88R13199 BHH-D

By:  Hunter H.C.R. No. 62

CONCURRENT RESOLUTION

WHEREAS, Across Texas, the number of registered motorcycles is growing at a rapid rate, and numerous motorcyclists have expressed concerns regarding motorcycle profiling by law enforcement officers; and

WHEREAS, Motorcycle profiling is the illegal use of a person's motorcycle-related apparel or status as a motorcycle operator as a factor in deciding to stop and question, take enforcement action toward, arrest, or search a person or vehicle; and

WHEREAS, Some Texans in motorcycle clubs have been unjustly stopped and arrested due to being inaccurately identified as gang members in the TXGANG database, and this has recently prompted several courts to raise questions about how police use the law enforcement tool; and

WHEREAS, According to a 2022 U.S. House of Representatives resolution, reported incidents of motorcycle profiling in the State of Washington dropped approximately 90 percent since the passing of a state law to ensure that issues related to motorcycle profiling are included in law enforcement training; and

WHEREAS, Unlawful motorcycle profiling is a serious issue in Texas and beyond, and every means of preventing it should be explored; now, therefore, be it

RESOLVED, That the 88th Legislature of the State of Texas hereby request that the Lieutenant Governor and the Speaker of the House of Representatives create a joint interim committee to study motorcycle operator profiling by law enforcement officers; and, be it further

RESOLVED, That the study must consider:

(1)  the effectiveness of current education and training requirements for law enforcement officers regarding motorcycle operator profiling awareness and sensitivity;

(2)  potential improvements to education and training requirements regarding motorcycle operator profiling awareness and sensitivity that may be implemented by state and local law enforcement agencies; and

(3)  any other methods to decrease motorcycle operator profiling by law enforcement officers; and, be it further

RESOLVED, That a full report, including findings and recommendations, be submitted to the 89th Texas Legislature before it convenes in January 2025.