

Racial Profiling Report | Full

Agency Name: VIA METRO TRANSIT POLICE DEPT.
Reporting Date: 01/31/2023
TCOLE Agency Number: 029290

Chief Administrator: MARK E. WITHERELL

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This Agency filed a full report

VIA METRO TRANSIT POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the VIA METRO TRANSIT POLICE DEPT. from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the VIA METRO TRANSIT POLICE DEPT. if the individual believes that a peace officer employed by the VIA METRO TRANSIT POLICE DEPT. has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the VIA METRO TRANSIT POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the VIA METRO TRANSIT POLICE DEPT. policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or 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;
 - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.
- 7) requires 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; 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 VIA METRO TRANSIT POLICE DEPT. has satisfied the statutory data audit requirements as prescribed in

Article 2.133(c), Code of Criminal Procedure during the reporting period.

Executed by: STEPHEN M. BAKER
Officer

Date: 01/31/2023

Total stops: 576

Street address or approximate location of the stop

City street	512
US highway	48
County road	0
State highway	3
Private property or other	13

Was race or ethnicity known prior to stop?

Yes	0
No	576

Race / Ethnicity

Alaska Native / American Indian	5
Asian / Pacific Islander	15
Black	68
White	329
Hispanic / Latino	159

Gender

Female	184
Alaska Native / American Indian	1
Asian / Pacific Islander	3
Black	20
White	116
Hispanic / Latino	44
Male	392
Alaska Native / American Indian	4
Asian / Pacific Islander	12
Black	48
White	213
Hispanic / Latino	115

Reason for stop?

Violation of law	17
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	4
White	8

Hispanic / Latino	5
Preexisting knowledge	12
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	1
White	8
Hispanic / Latino	2
Moving traffic violation	461
Alaska Native / American Indian	5
Asian / Pacific Islander	12
Black	53
White	266
Hispanic / Latino	125
Vehicle traffic violation	86
Alaska Native / American Indian	0
Asian / Pacific Islander	2
Black	10
White	47
Hispanic / Latino	27
Was a search conducted?	
Yes	151
Alaska Native / American Indian	2
Asian / Pacific Islander	2
Black	23
White	81
Hispanic / Latino	43
No	425
Alaska Native / American Indian	3
Asian / Pacific Islander	13
Black	45
White	248
Hispanic / Latino	116
Reason for Search?	
Consent	9
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	4
White	4

Hispanic / Latino	1
Contraband	2
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	1
Hispanic / Latino	0
Probable	60
Alaska Native / American Indian	2
Asian / Pacific Islander	0
Black	10
White	37
Hispanic / Latino	11
Inventory	29
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	3
White	14
Hispanic / Latino	11
Incident to arrest	51
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	5
White	27
Hispanic / Latino	18

Was Contraband discovered?

Yes	69
Alaska Native / American Indian	2
Asian / Pacific Islander	1
Black	7
White	42
Hispanic / Latino	17
No	82
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	16
White	39
Hispanic / Latino	26

Did the finding result in arrest?
(total should equal previous column)

Yes	1	No	1
Yes	1	No	0
Yes	4	No	3
Yes	31	No	11
Yes	12	No	5

Description of contraband	
Drugs	49
Alaska Native / American Indian	2
Asian / Pacific Islander	0
Black	4
White	35
Hispanic / Latino	8
Weapons	8
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	1
White	3
Hispanic / Latino	3
Currency	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Alcohol	10
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	3
Hispanic / Latino	6
Stolen property	2
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	1
Hispanic / Latino	0
Other	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Result of the stop	
Verbal warning	5

Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	3
Hispanic / Latino	1
Written warning	277
Alaska Native / American Indian	1
Asian / Pacific Islander	8
Black	30
White	183
Hispanic / Latino	55
Citation	192
Alaska Native / American Indian	3
Asian / Pacific Islander	5
Black	27
White	86
Hispanic / Latino	71
Written warning and arrest	4
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	1
Hispanic / Latino	2
Citation and arrest	27
Alaska Native / American Indian	1
Asian / Pacific Islander	2
Black	4
White	13
Hispanic / Latino	7
Arrest	71
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	5
White	43
Hispanic / Latino	23
Arrest based on	
Violation of Penal Code	73
Alaska Native / American Indian	1
Asian / Pacific Islander	2

Black	8
White	43
Hispanic / Latino	19
Violation of Traffic Law	7
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	4
Hispanic / Latino	2
Violation of City Ordinance	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Outstanding Warrant	22
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	10
Hispanic / Latino	11

Was physical force resulting in bodily injury used during stop?

Yes	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	1
Resulting in Bodily Injury To:	
Suspect	1
Officer	0
Both	0
No	575
Alaska Native / American Indian	5
Asian / Pacific Islander	15
Black	68
White	329
Hispanic / Latino	158

Number of complaints of racial profiling

Total	0
Resulted in disciplinary action	0
Did not result in disciplinary action	0

Comparative Analysis

Use TCOLE's auto generated analysis	<input type="checkbox"/>
Use Department's submitted analysis	<input checked="" type="checkbox"/>

Optional Narrative

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement