



City of La Porte

Established 1892

Police Department

Recognized as a Best Practices Agency by  
the Texas Association of Police Chiefs



January 29<sup>th</sup>, 2018

**To: La Porte City Council**  
**Thru: Corby Alexander, City Manager**  
**From: Kenith Adcox, Chief of Police**  
**Subject: Racial Profiling Report for the La Porte Police Department**

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Honorable Council Members:

The following report is provided in accordance with Article 2.132 (7) of the Texas Code of Criminal Procedures. The Code requires that the police department annually report, to its governing body, data collected on the race or ethnicity of individuals stopped for traffic violations and subsequently cited, searched and/or arrested. Reporting must take place on or before March 1<sup>st</sup> of each year.

The following report meets this requirement by providing a detailed analysis of the La Porte Police Department's policies, training, and statistical information on racial profiling for the year 2017. To assist City Council in their examination of the included data, detailed demographic data has also been provided relating to the City of La Porte, Harris County, and the State of Texas. For the purposes of this report and analysis, the following definition of racial profiling is used: *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 (Texas CCP Article 3.05).*

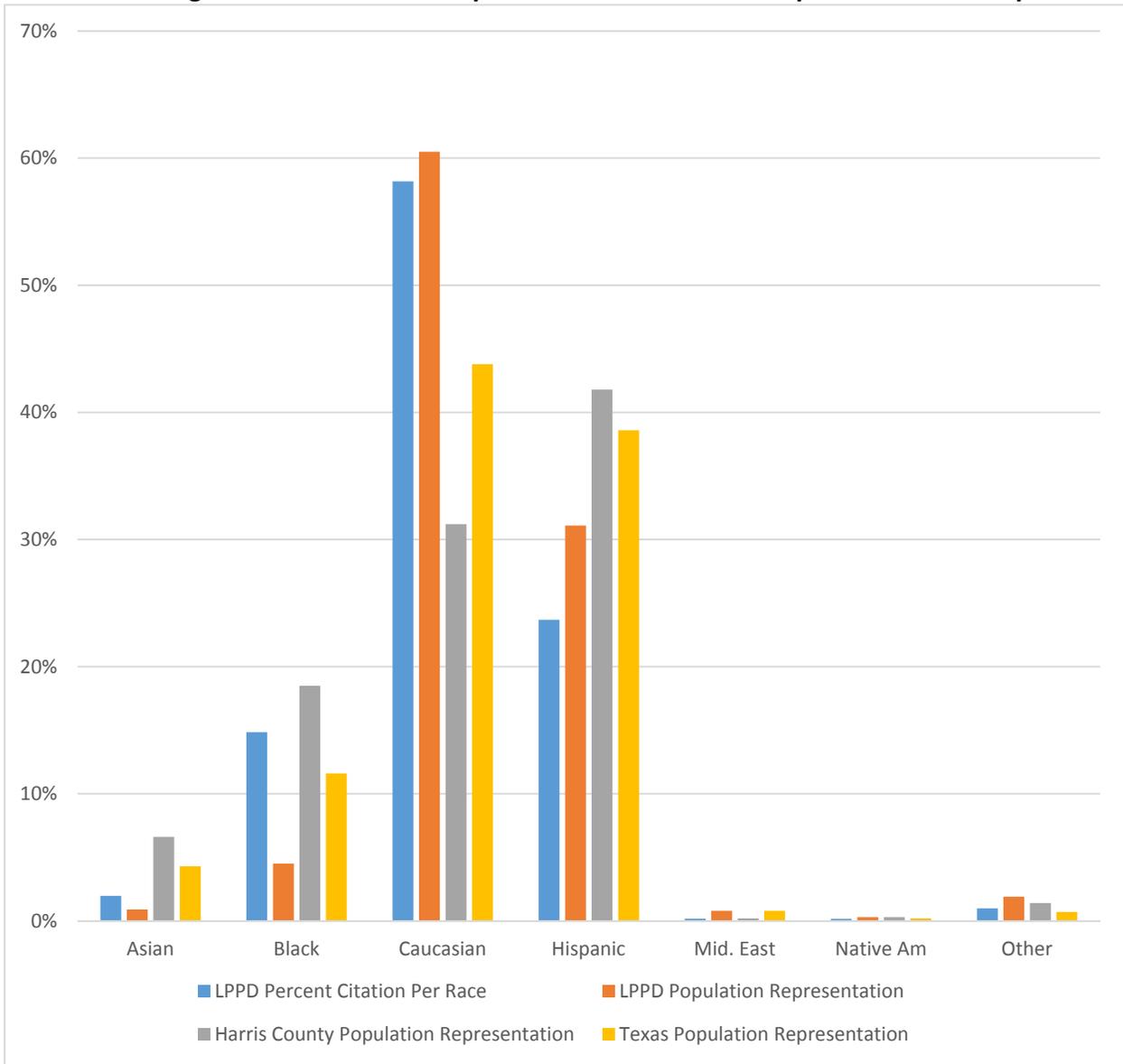
#### **La Porte Police Department Policy/ Training on Racial Profiling**

