



HB-258: Motorcycle Profiling Points of Interest

2023 88th Texas Legislative Session

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- **Federal Senate Resolution 154**-Promoting awareness of motorcyclist profiling and encouraging collaboration and communication with the motorcycle community and law enforcement officials to prevent instances of profiling, **passed in 2018**
 - **Federal House Resolution 366**-Promoting awareness of motorcyclist profiling and encouraging collaboration and communication with the motorcycle community and law enforcement officials to prevent instances of profiling, **passed in 2022**
 - Motorcycle Profiling Project has been conducting a National survey for 5 years and has reported a **100% increase in motorcycle profiling**.
 - The largest number of cases are in Texas and California
 - Numbers and reported cases show these instances are not restricted to 1%er clubs or OMGs
 - By December 2022, the survey had reached over **12,136 survey respondents, 1051 of which are from Texas**. This gives less than 3% margin of error based on the sample size with more completing the survey to finish out the year.
 - Approximately **30%** of those have reported that they were stopped simply because of what they were wearing and their mode of transportation.
 - The most egregious cases were related to arrests for simply not using a turn signal during a U-turn or changing lanes. We have video evidence.
 - These stops have been less than subtle attempts to collect data for the Texas Gang Database. Many times, bikers/motorcyclists are coerced into searches at the threat of arrest for a Class C misdemeanor. Again, we have recorded evidence that yield financial compensation from APD and Texas DPS. One for requiring the biker to disrobe on the side of I-35 so officers could take pictures of his tattoos, again at the threat of arrest. The other, a speeding ticket for 10 over on a toll road late night that extended a stop from an expected 11 minutes to 41 minutes while the DPS trooper called a local K9 unit that found nothing.
 - More cases are pending, costing the Texas taxpayers dollars and taking officers away from more serious offenses.
 - There are **1.2 Million licensed motorcyclists in the State of Texas**
 - The previous year's survey shows approximately **38%** of surveyed bikers are veterans
 - Consistently the survey results show that over **85%** are active voters



- **73%** are employed full-time while a large portion of the remaining **27%** are retired or on military or work disability.
- **98.75%** have no felony record
- Hot spots are DFW, Houston, El Paso, Corpus Christi, and Austin
- End result is the biker/ motorcyclists' input into the Texas Gang Database, which yields its own set of issues.
- Survey question: Should there be a state or federal law addressing the issue of motorcycle profiling and discrimination directed towards motorcyclists? **85% Yes / 15% No**
- Out of all survey respondents in Texas, only **about 100** responses are from those considered 1%ers or OMGs. This means the large portion of respondents are made of traditional, family, religious, veteran oriented motorcycle clubs and riding clubs.
- Motorcycle Profiling is a continued harassment of those who are expressing a Supreme Court confirmed right of protected free speech and association.
- Motorcycle Profiling serves nothing more than to increase officer contacts/ interactions to justify budgets or attempts to increase funding.