



# Robinson Police Department

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## **ANALYSIS OF RACIAL PROFILING DATA ROBINSON POLICE DEPARTMENT 2008**

### **INTRODUCTION**

Every year, cities across Texas struggle to define the service population that forms the basis for racial profiling reporting, and Robinson is no different. U.S. Census data simply does not account for Baylor students residing in Robinson, for visitors, and for the uncounted thousands of people who simply drive through town every day on IH-35, Hwy. 77, and the rest of the state highway system.

Comparing violator contacts, searches, and arrests to census data has only one advantage – the data is stable, meaning we can compare results from year to year because the census data does not change. Unfortunately, the census method has several shortcomings.

- As census data ages, it may not reflect current population figures.
- Census data includes everyone living in Robinson, not just people of driving age.
- Census data counts only those people living in Robinson and not those whose permanent residence is elsewhere, commuters, visitors, shoppers, or those who simply were driving through town. However, all of those people were subject to being stopped and cited, thus affecting the enforcement ratio.

For comparison we have computed our racial profiling data using two different population counts: the U.S. Census data for Robinson and the Waco/McLennan County Metropolitan Statistical Area (MSA). We used these two different population groups because of the diverse groups that cross our city limits daily by people going to work, shop or otherwise going about their routine activities.

The enforcement ratios in this report, using census data, used populations that either were in use or were favored by other cities or by interested citizen groups.

The enforcement ratio shows an important difference when comparing the population rates between races or ethnic groups and the populations for Robinson and the Waco/McLennan County Metropolitan Statistical Area. Since many of the people that the Robinson Police Department contacted during an enforcement action lived outside the City of Robinson, the enforcement ratio data shows an acceptable enforcement ratio of all races or ethnic groups by the Robinson Police Department.

We used the data collected from officer's contacts with vehicle drivers for the enforcement information in this report. This data was recorded in the Robinson Police Department's Records Management System (RMS).

### **INITIAL EXAMINATION**

Data obtained from the records management system in the Robinson Police Department was reviewed and analyzed. Analysis indicated that based on percent of violators contacted versus the percent of population of all races and ethnic groups in Robinson, officers contacted Hispanics 7.7%<sup>1</sup> more often and Blacks 8.3%<sup>2</sup> more often than the respective racial population percentages.

When comparing this data to the MSA, Robinson Police Department officers contacted Hispanics 1.2%<sup>3</sup> less often and Blacks 4.8%<sup>4</sup> less often than they contacted the respective racial population percentage.

**Comparing contact data with the Robinson and MSA population data indicates that Robinson Police Department officers contacted minority groups statistically between the two population groups and shows no racial profiling was conducted on individuals traveling in and through Robinson.**

**After reviewing audio and video tapes from patrol vehicles, supervisors have reported no evidence of racial profiling by any officer. The Department received no citizen complaints in 2008 regarding racial profiling.**

<sup>1</sup> – 16.7% of all Hispanic contacts minus 9% of the Robinson Hispanic population.

<sup>2</sup> – 10.4% of all Black contacts minus 2.1% of the Robinson Black population.

<sup>3</sup> – 16.7% of all Hispanic contacts minus 17.9% of the MSA Hispanic population.

<sup>4</sup> – 10.4% of all Black contacts minus 15.2% of the MSA Black population.

### **REPORT DEFINITIONS**

Senate Bill 1074 of the 77th Legislature establishes requirements in the Texas Code of Criminal Procedures for law enforcement agencies to collect and report data concerning racial profiling for traffic contacts in which officers issue citations, conduct searches, and make arrests. This report to the City Council fulfills the reporting requirement of Article 2.132 of the Code of Criminal Procedures.

The Robinson Police Department 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.” This report reflects the total number of traffic contacts Robinson Police Department officers made during 2008, the number of searches that officers made related to those contacts, the number of those searches that officers conducted with the drivers' consent, and the number of arrests that officers made consequential to those searches.

The Department calculated three enforcement ratios based on different base populations. In the analysis of the data, we compared the contact, search, and arrest data for 2008 to census data from 2000 for the City of Robinson and for the Waco/McLennan County Metropolitan Statistical Area (MSA).

