INFORMAL STAFF REPORT

MEMORANDUM

To: **Ron L. Olson, City Manager**

Thru: **Wes Pierson, Assistant City Manager**

Thru: **Fred Segundo, Director of Aviation**

From: **John Hyland, Chief of Airport Public Safety Division**

Date: **February 27, 2014**

Subject: **Annual Racial Profiling Report - 2013**

Issue/Problem

Determine the prevalence of racial profiling by the Corpus Christi International Airport Public Safety Division officers as pertains to motor vehicle stops as well as subsequent searches and arrests.

Background & Findings

Article 2.132 of the Texas Code of Criminal Procedure requires the "collection of information relating to motor vehicle stops in which a citation is issued and to arrests resulting from those motor vehicle stops, including information relating to (A) the race or ethnicity of the individual detained; (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual."

"Racial profiling" means "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." *Tex. Code Crim. Proc. Art. 3.05.*

The Airport Public Safety Division adopts a detailed written policy on racial profiling. The policy:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement Officer Standards and Education; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The Airport Public Safety Division submits the attached report on motor vehicle stop and search data for calendar year 2013 in accordance with Article 2.132(a)(7) of the Texas Code of Criminal Procedure.

The agency did not receive any citizen complaints regarding racial profiling and prejudicial conduct by its officers during the calendar year 2013.

Conclusion

According to the 2010 Census results, the breakdown of race data for Corpus Christi: Hispanic – 59.7%; Caucasian – 33.33%; African American – 3.9%; Asian – 1.8%; and Native American - 0.3%. The Airport Public Safety Division jurisdiction is primarily on airport property. The airport population consists of both resident and non-resident citizens and varies daily. As a result, the existence of significant proportions of non-resident stops will lead to invalid conclusions if racial/ethnic comparisons are made exclusively to resident population figures.