

Horizon City Police Department

2024 Annual Racial Profiling Report



Table of Contents

LETTER TO MAYOR AND CITY COUNCIL.....	3
POLICY	4-9
INTERPRETATION OF DATA AND INTRODUCTION.....	10
ANALYSIS.....	11-16
COMPLAINTS.....	17
SUMMARY CHECKLIST	18





Horizon City Police Department

14999 Darrington Road, Horizon City, TX 79928 - 915-852-1047
www.horizoncitypd.com
Chief of Police, Marco A. Vargas. MPS, MS FBI NA 244



February 6, 2025

Dear Distinguished Mayor and Members of City Council,

In 2001, the Texas Legislature enacted the Racial Profiling Law (S.B. 1074) aimed at addressing issues which arose from perceived racial profiling by police officers to certain members of the general public. In the interest of a sound and biased free public service, the Horizon Police Department has been and will continue to be dedicated to not only ensuring compliance with SB 1074 but engaging in objective policing.

Throughout the year, the Horizon City Police Department collects contact data on every traffic stop and general contact they make. They do this through a systematic method incorporated in our handheld ticket writers. The information is collected and transposed in to an analytical report breaking down the specific percentages of traffic contacts by gender and race. This process is in place to assure the community the Horizon City Police Department does not engage in biased based policing.

In this report, you will find information on citation-based contact data along with other documentation that aimed at supporting the fact that the Horizon City Police Department complies with The Texas Racial Profiling Law. Included in the this report is the report submitted to the State of Texas as required by law. It furthermore illustrates the specific analysis of breakdown of contacts as compared to the actual racial breakdown of Horizon City as per the mosty current census. It also includes our policy and the training material used to ensure our police department does not engage in racial profiling.

The data and supporting documentation presented in this report clearly indicate that the Horizon City Police Department does not engage in racial profiling. Our police department will continue to strive to ensure we do not engage in racial profiling.

Sincerely,

Chief Marco A. Vargas

Report & Analysis

Article 2.132 of the Texas Code of Criminal Procedure requires that each law enforcement agency have a detailed written policy in regard to the topic of racial profiling. That policy must define racial profiling, prohibit the act of racial profiling, implement a complaint process, provide for public education, require corrective action if racial profiling occurs, require collection of data, and require the submission of an annual report.

The policy issued by the Horizon City Police Department in May 2016, fully complies with Article 2.132. The policy is set forth below in its entirety.

I. POLICY

We are committed to a respect for constitutional rights in the performance of our duties. Our success is based on the respect we give to our communities, and the respect members of the community observe toward law enforcement. To this end, we shall exercise our sworn duties, responsibilities, and obligations in a manner that does not discriminate on the basis of race, sex, gender, sexual orientation, national origin, ethnicity, age, or religion. Respect for diversity and equitable enforcement of the law are essential to our mission.

All enforcement actions shall be based on the standards of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution and by statutory authority. In all enforcement decisions, officers shall be able to articulate specific facts, circumstances, and conclusions that support probable cause or reasonable suspicion for arrests, searches, seizures, and stops of individuals. Officers shall not stop, detain, arrest, search, or attempt to search anyone based solely upon the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

All departmental orders are informed and guided by this directive. Nothing in this order limits non-enforcement contacts between officers and the public.

II. PURPOSE

The purpose of this order is to provide general guidance on reducing the presence of bias in law enforcement actions, to identify key contexts in which bias may influence these actions, and emphasize the importance of the constitutional guidelines within which we operate.

III. DEFINITIONS

Most of the following terms appear in this policy statement. In any case, these terms appear in the larger public discourse about alleged biased enforcement behavior

and in other orders. These definitions are intended to facilitate on-going discussion and analysis of our enforcement practices.

- A. Bias: Prejudice or partiality based on preconceived ideas, a person's upbringing, culture, experience, or education.
- B. Biased policing: Stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.
- C. Ethnicity: A cluster of characteristics that may include race but also cultural characteristics or traits that are shared by a group with a common experience or history.
- D. Gender: Unlike sex, a psychological classification based on cultural characteristics or traits.
- E. Probable cause: Facts or apparent facts and circumstances within an officer's knowledge and of which the officer had reasonable, trustworthy information to lead a reasonable person to believe that an offense has been or is being committed, and that the suspect has committed it.
- F. Race: A category of people of a particular decent, including Caucasian, African, Hispanic, Asian, Middle Eastern, or Native American descent. As distinct from ethnicity, race refers only to physical characteristics sufficiently distinctive to group people under a classification.
- G. Racial profiling: 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.
- H. Reasonable suspicion: Articulate, objective facts that lead an experienced officer to suspect that a person has committed, is committing, or may be about to commit a crime. A well-founded suspicion is based on the totality of the circumstances and does not exist unless it can be articulated. Reasonable suspicion supports a stop of a person. Courts require that stops based on reasonable suspicion be "objectively reasonable."
- I. Sex: A biological classification, male or female, based on physical and genetic characteristics.
- J. Stop: An investigative detention. The detention of a subject for a brief period of time, based on reasonable suspicion.

