

2023

Biased-Based Policing

REPORT



Lago Vista Police Department





The mission of the Lago Vista Police Department is to proactively serve by building partnerships and working cooperatively with our community to make Lago Vista a fun, safe, and family-friendly city. We have an unyielding commitment to integrity and excellence in the delivery of law enforcement services and a dedication to the people, traditions, and diversity of our community.

Our Commitment



INTEGRITY

LEADERSHIP

EXCELLENCE

Our FUNDAMENTAL CORE VALUES are

INTEGRITY

The Lago Vista Police Department is built upon a foundation of ethical and professional conduct. We are committed to the highest level of moral principles and ethics. We are committed to upholding our positions of trust by maintaining the highest ethical standards. We will be transparent in everything we do. All members of the department will adhere to the Law Enforcement Code of Ethics, which is a part of this manual.

COMMUNITY

We believe that we are part of the community and that our department serves at the pleasure of the community. Our department strives to be representative of the community and its values. We value partnerships with individuals and groups within the community. Our goal is to work collaboratively to identify and solve problems to make our community a fun and safe environment for every visitor and resident.

SERVICE

We value the opportunity to provide service in a manner which is fair, courteous, responsive, effective, and efficient. An attitude of respect for and the protection of the worth, dignity, and rights of all people are the foundations of our department.

EXCELLENCE

We strive to deliver an unmatched quality of law enforcement service to our community. Excellence is a constant process of adaption, innovation, vigilance, teamwork, and striving for greatness, even if it means making mistakes along the way. We will be transparent in every action, celebrating successes and learning from failures. We will never accept the status quo or stop looking for ways to improve.

LEADERSHIP

We understand and take pride in our roles as leaders in the community. We understand our responsibilities to build connections, think critically, and solve problems. We recognize that every member of our department is a leader for the department and the community and we expect our actions to match the expectations of this role.

COURAGE

We believe that every individual in this department must act with utmost courage, and the ability to face difficulty and danger with the mastery of fear. We believe that courage is not just a value of the department, but the form of every value the department holds, at the point those values are tested.

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Executive Summary

- This report is an analysis of traffic and other enforcement activity conducted by members of the Lago Vista Police Department to look for evidence of patterns of practice regarding biased policing or inconsistent application of law. No evidence of any such patterns was revealed by the analysis.
- In previous years, the department has utilized a consultant for the preparation of this report. This year, we opted to prepare the report internally due to the increasing cost of the consultant and our desire to conduct a deeper, more thorough, and quality analysis specific to our department and our data. We also wished to include more historical data where our analysis was not specifically focused on a one-year period.
- The data analyzed for this report reveals that the Lago Vista Police Department conducted 2,885 traffic stops for moving traffic violations, 141 traffic stops for vehicle traffic violations, 240 traffic stops for violations of criminal law, and 18 traffic stops based on pre-existing knowledge (such as a stolen vehicle or the driver known to have active warrants for their arrest).
- During 2023, the Lago Vista Police Department had our complaint policy and procedures clearly published in our lobby and on the department's website. The department received no complaints of bias or profiling from any activity during this year.
- According to our analysis, approximately 47% of individuals involved in traffic stops in the City of Lago Vista reside outside of the City of Lago Vista, possibly accounting for variations in our traffic stop data when compared to population demographics obtained from the United States Census Bureau. Census data is included in this report as a reference.
- In addition to requirements placed on the department by state law, the Lago Vista Police Department is undergoing the process of seeking accreditation from the Texas Police Chief's Association, which places higher standards on the department.
- This year, the department conducted training on bias in policing and reducing implicit bias.
- Our biased policing policy as well as our complaint policy and procedures are available on the department's website.
- Included at the conclusion of this report is the complete data report generated by our Records Management System.
- This report was submitted to the Texas Commission on Law Enforcement on January 22, 2024, and to the Lago Vista City Council on February 15, 2024.
- The Lago Vista Police Department has satisfied the statutory data audit requirements as prescribed in Code of Criminal Procedure Article 2.133 for the reporting period of January 1, 2023 – December 31, 2023.

Upholding the law and preserving community safety constitutes a pivotal element within our overarching public safety strategy. In the entirety of our police operations, we are steadfast in our dedication to executing enforcement activities devoid of any bias. Furthermore, we reassert our unwavering pledge to administer law enforcement in Lago Vista with an emphasis on safety, ensuring the equitable and respectful treatment of all individuals.

