



KYLE POLICE DEPARTMENT

Memorandum

To: Scott Sellers, City Manager

Cc: James Earp, Assistant City Manager

Jennifer Vetrano, City Secretary

From: Jeff Barnett, Chief of Police

Date: March 11, 2020

Re: 2019 Annual Racial Profiling Report

The Kyle Police Department is submitting the 2019 Racial Profiling Report as required by the Texas Code of Criminal Procedure. Please find the following documents for your review and presentation to the City Council:

Kyle Police Department Racial Profiling Policy Chapter 2.2;
Kyle Police Department Annual Report – 2019 Data
Memorandum from Captain Hernandez

As you may recall, the State of Texas enacted a law requiring certain actions on behalf of the local agency and the individual law enforcement officers when conducting traffic or pedestrian stops. The Kyle Police Department has a policy that prohibits officers from engaging in racial profiling as defined by state law, and our officers are directed to capture certain types of data pertaining to traffic and pedestrian detentions with members of the public. The Kyle Police Department police vehicles that routinely engage in traffic and pedestrian stops are outfitted with audio and video recording equipment. Additionally, patrol and traffic officers are outfitted with body worn cameras for additional recording. These videos are retained for a period of not less than 90 days, and they are reviewed throughout the year by supervisory staff as required by the statute.

The Kyle Police Department does have a publicly promoted process by which an individual may file a complaint if the individual believes that a Kyle Police Officer has engaged in racial profiling. Furthermore, the Kyle Police Department received only one complaint from a citizen stopped for a traffic violation at night that was believed to have been initiated due to the race of the driver. It was determined that the officer did not know that the race of the driver prior to approaching the vehicle during the actual the stop.

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In reviewing the data, the Kyle Police Department conducted a total of 13,255 motor vehicle and pedestrian stops. The following table represents the percentage of individuals stopped by race/ethnicity as categorized and defined by the State of Texas:

Race/Ethnicity	Percent of Total Stops
Black	9.29%
Asian/Pacific Islander	1.03%
Caucasian	46.95%
Hispanic/Latino	42.08%
Alaska Native/ American Indian	0.65%

An analysis of the data was conducted by the Captain Hernandez, and the findings of adherence to policies and state law are outlined in his memorandum. A brief overview of the data collected is described below. Of the 13,255 stops that resulted in an arrest, citation, or written or verbal warning, 590 vehicle searches were conducted. Of those 590 searches, 128 were consensual while 352 of them were based upon probable cause and 33 were incident to arrest. 21 of the searches were due to contraband in plain view of the officer and 56 were inventory searches. Of the same 590 searches, 388 categories of contraband were located and as identified in the following categories: alcohol (59); currency (2); drugs (302); other (63); stolen property (3); and weapons (5).

Of the same 13,255 traffic stops, only in 154 of the instances was the race/ethnicity of the vehicle operator known to the police officer prior to the vehicle stop. The results of the traffic stops were as follows: arrest (210); citation (4889); citation and arrest (72); verbal warning (6630); written warning (1441); and written warning with arrest (11). Of those 210 arrests, the reason for arrest was based on the following: outstanding warrant (80); violation of penal code (193); and violation of traffic law (20).

This report has been filed with the Texas Commission on Law Enforcement. Please let me know if you would like any further information concerning this report. Thank you very much.