IV. PROCEDURES

A. General responsibilities

1. Officers are prohibited from engaging in bias-based profiling or stopping, detaining, searching, arresting, or taking any enforcement action including seizure or forfeiture activities, against any person based solely on the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. These characteristics, however, may form part of reasonable suspicion or probable cause when officers are seeking a suspect with one or more of these attributes. (TBP: 2.01)
2. Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, subject stops, arrests, nonconsensual searches, and property seizures. Except as provided in number 3 below, officers shall not consider race/ethnicity in establishing either reasonable suspicion or probable cause. Similarly, except as provided below, officers shall not consider race/ethnicity in deciding to initiate even those nonconsensual encounters that do not amount to legal detentions or to request consent to search.
3. Officers may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s). Race/ethnicity can never be used as the sole basis for probable cause or reasonable suspicion. Except as provided above, race/ethnicity Reasonable suspicion or probable cause shall form the basis for any enforcement actions or decisions. Individuals shall be subjected to stops, seizures, or detentions only upon reasonable suspicion that they have committed, are committing, or are about to commit an offense. Officers shall document the elements of reasonable suspicion and probable cause in appropriate reports.
4. Officers shall observe all constitutional safeguards and shall respect the constitutional rights of all persons.

- a. As traffic stops furnish a primary source of bias-related complaints, officers shall have a firm understanding of the warrantless searches allowed by law, particularly the use of consent. How the officer disengages from a traffic stop may be crucial to a person's perception of fairness or discrimination.
 - b. Officers shall not use the refusal or lack of cooperation to justify a search of the person or vehicle or a prolonged detention once reasonable suspicion has been dispelled.
2. All personnel shall treat everyone with the same courtesy and respect that they would have others observe to department personnel. To this end, personnel are reminded that the exercise of courtesy and respect engenders a future willingness to cooperate with law enforcement.
 - a. Personnel shall facilitate an individual's access to other governmental services whenever possible, and shall actively provide referrals to other appropriate agencies.
 - b. All personnel shall courteously accept, document, and forward to the Chief of Police any complaints made by an individual against the department. Further, officers shall provide information on the complaint's process and shall give copies of "How to Make a Complaint" when appropriate.
3. When feasible, personnel shall offer explanations of the reasons for enforcement actions or other decisions that bear on the individual's well-being unless the explanation would undermine an investigation or jeopardize an officer's safety.
4. When concluding an encounter, personnel shall thank him or her for cooperating.
5. When feasible, all personnel shall identify themselves by name. When a person requests the information, personnel shall give their departmental identification number, name of the immediate supervisor, or any other reasonable information.
6. All personnel are accountable for their actions. Personnel shall justify their actions when required.

B. Supervisory responsibilities

1. Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties. Supervisors shall identify and correct instances of bias in the work of their subordinates.

2. Supervisors shall use the disciplinary mechanisms of the department to ensure compliance with this order and the constitutional requirements of law enforcement.
3. Supervisors shall be mindful that in accounting for the actions and performance of subordinates, supervisors are key to maintaining community trust in law enforcement. Supervisors shall continually reinforce the ethic of impartial enforcement of the laws, and shall ensure that personnel, by their actions, maintain the community's trust in law enforcement.
4. Supervisors are reminded that biased enforcement of the laws engenders not only mistrust of law enforcement, but increases safety risks to personnel. Lack of control over bias also exposes the department to liability consequences.
5. Supervisors shall be held accountable for repeated instances of biased enforcement of their subordinates.
6. Supervisors shall ensure that all enforcement actions are duly documented per departmental policy. Supervisors shall ensure that all reports show adequate documentation of reasonable suspicion and probable cause, if applicable.
7. Supervisors shall facilitate the filing of any complaints about law-enforcement service.

C. Disciplinary consequences

Actions prohibited by this order shall be cause for disciplinary action, up to and including dismissal.

D. Training (TBP: 2.01)

Officers shall complete all training required by state law regarding bias-based profiling.

V. COMPLAINTS

E. The department shall publish "How to Make a Complaint" folders and

make them available at all city facilities and other public locations throughout the city. The department's complaint process and its bias-based profiling policy will be posted on the department's website.

Whenever possible, the media will be used to inform the public of the department's policy and complaint process.

F. Complaints alleging incidents of bias-based profiling will be fully investigated as described under Policy 2.4.

G. Complainants will be notified of the results of the investigations when the investigation is completed.

VI. RECORD KEEPING

- H. The department will maintain all required records on traffic stops where a citation is issued or where an arrest is made subsequent to a traffic stop pursuant to state law.
- I. The information collected above will be reported to the city council annually.
- J. The information will also be reported to TCOLE in the required format.



Introduction and Interpretation of Data

In 2001 the Texas government set into law Senate Bill 1074 which related to the prevention of racial profiling by certain peace officers. It further mandated law enforcement agencies in the State of Texas comply with the provisions set forth in Articles 2.132, 2.133 and 2.134 of the Texas Code of Criminal Procedure.

In ensuring the fulfillment of Senate Bill 1074. The Horizon Police Department adopted a policy and implemented procedures to collect the data necessary to show our agency was in compliance with the factors relevant to the prevention of racial profiling. This data is electronically collected through the current ticket system we have in place. The company which serves as the custodian and collects this information ensures that the information is collected and transposed into a template which meets the necessary requirements stipulated by law.

As the graphs below will show, the Horizon City Police Department is in line with the expectations of the state as the percentages of contacts coincides with the breakdown of our population according to the census report. Preliminarily, the below chart illustrates the specific breakdown of contacts by race as compared to census numbers.