The importance we place on transparency within our Police Department is paramount. We approach this commitment with utmost seriousness, aiming to cultivate a secure environment in our city that is conducive to the well-being of all residents.

Policy and Procedure

In compliance with state law and accreditation standards, our department has adopted a policy that:

1. Clearly defines acts constituting racial profiling;
2. Strictly prohibits peace officers employed by the Lago Vista Police Department from engaging in racial profiling;
3. Implements a process by which an individual may file a complaint with the Lago Vista Police Department if the individual believes that a peace officer employed by the Lago Vista Police Department 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 Lago Vista Police Department who, after an investigation, is shown to have engaged in racial profiling in violation of the Lago Vista Police Department 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 is served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

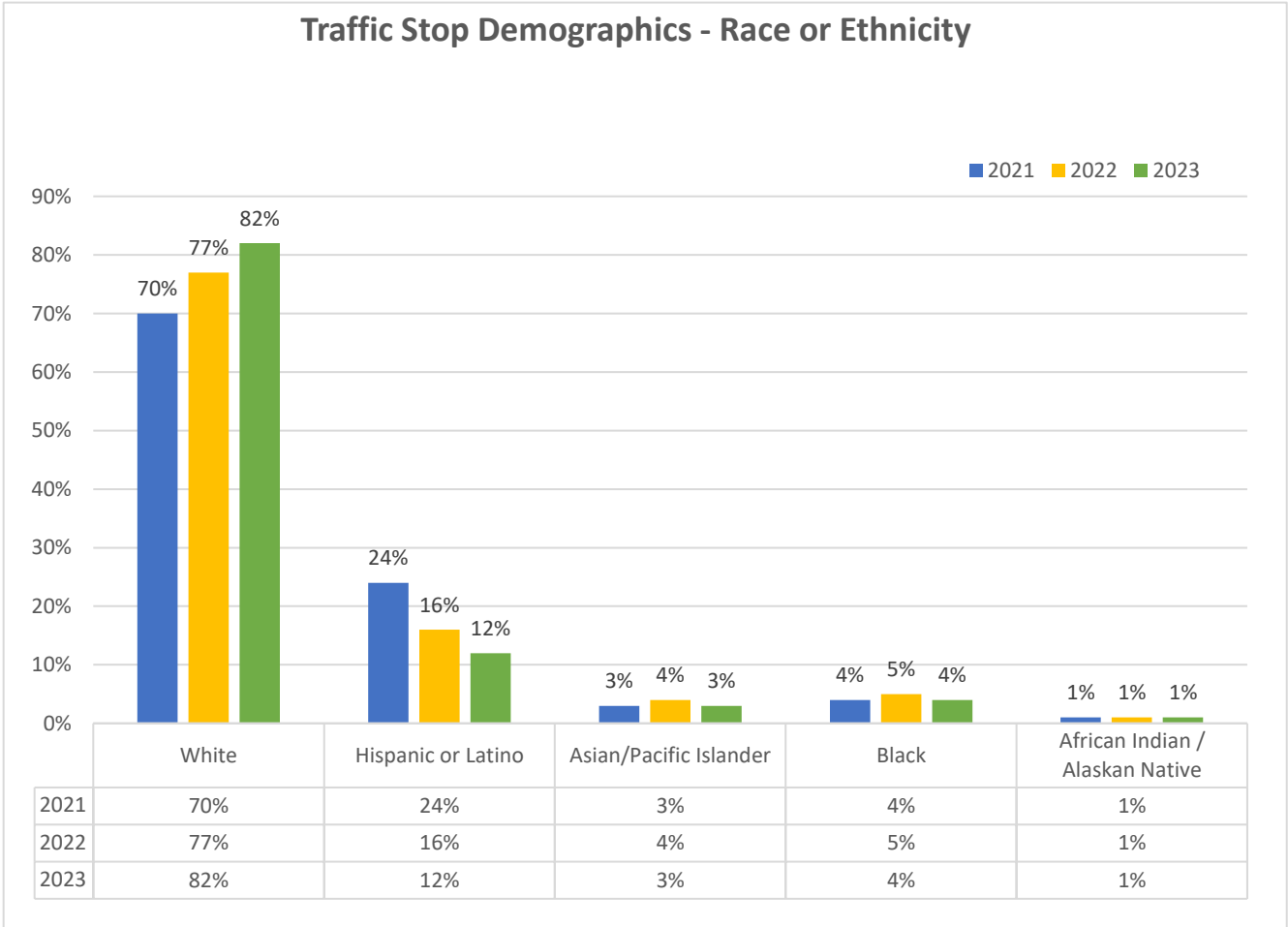
Summary of Traffic Stops & Arrests

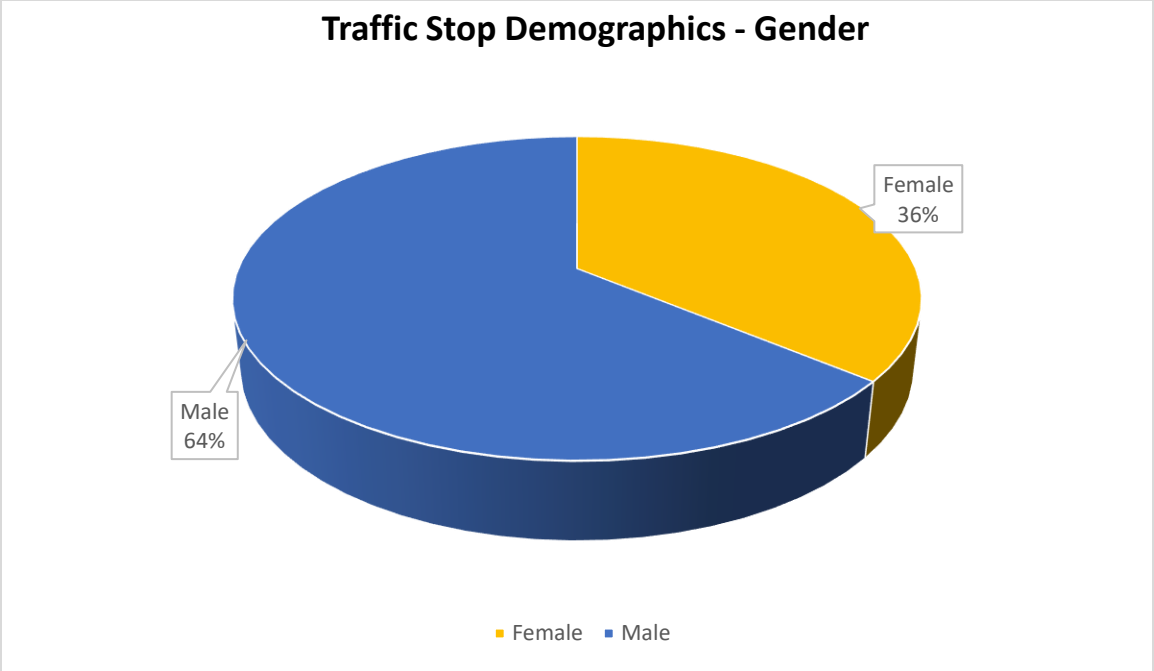
Our department has seen a steady increase in the number of traffic stops and arrests conducted by our officers since the 2021 calendar year. Our total number of arrests has increased slightly while our arrests from traffic stops decreased between 2022 and 2023. This is one metric worth monitoring to ensure that arrests are being accurately reported. Considering the significant increase in traffic stops, our traffic stop demographics remain in line with previous years and with census data.

	2021	2022	2023
Total Stops	869	1073	3284
Arrests from Traffic	5	20	8
Total Arrests	51	59	67

Traffic Stop Demographics

As part of this analysis, the most recent census data estimates were reviewed and included in this analysis. This is to ensure our compliance with state law and best practices.