A review of La Porte Police Department Policy 314 and 401.2.6 provide evidence that the department has adopted policies in compliance with Article 2.132 of the Texas Code of Criminal Procedure (see Appendix A). There are several specific requirements mandated by Article 2.132 that a law enforcement agency's Racial Profiling Policy must address. Each of these requirements are covered in the La Porte Police Department's Racial Profiling Policy, which provides clear direction that any form of racial profiling is prohibited and that officers found engaging in inappropriate profiling may be disciplined up to and including termination. The regulations also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race or ethnicity. All members of the La Porte Police Department have received formal training required by the State of Texas relating to Racial Profiling and have been provided, and signed for copies of, the departmental policy in question. Additionally, the policy is required to be reviewed with all employees by supervisors on a bi-annual basis.

#### **La Porte Police Department Statistical Data on Racial Profiling**

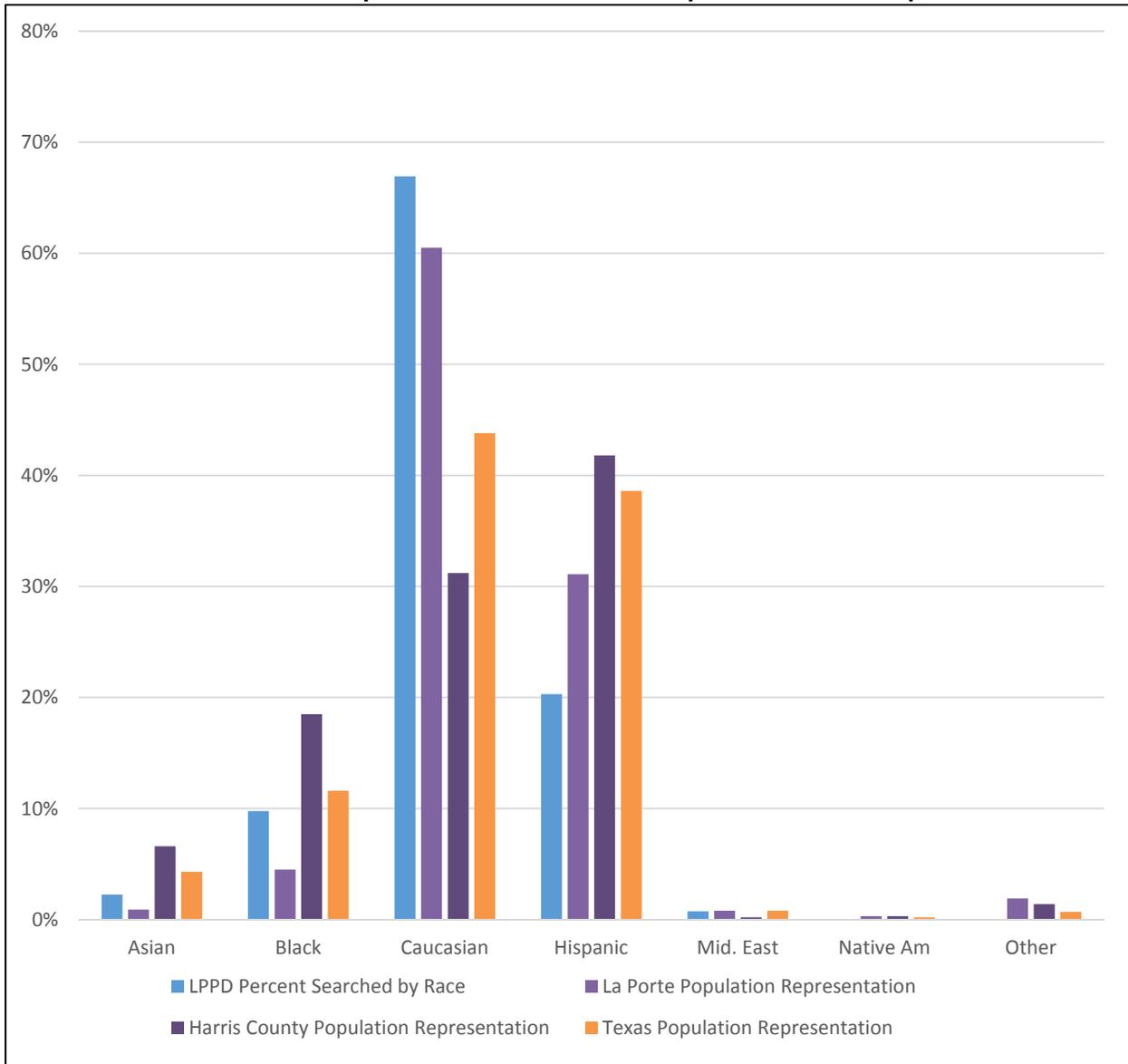
In accordance with Departmental Policy, Officers of La Porte Police Department submitted statistical information on all contacts made with motorists in 2017 and accompanying information on the race of the person contacted. This data has been aggregated and is presented in the following tables, accompanied by relevant information on searches, arrests, and demographic information.

### LPPD Percentage Citations Issued Compared with Overall Race Representation in Population



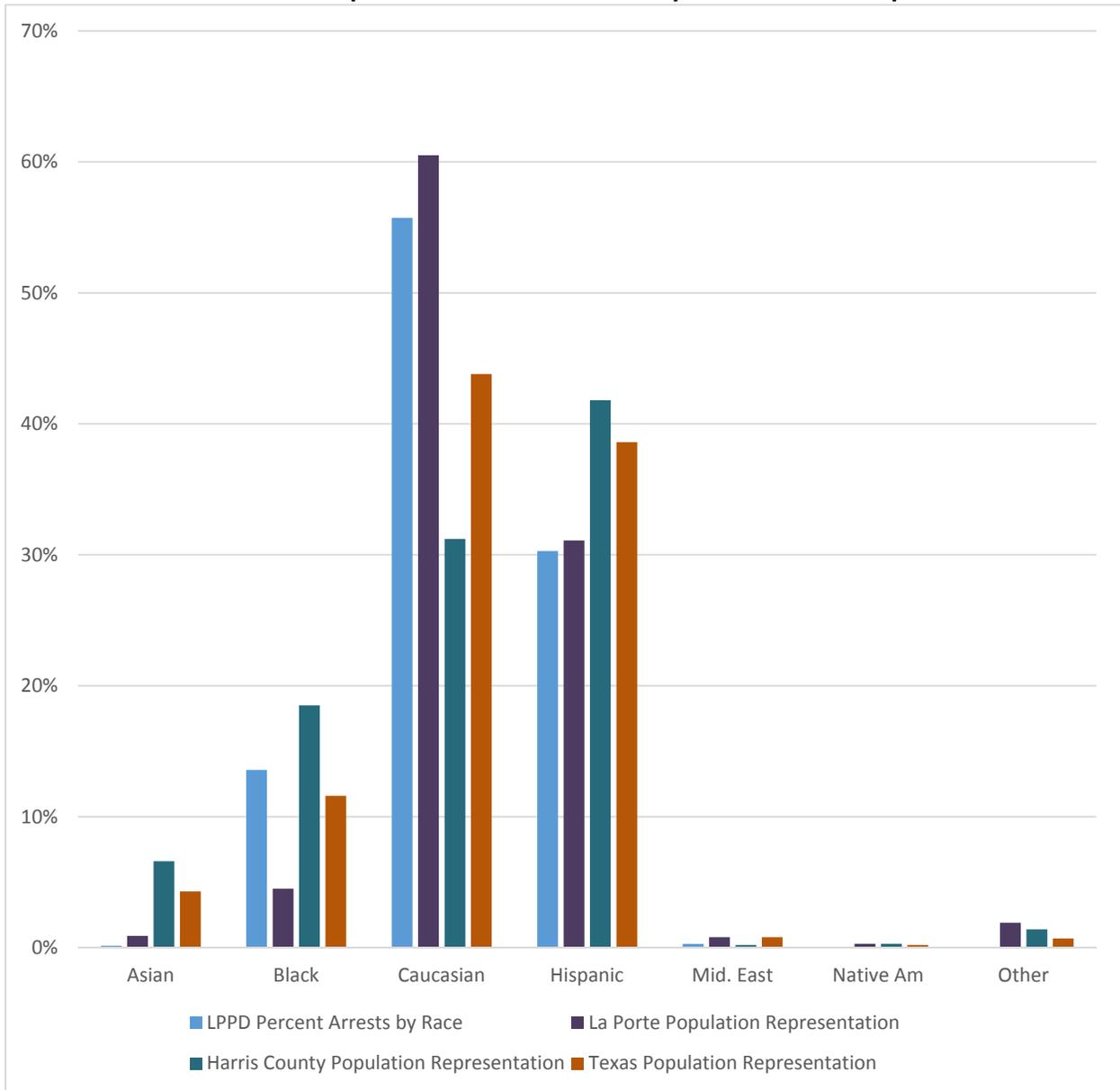
Race	La Porte PD Motorist Citations	LPPD Percent Cited by Race	La Porte Population Representation	Harris County Population Representation	Texas Population Representation
Asian	193	1.97%	0.90%	6.60%	4.30%
Black	1,458	14.85%	4.50%	18.50%	11.60%
Caucasian	5,713	58.18%	60.50%	31.20%	43.80%
Hispanic	2,326	23.69%	31.10%	41.80%	38.60%
Mid. East	17	0.17%	0.80%	0.20%	0.80%
Native Am	16	0.16%	0.30%	0.30%	0.20%
Other	97	0.99%	1.90%	1.40%	0.70%
<b>Total</b>	<b>9,820</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