Race or Ethnicity	Racial Profiling Report numbers	Racial Profiling Report Percentages	Census Numbers
American Indian	4	.06%	2.0%
Asian/Pacific Islander	8	.12%	.5%
Black	139	2.07%	1.8%
Hispanic/Latino	4770	70.70%	88.7%
White	1778	26.44%	44.3%

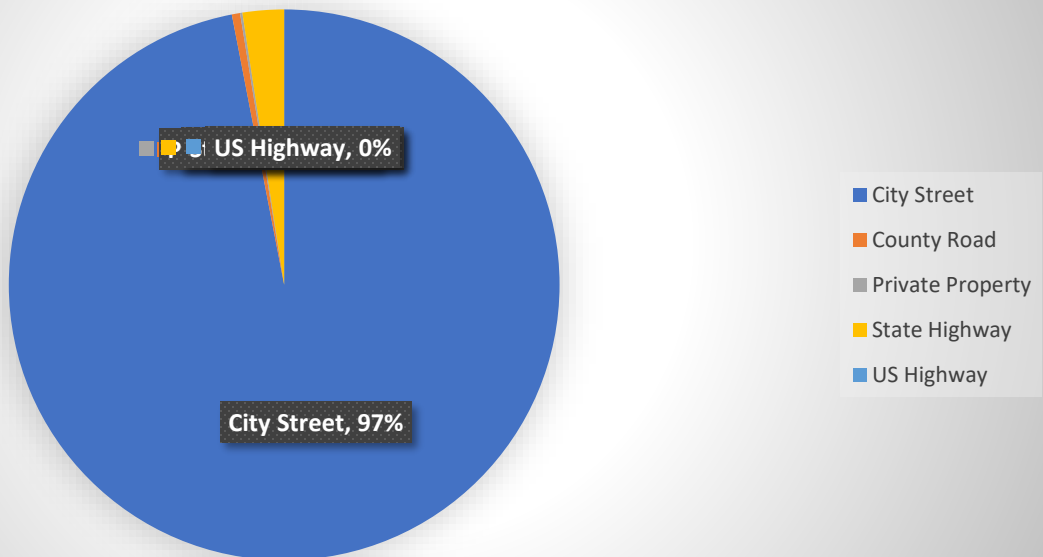
2024 Racial Profiling Report & Analysis

In 2022, our officers did 4,380 traffic contacts. The racial profiling requires we report 13 specific areas of data we must collect and examine. The following charts indicate a comparison between actual traffic stops and the most recent comparable census data.

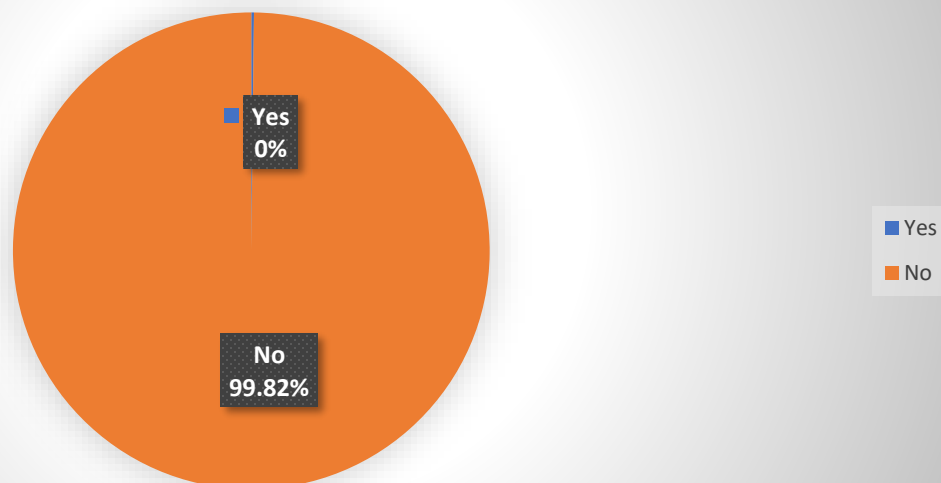
Question 1 – Total Traffic Stops

6,699

2. Location of Stop

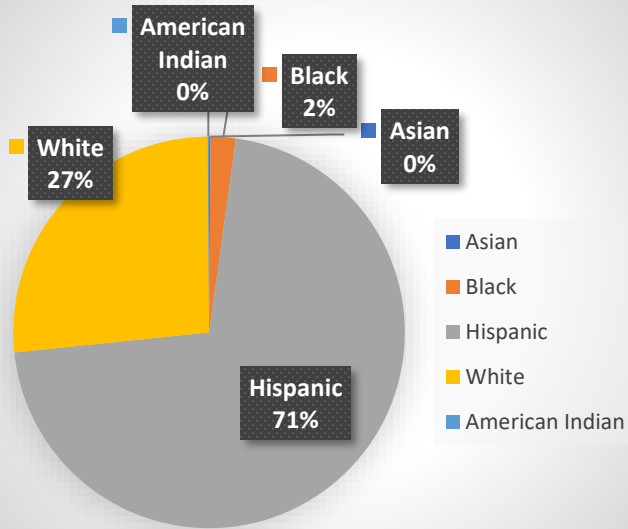


3. Knew Race/Ethnicity Prior to Stop

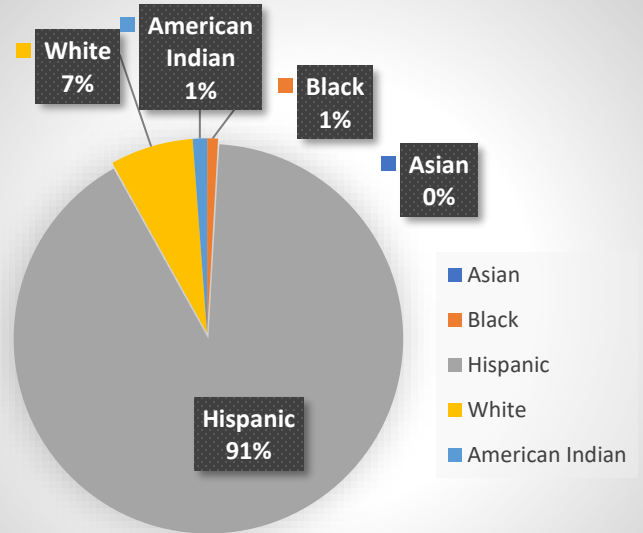


Question 4 – Race or Ethnicity

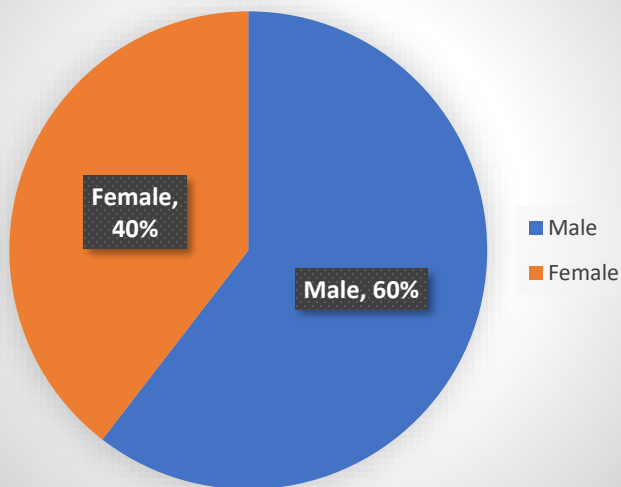
4. Ethnicity by Traffic Stops



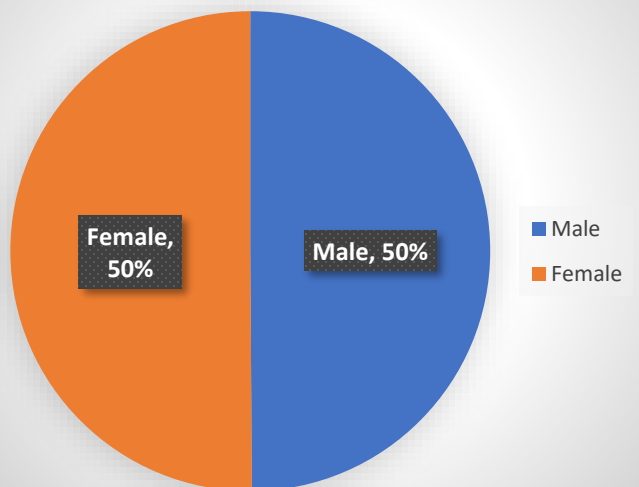
Ethnicity by Census



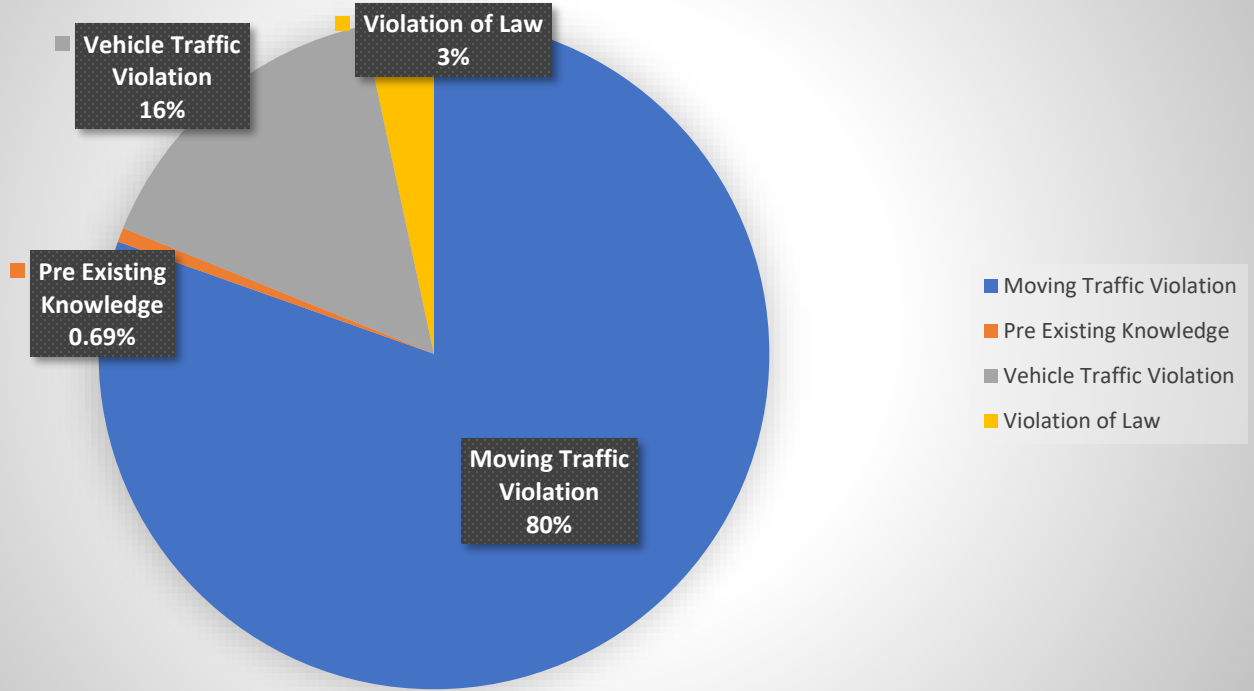
5. Gender by Traffic Stops



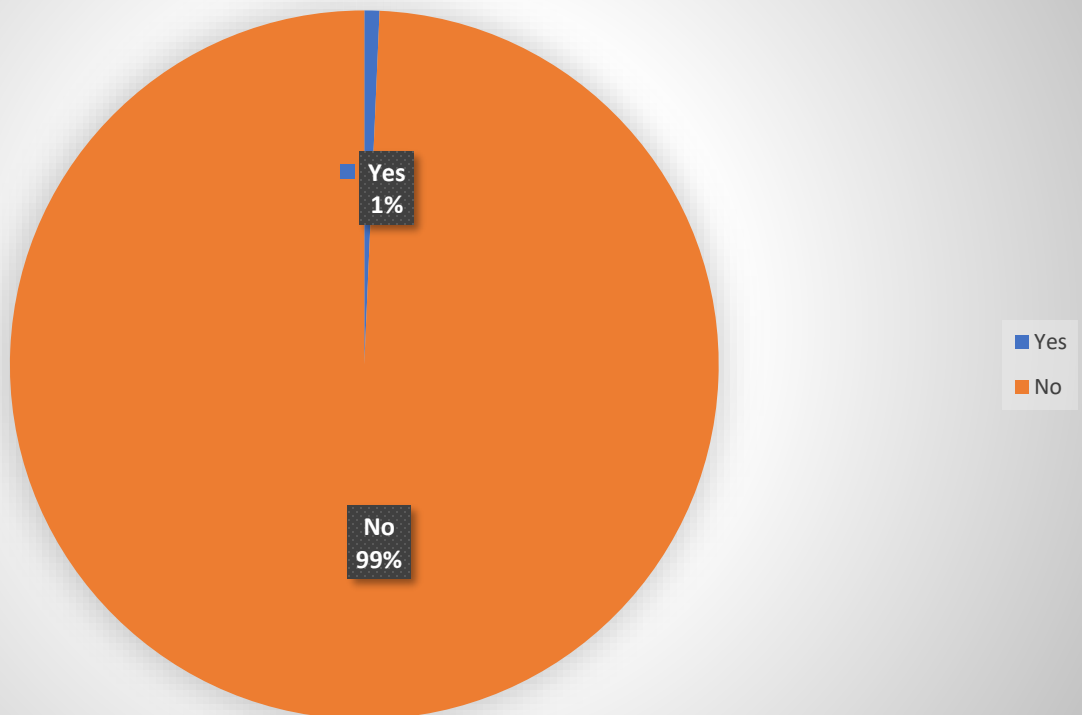
Gender by Census



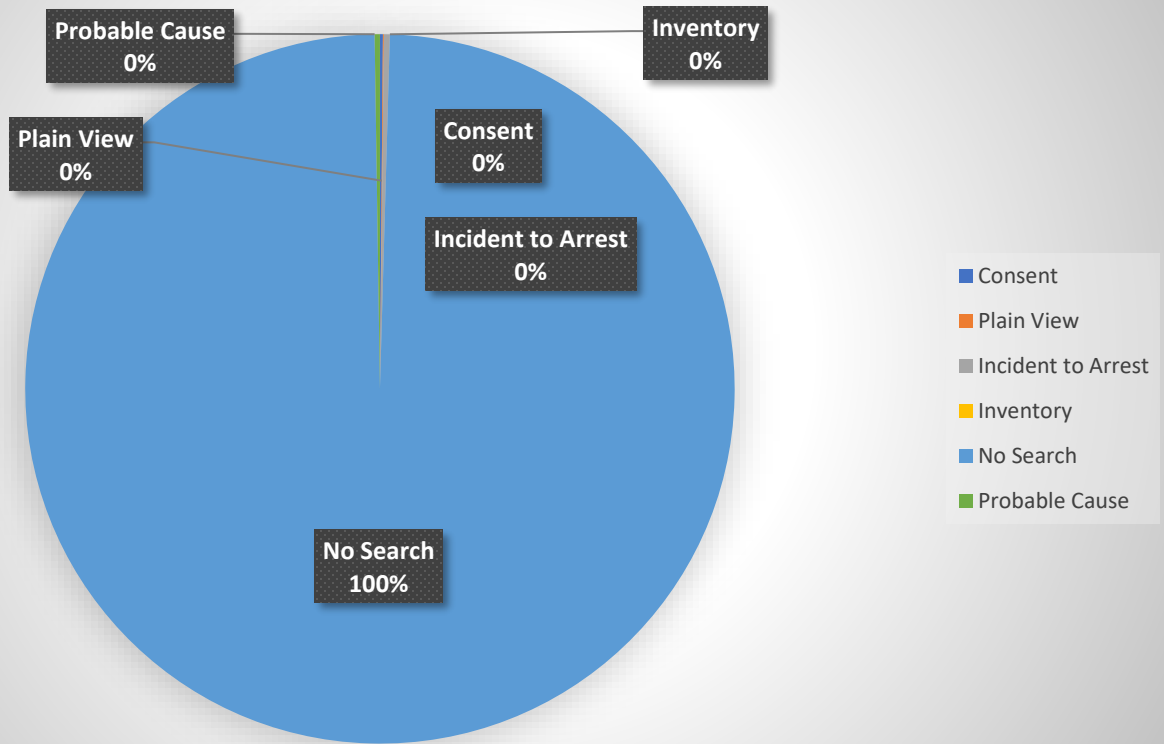
6. Reason for the Stop



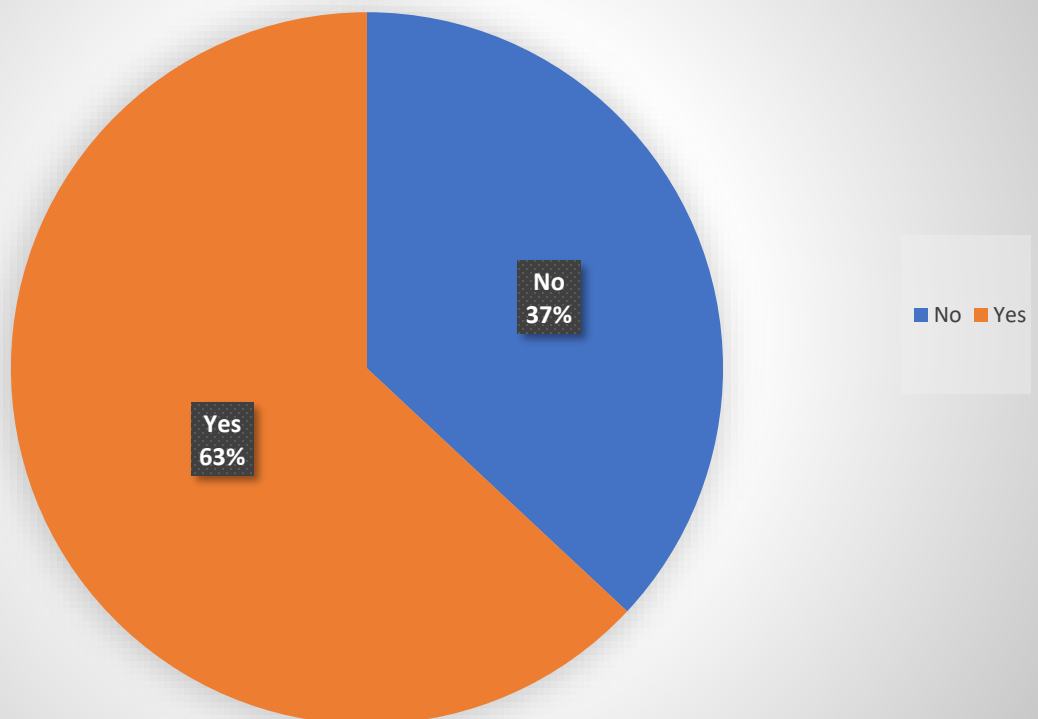
7. Was a Search Conducted?



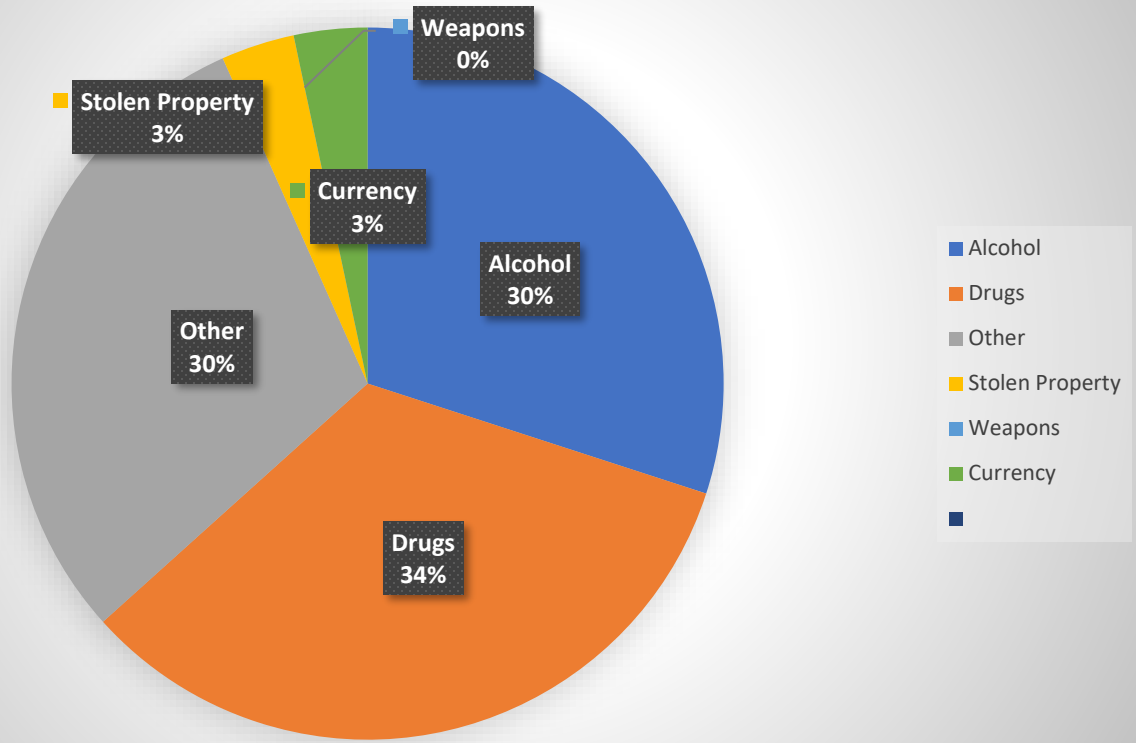
8. Reason for the Search?



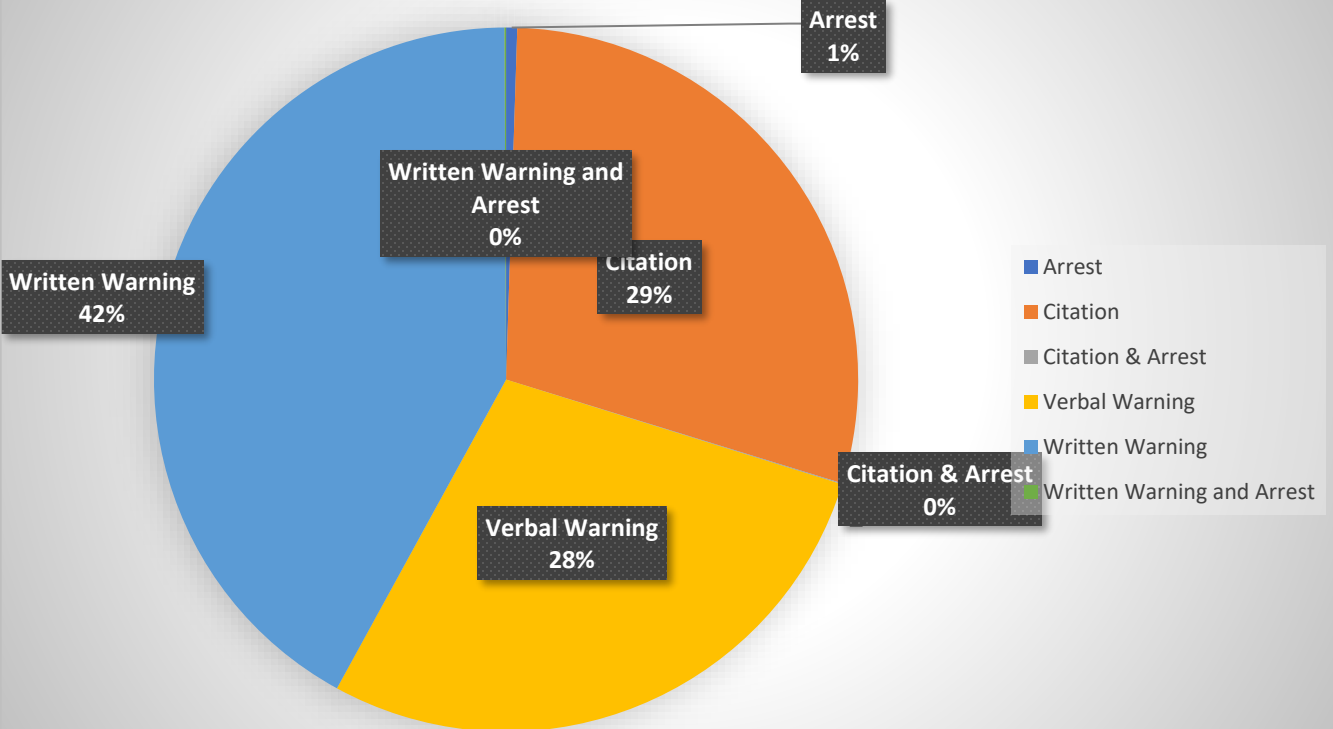
9. Was contraband discovered?



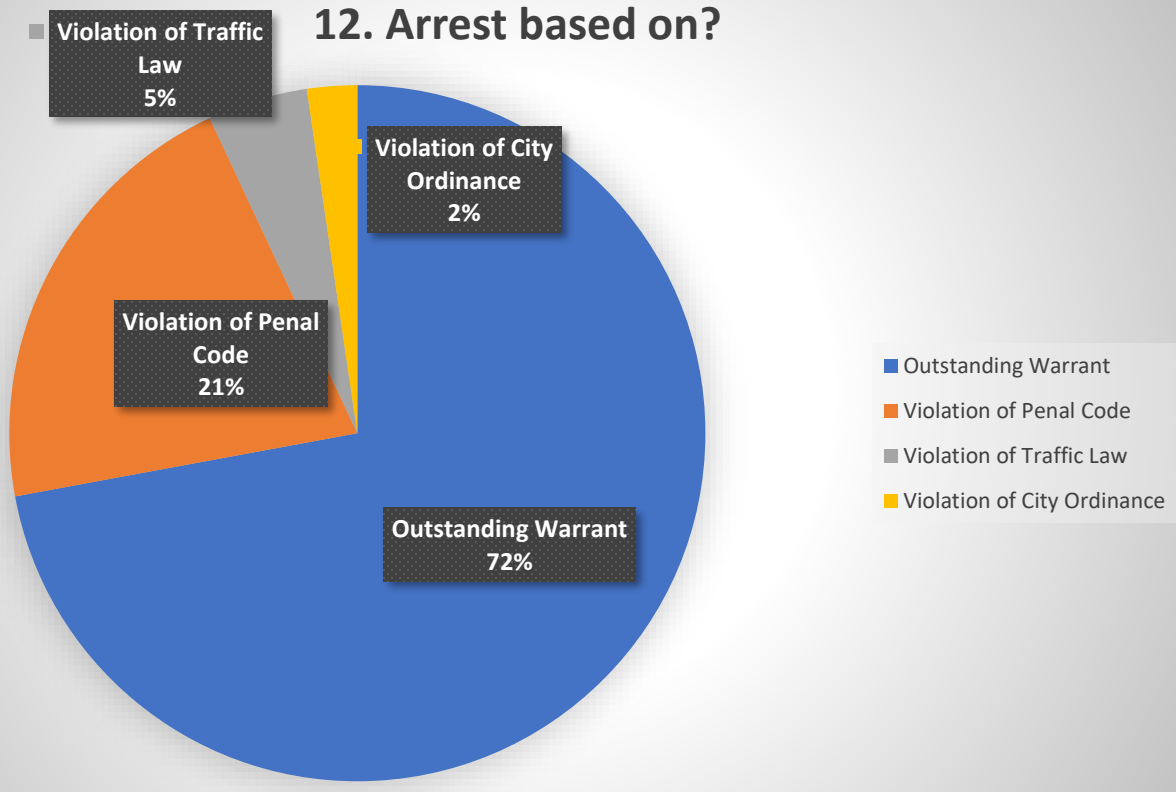
10. Description of contraband?



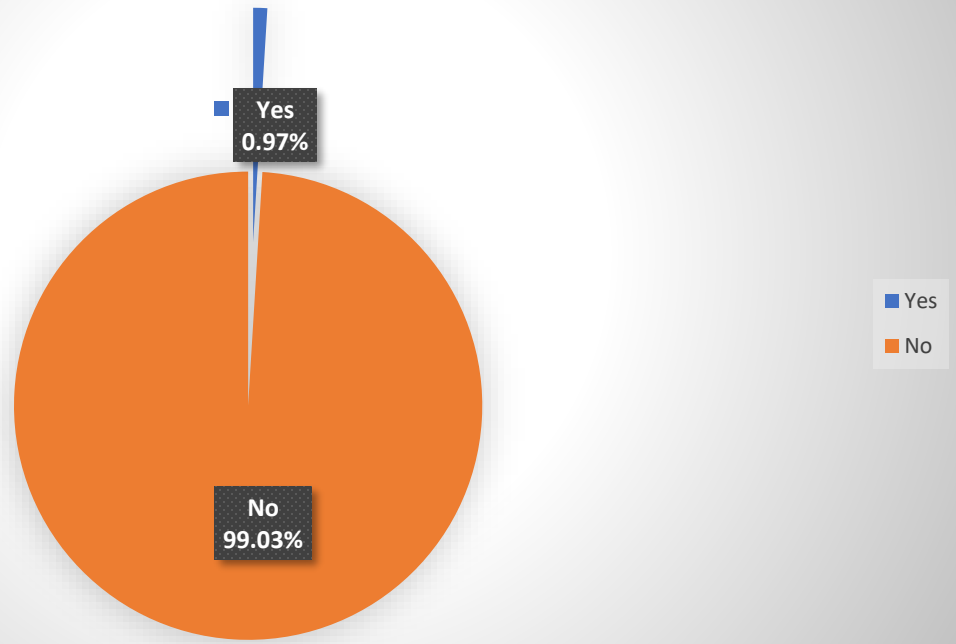
11. Result of the stop?



12. Arrest based on?



13. Was physical force used resulting in bodily injury used during the stop?



Racial Profiling Complaints

The following table contains data regarding officers who have been the subject of a racial profiling complaint during the time period of January 1, 2022, to December 31, 2022, based on allegations related to possible violations of the Texas Racial Profiling Law. The final disposition of the case is also included.

A check above indicates that the Horizon City Police Department has not received any complaints, as outlined in the law, on any members of its police force, for having violated the Texas Racial Profiling Law during the time period of January 1, 2024, to December 31, 2024.

Complaints Filed for Possible Violations of The Texas Racial Profiling Law.

Complaint No.	Alleged Violation	Disposition of the Case

Additional Comments:

SB 1074 Summary Checklist

The following requirements **were** met by the Horizon City Police Department in accordance with Senate Bill 1074:

- Clearly defined act or actions that constitute racial profiling
- Statement indicating prohibition of any peace officer employed by the Horizon City Police Department from engaging in racial profiling
- Implement a process by which an individual may file a complaint regarding racial profiling violations
- Provide public education related to the complaint process
- Implement disciplinary guidelines for officer found in violation of the Texas Racial Profiling Law
- Collect data that includes information on
 - a) Race and ethnicity of individual detained
 - b) Whether a search was conducted
 - c) If there was a search, whether it was a consent search or a probable cause search
 - d) Whether a custody arrest took place
- Indicate total number of officers who knew and did not know, the race/ethnicity of individuals before being detained.
- Produce an annual report on police contacts and present this to local governing body and TCOLE by March 1, 2023.
- Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation

Contact Information

For additional questions regarding the information presented in this report, please contact:

Horizon City Police Department
14999 Darrington Road
Horizon City, Texas 79928
(915) 852-1047
Chief of Police
Marco A. Vargas