**DATA**

<b>Table 1. 2008 Summary of results - <u>Robinson</u></b>							
<b>Key Indicators</b>	<b>Total</b>	<b>White</b>	<b>Hispanic</b>	<b>Black</b>	<b>Asian</b>	<b>Am. Indian</b>	<b>Other</b>
<b>Robinson Population</b>	7,845	6,857	706	164	37	24	57
<b>Robinson Population %</b>	100%	87.4%	9.0%	2.1%	0.5%	0.3%	0.7%
<b>Number of Contacts</b>	4,559	3,285	757	478	20	5	14
<b>Percent of Contacts</b>	100%	72%	16.7%	10.4%	0.4%	0.1%	0.3%
<b>Total Searches</b>	290	228	35	27	0	0	0
<b>Consent Searches</b>	225	171	27	32	0	0	0
<b>Total Arrests</b>	400	248	76	54	20	0	2
<b>Disparity index</b>	---	.82	1.85	4.95	.8	.33	.43
<b>Search rate</b>	6.36%	6.9%	4.62%	5.65%	0%	0%	0%
<b>Arrest rate</b>	8.77%	7.55%	10.04%	11.3%	100%	0%	14.29%
<p><b>Notes:</b> Population figures are 2000 census estimates for persons 16 and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.</p> <p><b>Disparity index</b> = (proportion of contacts / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.</p>							

<b>Table 2. 2008 Summary of results – Waco/McLennan County MSA</b>							
<b>Key Indicators</b>	<b>Total</b>	<b>White</b>	<b>Hispanic</b>	<b>Black</b>	<b>Asian</b>	<b>Am. Indian</b>	<b>Other</b>
<b>Waco MSA Population</b>	213,517	115,854	38,233	32,428	1,056	2,284	23,662
<b>MSA Population %</b>	100%	54.3%	17.9%	15.2%	0.5%	1.1%	11.1%
<b>Number of Contacts</b>	2,585	1,872	454	248	9	1	1
<b>Percent of Contacts</b>	100%	72.4%	17.5%	9.5%	.3%	.03%	.03%
<b>Total Searches</b>	290	228	35	27	0	0	0
<b>Consent Searches</b>	225	171	27	32	0	0	0
<b>Total Arrests</b>	400	248	76	54	20	0	2
<b>Disparity index</b>	---	<b>1.33</b>	<b>.98</b>	<b>.63</b>	<b>.6</b>	<b>.03</b>	<b>.0</b>
<p><b>Notes:</b> Population figures are 2000 census estimates for persons 16 and older who designated a single race. Hispanics may be of any race. Other includes persons of mixed race and unknown race.</p> <p><b>Disparity index</b> = (proportion of contacts / proportion of population). A value of 1 represents no disparity; values greater than 1 indicate over-representation, values less than 1 indicate under-representation.</p>							

### **ANALYSIS**

Tables 1 and 2, above, denotes violator contacts, searches, and arrests that Robinson police officers performed in 2008, categorized by race/ethnicity of the violator and their comparison to the census data for Robinson and the MSA. This information comes from data officers collected on the citations and reported to the records management system of the Robinson Police Department and from the U.S. Census.

**We asked three questions in this report.**

**Question 1:** Is there a statistically significant difference between the ethnic distribution of contacts by the Robinson Police Department and the ethnic distribution in the general population in Robinson and the MSA?

**Response:** Results indicate that there was no racial profiling by the Robinson Police Department in stopping minorities (African-Americans, Hispanics, and others). In fact, overall ethnic minorities were stopped less numerically and by percent in Robinson than the White population. Comparing our data to the MSA, overall ethnic minorities were also stopped less than the White population.

When comparing violator contacts between racial groups, the Robinson Police Department violator contacts with Whites (72% of all contacts) exceeded the percentage of the White population (54.3%) in the MSA and were less than the percentage of White population (87.4%) in Robinson. Thus, the Robinson Police Department's violator contacts with Whites were about midway between the population percentages of the MSA and Robinson. This is important when comparing violator contacts with other racial groups.

When comparing violator contact between racial groups, the Robinson Police Department had violator contacts with Hispanics (16.7% of all contacts) less often when compared to the percentage of the Hispanic population (17.9%) in the MSA and more often when compared to the percentage of the Hispanic population (9.0%) in Robinson. The Robinson Police Department's violator contacts with Hispanics were comparable to the Hispanic population in the MSA but higher than the percent of Hispanic population in Robinson.

When comparing violator contact between racial groups, the Robinson Police Department had violator contacts with Blacks (10.4% of all contacts) less often when compared to the percentage of the Black population (15.2%) in the MSA and more often when compared to the percentage of the Black population (2.1%) in Robinson. Thus, the Robinson Police Department's violator contacts with Blacks were about midway between the population percentages of the MSA and Robinson.

When comparing violator contacts between racial groups, the Robinson Police Department stopped American Indians, Asians, and other lesser population racial groups proportionately less often when compared to the percentage of the White population of both the MSA and Robinson.

See DISPARITY INDEX in this report for more information.

**Question 2:** Is the ethnic distribution of searches conducted by the Robinson Police Department different from the ethnic distribution of contacts that were conducted by the Robinson Police Department?