Estimated Population (2022)	4,205	4,796
	46.7%	53.3%

Search

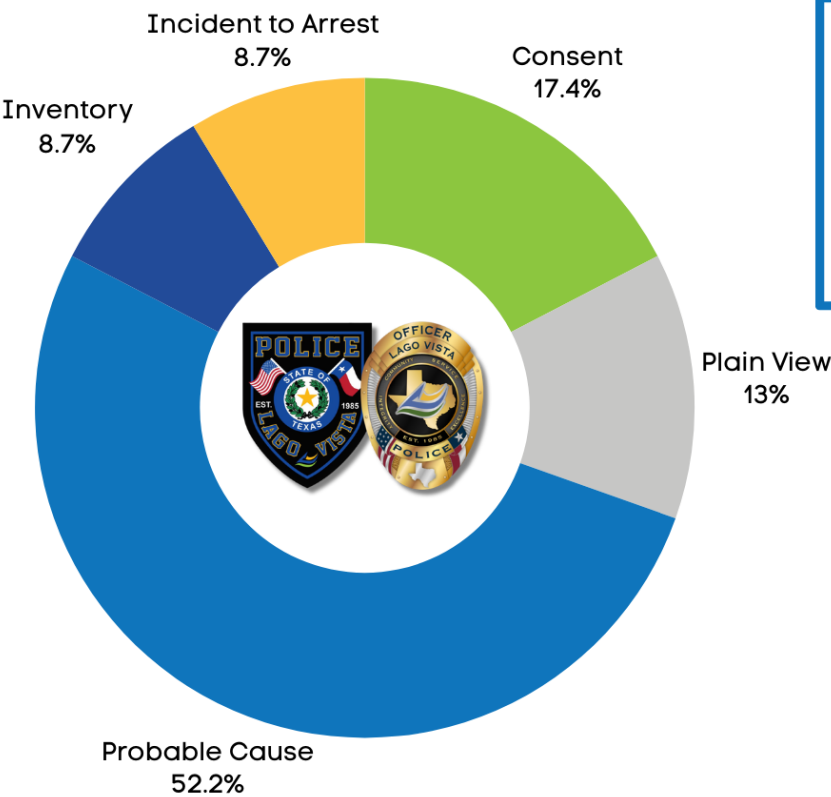
In 2023, searches were conducted on approximately 0.70% of the traffic stops, a slight decrease from searches conducted on 1% of traffic stops in the 2022 calendar year, despite our traffic stops increasing substantially. This is another metric our command staff and supervisors will be monitoring.

Searches are categorized as follows:

- **Consent** – an officer asks for consent to search the vehicle or person. There is no requirement for an officer to establish reasonable suspicion or probable cause, and policy prohibits consent from being asked for in any way that could be interpreted as “threatening” or “intimidating.” This is considered a discretionary search.
- **Probable Cause** – In these instances, officers must have an articulable, objective reason to believe they will discover evidence that a crime has occurred. This may include but is not limited to self-admission of illegal activity, a canine alert, or contraband in plain view (which is tracked separately at the request of the State).
 - **Contraband in plain view** – some form of contraband was in plain view of the officer. This may include but is not limited to open alcoholic container(s) and/or visible drug paraphernalia.

- **Inventory/Incident to Arrest** – Both of these categories are only used after the determination has been made to take an individual into custody.
 - Inventory – Officers are required to take inventory of all vehicles prior to them being released to the custody of a wrecker driver. This protects the property of arrested individuals, as well as protecting the Department against allegations of loss or theft.
 - Incident to Arrest – prior to being placed in a patrol car, all arrested individuals must be searched to ensure they don't possess weapons or contraband.

Types of Searches



Types of Searches by Numbers	
Consent	4
Plain View	3
Probable Cause	12
Inventory	2
Incident to Arrest	2

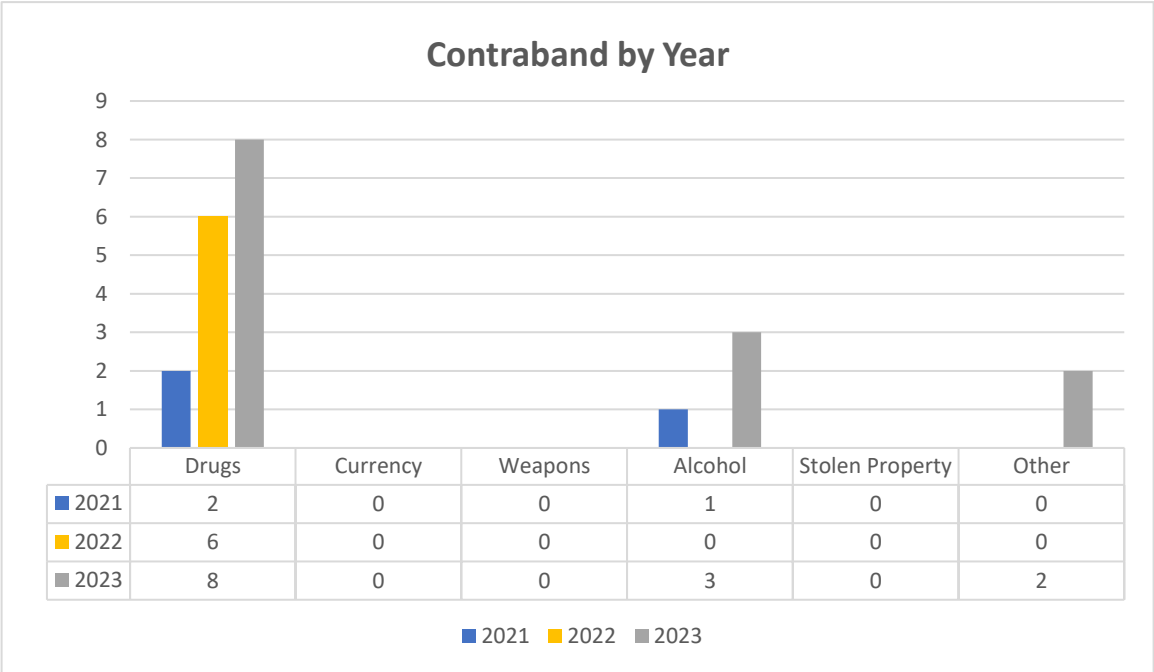
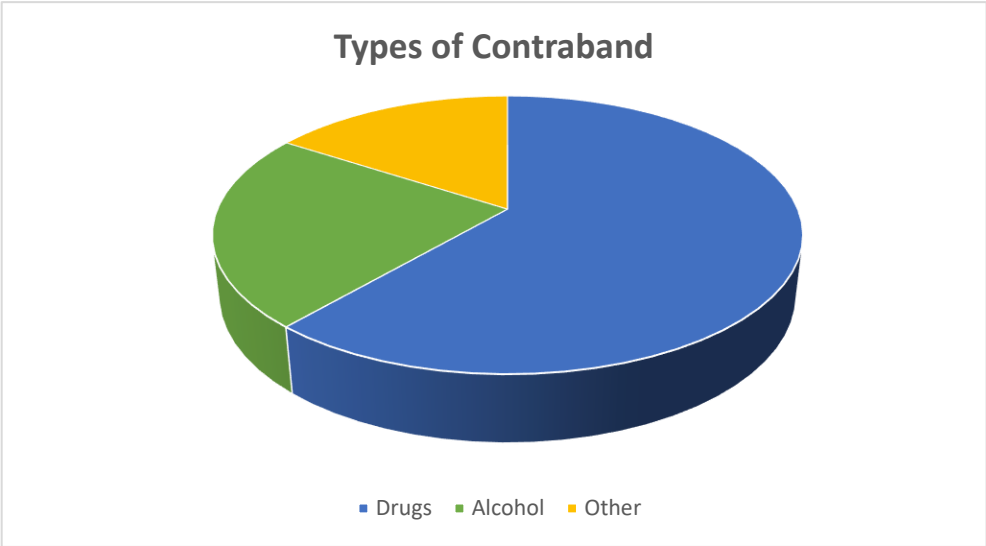
REASON FOR SEARCH
Percentage of Stops

Consent	0.12%
Plain View	0.09%
Probable Cause	0.36%
Inventory	0.06%
Incident to Arrest	0.06%

Contraband

Contraband was discovered at 13 of our traffic stops, approximately 56.5% of stops that included a vehicle search. Narcotics (drugs) were the contraband located in 62% of the traffic stops where contraband was located. The confiscation and disposal of illicit substances and

contraband align with State Law and established policies. Law enforcement officers exercise discretion in determining whether to effectuate a custodial arrest related to the contraband, pursue arrest on alternative charges, or opt for release with alternative enforcement measures, contingent upon further investigation. The types of contraband located on searches are another metric our command staff and supervisors will continue to monitor for additional insights.



	Drugs	Currency	Weapons	Alcohol	Stolen Property	Other
2021	2	0	0	1	0	0
2022	6	0	0	0	0	0
2023	8	0	0	3	0	2

Complaints and Corrective / Disciplinary Action

In compliance with state laws and Accreditation standards, our department provides multiple options to individuals to make a complaint regarding activity by an officer, including bias or profiling. Each written citation and warning include a telephone number, address, and email address that can be used for contacting the police department. Additionally, our website contains information on how to contact the police department, our complaint procedures, our complaint policy, and an online form for making a complaint, including the ability to make an anonymous complaint. Finally, we have published information regarding our complaint procedures on our department social media platforms. Our policy dictates that we investigate all complaints including those received anonymously and informal complaints made to supervisors.

During 2023, the department received no complaints regarding bias or profiling.

During 2023, there was no corrective or disciplinary action taken related to bias or profiling.

Training

During 2023, all sworn peace officers in the department, up to and including the Chief of Police, were provided with training on bias in policing and reducing implicit bias. In the upcoming year, we are planning for additional training on these and other critical topics to continue to operate our department in a manner that aligns with the values of our community and promotes legitimacy and transparency in all aspects of the department.

Supervisor Review of Videos

In compliance with state law and departmental policies, our supervisors, including the Chief of Police, conducted random reviews of video from our body-worn camera system. No policy violations were noted during these reviews.

While these reviews did not note any police violations, these reviews provide other value for the department in identifying areas where additional training would be beneficial or other improvements that could be made in the operations of the department.

Review of Policy and Procedure

Our department reviews all policies and procedures annually to identify areas for improvement. Policy 2.2 Bias-Based Policing was reviewed by the department's supervisors and command staff on May 23, 2023. Minor changes and improvements to the policy were suggested. These changes were made, and a new policy version was released on June 6, 2023. The current version of the policy is available on the department's website.

Conclusion and Recommendations

This comparative analysis was conducted in compliance with state law and department policy. Based on this analysis and review, we make the following recommendations for the department moving forward:

- Continue comprehensive data collection. Our new Records Management System (RMS), approved by the City Council, should allow for more robust data collection and analysis.
- Continue to provide our officers with training in line with state law and accreditation standards that also align with the values of our community.
- Continue to compare data to previous years and our demographic information to identify trends and areas to monitor.

1. Total Stops	
Total Stops	3,284

2. Street address or approx. location	
City street	2,995
US Highway	17
County road	5
State highway	220
Private property or other	47
Total	3,284

3. Race known prior to stop	
Yes	15
No	3,269
Total	3,284

4. Race / Ethnicity	
Alaska Native / American Indian	16
Asian / Pacific Islander	84
Black	120
White	2,676
Hispanic / Latino	388
Total	3,284

5. Gender & Race	
Female	
Alaska Native / American Indian	4
Asian / Pacific Islander	26
Black	37
White	1,041
Hispanic / Latino	119
Female Total	1,227

6. Reason for Stop?	
Violation of Law	240
Alaska Native / American Indian	0
Asian / Pacific Islander	3
Black	6
White	210
Hispanic / Latino	21
Pre-Existing Knowledge	18
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	0
White	17
Hispanic / Latino	0
Moving traffic Violation	2,885
Alaska Native / American Indian	16
Asian / Pacific Islander	80
Black	109
White	2,322
Hispanic / Latino	358
Vehicle Traffic Violation	141
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	5
White	127
Hispanic / Latino	9
Total	3,284
Estimated Population Lago Vista	2020 Census
Alaska Native / American Indian	58
Asian / Pacific Islander	100
Black	119
White	7,132
Hispanic / Latino	1,368
Other	115
Total	8,892

*Based on Census.gov population, verified January 17th, 2023
https://data.census.gov/profile/Lago_Vista_city_Texas?g=160XX00US484026#race-and-ethnicity

7. Searches Conducted	
Yes	1,227
Alaska Native / American Indian	4
Asian / Pacific Islander	26
Black	37
White	1,041
Hispanic / Latino	119
No	2,057
Alaska Native / American Indian	12
Asian / Pacific Islander	58
Black	83
White	1,635
Hispanic / Latino	269

8. Contraband Discovered?	
Yes	13
Alaska Native / American Indian	1
Finding resulted in Arrest -Yes	1
Finding resulted in Arrest - No	0
Asian / Pacific Islander	1
Finding resulted in Arrest -Yes	0
Finding resulted in Arrest - No	1
Black	1
Finding resulted in Arrest -Yes	0
Finding resulted in Arrest - No	1
White	8
Finding resulted in Arrest -Yes	7
Finding resulted in Arrest - No	1
Hispanic / Latino	2
Finding resulted in Arrest -Yes	0
Finding resulted in Arrest - No	2
No	10
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	6
Hispanic / Latino	2

9. Contraband Discovered?	
Yes	13
Alaska Native / American Indian	1
Finding resulted in Arrest -Yes	1
Finding resulted in Arrest - No	0
Asian / Pacific Islander	1
Finding resulted in Arrest -Yes	0
Finding resulted in Arrest - No	1
Black	1
Finding resulted in Arrest -Yes	0
Finding resulted in Arrest - No	1
White	8
Finding resulted in Arrest -Yes	7
Finding resulted in Arrest - No	1
Hispanic / Latino	2
Finding resulted in Arrest -Yes	0
Finding resulted in Arrest - No	2
No	10
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	6
Hispanic / Latino	2
Total Searches	23

10. Description of Contraband	
Drugs	8
Alaska Native / American Indian	1
Asian / Pacific Islander	0
Black	0
White	5
Hispanic / Latino	2
Currency	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Weapons	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Alcohol	3
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	0
White	2
Hispanic / Latino	0
Stolen Property	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0

Other	2
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	1
Hispanic / Latino	0
None	2,057
Alaska Native / American Indian	12
Asian / Pacific Islander	58
Black	83
White	1,635
Hispanic / Latino	269
Total Contraband	14

11. Result of Stop	
Verbal Warning	132
Alaska Native / American Indian	0
Asian / Pacific Islander	2
Black	1
White	118
Hispanic / Latino	11
Written Warning	2,008
Alaska Native / American Indian	12
Asian / Pacific Islander	52
Black	78
White	1,685
Hispanic / Latino	181
Written Warning and an Arrest	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	1
Hispanic / Latino	0
Citation	1,136
Alaska Native / American Indian	4
Asian / Pacific Islander	30
Black	41
White	865
Hispanic / Latino	196
Citation and Arrest	6
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	6
Hispanic / Latino	0
Arrest	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	1
Hispanic / Latino	0
Total	3,284

12. Arrest based on	
Violation of Penal Code	8
Alaska Native / American Indian	8
Asian / Pacific Islander	0
Black	0
White	8
Hispanic / Latino	0
Violation of Traffic Law*	
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Violation of City Ordinance	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Outstanding Warrants	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
13. Arrest included DWI as one of the charges	2
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	2
Hispanic / Latino	0

14. Was physical force used during the stop?	10
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	9
Hispanic / Latino	1
Total	10
Total arrest	8

15. Number of Complaints of racial profiling?	0
White male – warning	0
White male – cite and/or arrest	0
Black male - warning	0
Black male – cite and/or arrest	0
Hispanic male – warning	0
Hispanic male – cite and/or arrest	0
Other male – warning	0
Other male – cite and/or arrest	0
Total male	0
White female – warning	0
White female – cite and/or arrest	0
Black female - warning	0
Black female – cite and/or arrest	0
Hispanic female – warning	0
Hispanic female – cite and/or arrest	0
Other female – warning	0
Other female – cite and/or arrest	0
Total Female	0
Total	0

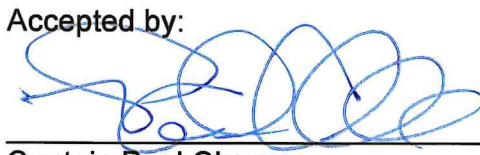
Command Review

Prepared by:


Crystal Street, Executive Assistant

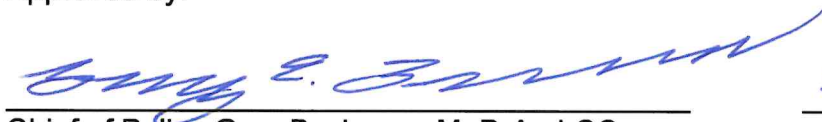

Date

Accepted by:


Captain Paul Chrane


Date

Approved by:


Chief of Police Gary Boshears, M. P. A., LCC


Date