause Search	0	0.0%	0.0%	-4	0.0%	-100.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	0	
Non-Moving Traffic	Consent Search	-14	0.0%	-0.1%	-908	-0.3%	-4.7%	-55	-0.1%	2.6%	64	0.0%	2.1%	-2	-0.8%	0.0%	0	0.0%	0.0%	-0.1%	-915	
	Incident to Arrest	3	0.1%	0.1%	-635	-0.1%	-3.6%	112	0.0%	2.2%	81	0.1%	1.3%	4	0.9%	0.0%	2	1.6%	0.0%	0.0%	-433	
	No Search	-478	0.3%	-0.3%	-2,187	1.0%	-1.8%	2,066	0.7%	0.9%	2,284	1.5%	1.2%	53	10.9%	0.0%	35	28.7%	0.0%	1.0%	1,773	
	Plain View	6	0.0%	0.9%	-31	0.0%	-4.3%	6	0.0%	1.1%	16	0.0%	2.5%	-1	-0.3%	-0.1%	0	0.0%	0.0%	0.0%	-4	
	Probable Cause Search	-16	-0.1%	-0.3%	-538	-0.2%	-3.7%	-93	-0.1%	2.8%	-50	0.0%	1.3%	-1	-0.3%	0.0%	0	0.0%	0.0%	-0.1%	-698	
Stolen/ Wanted	Consent Search	-2	0.0%	-4.9%	4	0.0%	1.7%	0	0.0%	-5.6%	6	0.0%	8.7%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	8	
	Incident to Arrest	-5	0.0%	-0.6%	-71	0.0%	0.0%	-32	0.0%	0.6%	-22	0.0%	0.0%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	-130	
	No Search	-6	0.0%	-2.0%	-34	0.0%	-6.1%	-15	0.0%	0.2%	14	0.0%	7.9%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	-41	
	Plain View	0	0.0%	0.0%	-2	0.0%	-22.2%	1	0.0%	11.1%	1	0.0%	11.1%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	0	
	Probable Cause Search	0	0.0%	0.0%	-16	0.0%	-10.4%	-5	0.0%	-1.7%	6	0.0%	12.1%	0	0.0%	0.0%	0	0.0%	0.0%	0.0%	-15	
		-2,758 Total	0.0% of Race	-0.4% of all Detentions	-11,631 Total	0.0% of Race	-1.4% of all Detentions	2,367 Total	0.0% of Race	1.2% of all Detentions	99 Total	0.0% of Race	0.7% of all Detentions	65 Total	0.0% of Race	0.0% of all Detentions	122 Total	N/A of Race	0.0% of all Detentions	0.0%	-11,736	

* Middle Eastern as a category was not captured prior to September 2009. Statistics reported in this report were for September to December 2009 only and do not reflect a full year of data.

APPENDIX D

Traffic Citation Comparison

TRAFFIC CITATION COMPARISON

2008 and 2009

MONTH	2008			% BY			2009			% BY	
	TOTAL	HPD	METRO	TOTAL	METRO	METRO	TOTAL	HPD	METRO	TOTAL	METRO
January	71,231	70,443	788	76,976	1.11%	1.11%	75,851	1,125	1.46%		
February	75,402	74,513	889	80,938	1.18%	1.18%	80,064	874	1.08%		
March	77,818	76,954	864	73,470	1.11%	1.11%	72,804	666	0.91%		
April	99,513	98,627	886	75,198	0.89%	0.89%	74,372	826	1.10%		
May	83,863	83,111	752	80,226	0.90%	0.90%	79,267	959	1.20%		
June	74,058	73,453	605	82,434	0.82%	0.82%	81,683	751	0.91%		
July	73,328	72,618	710	69,454	0.97%	0.97%	68,540	914	1.32%		
August	82,357	81,638	719	65,481	0.87%	0.87%	64,507	974	1.49%		
September	59,385	58,823	562	64,637	0.95%	0.95%	63,630	1,007	1.56%		
October	82,921	82,164	757	63,880	0.91%	0.91%	62,859	1,021	1.60%		
November	68,190	67,314	876	55,791	1.28%	1.28%	54,908	883	1.58%		
December	84,931	84,391	540	61,618	0.64%	0.64%	60,923	695	1.13%		
TOTAL	932,997	924,049	8,948	850,103	0.96%	0.96%	839,408	10,695	1.26%		