



# **KYLE** **POLICE**

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To: Scott Sellers, City Manager

Cc: James Earp, Assistant City Manager

Jerry Hendrix, Chief of Staff

Jennifer Vetrano, City Secretary

From: Jeff Barnett, Chief of Police

Date: February 10, 2021

Re: 2020 Annual Racial Profiling Report

The Kyle Police Department is submitting the 2020 Racial Profiling Report as required by the Texas Code of Criminal Procedure. This report is required to be submitted to the governing body on or before March 1st of each year. 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 – 20120 Data
- Memorandum from Captain Hernandez
- Memorandum from Lt. Griffith

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 clearly defines racial profiling and 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.

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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. Information on the process may be obtained from a variety of sources, to include the City's webpage, the front lobby of the Police Department, and from Kyle Police Department staff. In addition, every person that receives a written citation is provided information on how to file a complaint. Furthermore, the Kyle Police Department did not receive any complaints pertaining to racial profiling during this reporting period. Please see the email included with this report from Captain Hernandez.

In reviewing the data, the Kyle Police Department conducted a total of 8,179 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:

<b>Race/Ethnicity</b>	<b>Percent of Total Stops</b>
Black	11.89%
Asian/Pacific Islander	1.31%
Caucasian	39.49%
Hispanic/Latino	46.67%
Alaska Native/ American Indian	0.06%
Total (Rounding)	99.42%

An analysis of the data was conducted by Lt. Griffith and is included for your review. His findings of adherence to policies and state law are outlined in his memorandum. A brief overview and analysis of the data collected is described below.

Of the 8,179 stops that resulted in an arrest, citation, or written or verbal warning, 708 vehicle searches were conducted. Of those 708 searches, 121 were consensual while 386 of them were based upon probable cause and 30 were incident to arrest. 68 of the searches were due to contraband in plain view of the officer and 103 were inventory searches. Of the same 708 searches, 528 items of contraband were located and as identified in the following categories: alcohol (85); currency (2); drugs (385); other (37); stolen property (5); and weapons (14).

Of the same 8,179 traffic stops, only in 85 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 (420); citation (1982); citation and arrest (51); verbal warning (4822); written warning (900); and written warning with arrest (4). Of those 420 arrests, the reason for arrest was based on the following: outstanding warrant (78); violation of penal code (335); and violation of traffic law (61).

Of the same 85 instances where the race/ethnicity was known, 60 were male and 25 were female. 40 were white, 37 were Hispanic, and 8 were black. 40 were white, and 37 were Hispanic. Of the 8 that were black, 3 were arrested, 3 were issued a warning, and 2 were issued a citation. Of the 40 that were white, 13 were arrested, 9 were issued citations, and 18 were issued warning. Of the 36 that were Hispanic, 11 were arrested, 15 were issued citations, and 11 were issued warnings.

Of the 85 instances where race/ethnicity was known, a search was conducted in 31 of those instances. Of those 31, 2 were black, 16 were Hispanic, and 13 were white. Of the remaining 54 instances where no search was conducted, 6 were black, 26 white, and 22 were Hispanic.

Officers both work and regularly respond to calls for service on areas and on all roadways within our city. This includes city streets, county roads, state highways, US highways, and private property (such as parking lots and commonly used but privately maintained roadways, etc. Of the 8,179 stops, the stops were indicated in the follow categories: US Highway (3,283); State Highway (928); Private Property or Other (44); County Road (270); and City Street (3654).

The Racial Profiling report has been filed with the Texas Commission on Law Enforcement as required. It is my understanding that this report will be provided to the City Council prior to the March 1st deadline, and I am prepared to make any presentations as directed by you in the future.

Please let me know if you would like any further information concerning this report. Thank you very much.



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