### LPPD Searches Compared with Overall Race Representation in Population



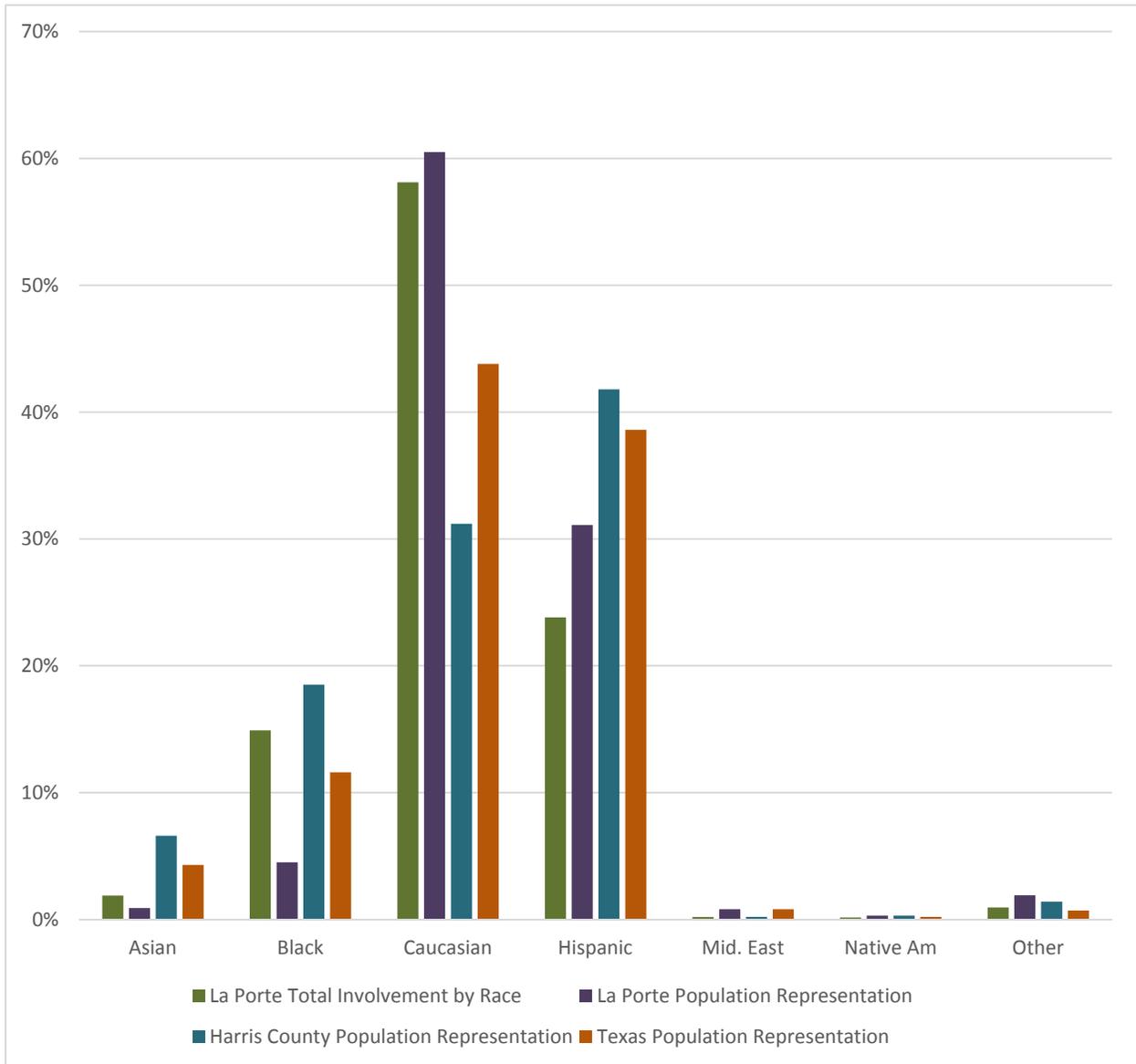
Race	LPPD Searches	Without Consent	With Consent	LPPD Percent Searched by Race	La Porte Population Representation	Harris County Population Representation	Texas Population Representation
Asian	3	3	0	2.26%	0.90%	6.60%	4.30%
Black	13	5	6	9.77%	4.50%	18.50%	11.60%
Caucasian	89	49	40	66.92%	60.50%	31.20%	43.80%
Hispanic	27	16	10	20.30%	31.10%	41.80%	38.60%
Mid. East	1	0	1	0.75%	0.80%	0.20%	0.80%
Native Am	0	0	0	0.00%	0.30%	0.30%	0.20%
Other	0	0	0	0.00%	1.90%	1.40%	0.70%
<b>Total</b>	<b>133</b>	<b>74</b>	<b>56</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

### LPPD Arrests Compared with Overall Race Representation in Population



Race	LPPD Arrests	La Porte PD Percent Arrested by Race	La Porte Population Representation	Harris County Population Representation	Texas Population Representation
Asian	1	0.14%	0.90%	6.60%	4.30%
Black	95	13.57%	4.50%	18.50%	11.60%
Caucasian	390	55.71%	60.50%	31.20%	43.80%
Hispanic	212	30.29%	31.10%	41.80%	38.60%
Mid. East	2	0.29%	0.80%	0.20%	0.80%
Native Am	0	0.00%	0.30%	0.30%	0.20%
Other	0	0.00%	1.90%	1.40%	0.70%
<b>Total</b>	<b>700</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