**Response:** Results indicate that there was a slight difference between the ethnic distribution of searches and contacts that were conducted by Robinson Police Department. However, that difference was relatively small.

Hispanics stopped by the Robinson Police Department were 4.62% less often subject to searches than the White population<sup>5</sup>. The Black population was 1.25% less often to be subject to searches than the White population<sup>6</sup>.

In the absence of racial profiling we would have expected to see about 48 Hispanics being searched<sup>7</sup>. The actual number of searches of Hispanics by the Robinson Police Department was 35. In the absence of racial profiling we would have expected to see about 30 Blacks being searched<sup>8</sup>. The actual number of searches of Blacks by the Robinson Police Department was 27.

<sup>5</sup> - 6.9% of all White searches minus 4.62% of all Hispanic searches.

<sup>6</sup> - 6.9% of all White searches minus 5.65% of all Black searches.

<sup>7</sup> - 16.7% of all Hispanic contacts multiplied by the number of all 290 searches.

<sup>8</sup> - 10.4% of all Black contacts multiplied by the number of all 290 searches.

See SEARCH RATES in this report for more information.

## **DISPARITY INDEX**

The disparity index relates each group's proportion of total vehicle contacts to each group's proportion of the population in both Robinson and the MSA. The disparity index was a gauge of the likelihood of the population for a given race or ethnic group to be stopped as compared to their proportion of the resident population. A group's share of the resident population may or may not equal its proportion of drivers. Although in most instances the two proportions should be close, that may not always be the case.

The disparity index defines the contacts to census data ratio, comparing the percentage of contacts to each racial/ethnic group to the percentage that each group represents in the 2000 census. A ratio of 1.00 means that officers stopped a racial/ethnic group proportionally to that group's percentage of the population. A ratio greater than 1.00 means that officers were stopping a group more often than that group's percentage of the population, and a ratio less than 1.00 means that officers were citing a group less often than that group's percentage of the population.

The extremely low index values for American Indians, for example, could indicate that they were under-represented among the motorists in Robinson and in the MSA. In addition, motorists from areas outside Robinson and the MSA were stopped on Robinson's roadways. To the extent that out-of-area drivers do not reflect the race and ethnic composition of Robinson and the MSA populations, the disparity index will not accurately portray the probability of Robinson residents that were stopped.

From the census data, it appears that in 2008 officers cited Whites at a rate lower than their percentage of the Robinson population (DI 0.82). Hispanics and African-Americans received more contacts than their percentages of the Robinson population (DI 1.85 and 4.95, respectively). Asian-Americans and American Indians received fewer contacts than their percentage of the Robinson population (DI 0.60 and 0.10, respectfully), but, because the number of Asian-Americans and American Indians stopped and the number in the population were so small, this variation was not significant.

From the census data, it appears that in 2008 officers cited Whites at a rate slightly greater than their percentage of the MSA population (DI 1.33). Hispanics and African-Americans received fewer contacts than their percentages of the MSA population (DI 0.98 and 0.63, respectively). Asian-Americans and American Indians received fewer contacts than their percentage of the population (DI 0.6 and .03, respectfully), but, again, because the number of Asian-Americans and American Indians cited and the number in the population were so small, this variation was not significant.

### **SEARCH RATES**

Search rates can also be used to assess racial profiling. Searches include searches of drivers or property in the vehicle.

The average search rate for all motorists who were stopped by the Robinson Police Department was 6.36%. Whites were searched at a rate above average and Hispanics, Blacks, Asians, American Indians, and others were searched at rates below average for all motorists who were stopped.

The search rates for the groups also can be compared directly with one another. African-Americans were 1.25% percent less likely to be searched than Whites. Hispanics were 2.28% less likely than Whites to be searched. Whites were .54% more likely to be searched than the average search rate.

The reasons for conducting a search and the outcome of the search (such as finding contraband) should be considered when making comparisons across groups. Some searches were conducted with the consent of the driver, because the officer observed suspected contraband in plain view, because the officer had reasonable suspicion that an individual may have possessed a weapon (Terry search), or other reasons. These searches may or may not result in an arrest.

Other searches were conducted incident to arrest, which means there was no other reason given for the search other than arrest. Searches were almost always performed when there was an outstanding warrant.

### **ARREST RATES**

The arrest rate may also be useful for assessing racial profiling. Just over 8% of all vehicle

contacts resulted in an arrest (400/4559). The probability of arrest varies across the race and ethnic groups.

Hispanics and Blacks were arrested 2.85% and 3.75% respectively above the average White arrest rate of 7.55%. There were 2.53% more arrests of African-Americans and 1.27% of Hispanics than the average overall arrest rate.

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