### Overall involvement by Race for LPPD Citations and Arrests without Citation



Race	Total Contacts	La Porte Total Involvement by Race	La Porte Population Representation	Harris County Population Representation	Texas Population Representation
Asian	194	1.88%	0.90%	6.60%	4.30%
Black	1,534	14.90%	4.50%	18.50%	11.60%
Caucasian	5,982	58.12%	60.50%	31.20%	43.80%
Hispanic	2,451	23.81%	31.10%	41.80%	38.60%
Mid. East	19	0.18%	0.80%	0.20%	0.80%
Native Am	16	0.16%	0.30%	0.30%	0.20%
Other	97	0.94%	1.90%	1.40%	0.70%
<b>Total</b>	<b>10,293</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

The above statistics seem to indicate that Black drivers were contacted, searched, and arrested incident to traffic violations at a rate higher than the percentage of their respective residency within the City of La Porte, but lower than the percentage of their respective residency within the greater Harris County Region. As such, while noticeable, easy determinations regarding whether or not La Porte officers have “racially profiled” a given motorist are difficult given the fact that many drivers stopped by police officers are not residents of La Porte and may be traveling within or through the City from other areas of the county/state/country. As detailed above, these areas are much more highly represented by minority populations and may therefore account for larger percentages of non-resident traffic offenders, making comparisons relating strictly to La Porte area populations impractical.

In the interest of being thorough, the police department made a statistical inquiry through the City’s Municipal Court in order to determine actual traffic citations written to La Porte residents, along with respect to percentages by driver’s race. Findings revealed, that overall, approximately 22% of all traffic stops conducted by LPPD involved the citing of La Porte residents. This equates, approximately, to only one of every five citations being written to local residents. Otherwise stated, 78% of all traffic stops made by La Porte Police Officers involve drivers who do not live in the City of La Porte. Furthermore, when broken down by driver race, the majority of citations were overwhelmingly issued to Caucasian drivers (81%). The remaining breakdown by race, regarding La Porte residents cited by La Porte Police Officers in 2017, were as follows: Black - 12%; Hispanic – 6%; Asian, Middle Eastern, Native American, and Other or Unknown - <1% per group.

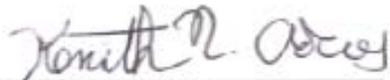
Additionally, the absence of any verifiable race/ethnicity data on the driver's license is troubling given the possibility that officers may misclassify individuals. This is a particular problem when dealing with citizens who are of mixed racial decent. As such, the validity of any racial/ethnic disparities discovered in the aggregate level data becomes threatened in direct proportion to the number of subjective "guesses" officers are forced to make when trying to determine an individual's racial/ethnic background. This may account for why Hispanic drivers are represented at a rate far lower than local, county, and state population projections, while Caucasian and Black drivers are more highly represented. In other words, officers may, for example, be listing mixed race drivers as being Caucasian or Black, when these individuals may, for census purposes, have identified themselves as Hispanic.

Finally, it is important to note that the included census data represents U.S. Census population figure estimates according to Demographic Profile Data of General Population and Housing Characteristics representing all age groups, yet does not take into account a specific combination of age and race regarding the percentage of the drivers who were actually stopped. Additionally, while population figure estimates are represented here, updates of the actual demographic statistics for the year 2017 are not yet available.

Still, the La Porte Police Department is committed to providing public safety without bias of any type and will continue to closely track, monitor, and regulate employee activities in order to ensure that biased-based policing does not occur. A review of internal administrative records indicated that during 2017 the department received one traffic stop complaint that could be categorized as involving some type of racial profiling allegation. The traffic stop complaint was made by a citizen of Asian descent, who believed they were stopped by the officer strictly based on their race. The complaint was thoroughly investigated by the Department's Internal Affairs Section and revealed no indication that the officer could have known the race or ethnicity of the driver prior to initiating the stop in question. The investigation further determined that the stop was for a valid, hazardous, traffic violation. Ultimately the investigation was cleared as *not sustained*.

In summary, the foregoing analysis shows that the La Porte Police Department is fully in compliance with all relevant Texas laws concerning racial profiling, including the existence of a formal policy prohibiting racial profiling by its officers, officer training, and the collection of data in compliance with the law. As a result of this analysis, and the listed statistics, it is my belief that the officers of the La Porte Police Department are operating appropriately and without bias relating to individual violator race, ethnicity, or national origin.

Respectfully Submitted,



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Kenith R. Adcox  
Chief of Police