

**Cite & Release Program
Quarter 1 Report (July – September 2019)**



Chief William McManus

October 15, 2019

SAPD Class A/B Misdemeanor Cite & Release Program Report
Q1 (July-September 2019)
October 2019

Overview

This report outlines the enforcement activity related to the SAPD enhanced Cite and Release program, which began on July 1, 2019. The period covered by this report is July 1, 2019 through September 30, 2019¹. This program authorizes SAPD Officers to issue citations in lieu of custodial arrest in certain Class A or B misdemeanor offenses codified within Texas Code of Criminal Procedure Article 14.06 (c) and (d). The SAPD amended existing departmental policy and expanded officer discretion to support the enhanced cite and release opportunities. However, in consultation with the Bexar County District Attorney's Office, the Class A and B misdemeanor offense of Penal Code 28.08 Graffiti was excluded from the authority to cite and release. The offenses authorized for cite and release under the enhanced SAPD program is as follows:

1. Class B Possession of Marijuana (0-2 oz.)
2. Class A Possession of Marijuana (2-4 oz.)
3. Class B Possession of Substance in Penalty Group 2-A (0-2 oz.)
E.g. Synthetic cannabinoids
4. Class A Possession of Substance in Penalty Group 2-A (2-4 oz.)
E.g. Synthetic cannabinoids
5. Class B Criminal Mischief (\$100 or over and less than \$750)
E.g. damaged property, broken windows, flattened tires
6. Class B Theft from businesses (\$100 or over and less than \$750)
E.g. shoplifting, retail theft
7. Class B Theft of Service (\$100 or over and less than \$750)
E.g. non-payment of tab or check, rental fee
8. Class B Contraband in a Correctional Facility
E.g. alcohol, controlled substance, deadly weapon, tobacco products
9. Driving While License Invalid

In an effort to evaluate the effectiveness of the implementation of the enhanced Cite and Release Program and to provide the community with information on the program, the Department will produce a quarterly report providing information on the following:

1. Enforcement Activity
2. Race/Ethnicity
3. Age
4. Gender
5. Location
6. Offense Type
7. Arrest Reason
8. Officer Availability

¹ Based on data available from SAPD Record Management System (RMS) as of October 7, 2019.

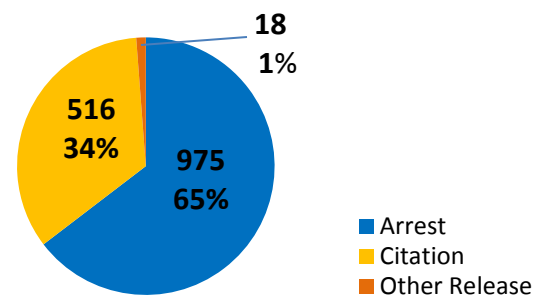
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Additionally, the report will build on previous quarterly reports and compare data related to the above categories to ensure the program is achieving its goal of reducing officer time spent on calls and applied in a fair and impartial manner.

1) Enforcement

During the period of July through September 2019, the SAPD arrested 1,509 individuals for eligible offenses, via either custodial arrest or issuing a misdemeanor citation. Figure 1.1 identifies the 2019 enforcement activity by type of arrest. The SAPD performed 975 custodial arrests which represents approximately 65% of the enforcement activity for eligible offenses. Similarly, the SAPD released 516 individuals via misdemeanor citation and 18 individuals via other forms of release which represents 35% of the enforcement activity. In 2019, the SAPD arrested slightly fewer individuals for eligible offenses overall and released approximately 36% of the individuals without effecting a custodial arrest.

Fig. 1.1 – Q1 2019 Arrest vs. Citation



2) Race/Ethnicity

Table 2.1 identifies the percentage of arrestees (arrests and citations) by race or ethnicity during the identified period in both 2018 and 2019. In 2019, African Americans represented 15.9% of the total 2019 arrests.

Table 2.1 – Arrestee Demographic Breakdown (July-Sept.)

	2018	2019	% Change
African American	18.6%	15.9%	-2.7%
Hispanic	64.7%	64.8%	0.1%
White	15.7%	17.0%	1.3%
Other	1.0%	2.3%	1.3%

This is slightly down from the 18.6% arrest rate of African Americans in 2018. Hispanic individuals accounted for 64.8% of 2019 arrestees. This is in line with the 2018 number of 64.7% Hispanic arrestees. During 2019, Whites accounted for 17% of the arrests in 2019 and is slightly higher than the 15.7% arrest rate for Whites in 2018. The enforcement activity in 2019 for the eligible offenses appears to be consistent with the enforcement activity during the previous year.

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Table 2.2 identifies the number of arrestees either arrested via custodial arrest or released by race or ethnicity during the identified period in 2019. With respect to African American arrestees, 85 of the 240 individuals were released which represents an approximate 35% release rate. The data related to Hispanic arrestees demonstrates 335 individuals were released out of 979 total arrestees. This represents an approximate

Table 2.2 – Release Rate by Race/Ethnicity

Race/Ethnicity	Total	Arrests	Other	Citations	Release Rate
African American	243	155	3	85	35%
Hispanic	992	644	13	335	34%
White	260	166	2	92	35%
Other	14	10	0	4	29%
Total	1,509	975	18	516	34%

34% release rate among Hispanic arrestees. In 2019, 92 whites were released out of 258 arrestees. This represents a 35% release rate among

white arrestees. The data demonstrates there is not a large disparity by race or ethnicity with respect to the decision to release as opposed to custodial arrest.

3) Age

Table 3.1, identifies the 2019 arrestees with respect to the age of the arrestee. This data demonstrates that approximately 1,247 or 82.6% of the 1,509 total arrestees were 40 years old or younger. This trend is consistent with other general crime trends where those engaged in crime tend to be younger as opposed to older. Additionally, Table 3.1 identifies arrestees aged 21-30 years of age were

Table 3.1 – Arrests by Age Range

Age Range	Arrest	Citation	Total Offenses	Offense %
<20	118	101	219	14.5%
21-30	400	196	596	39.5%
31-40	290	142	432	28.6%
41-50	114	64	178	11.8%
51-60	43	26	69	4.6%
61-70	8	4	12	0.8%
70+	2	1	3	0.2%
Total	975	534	1,509	100%

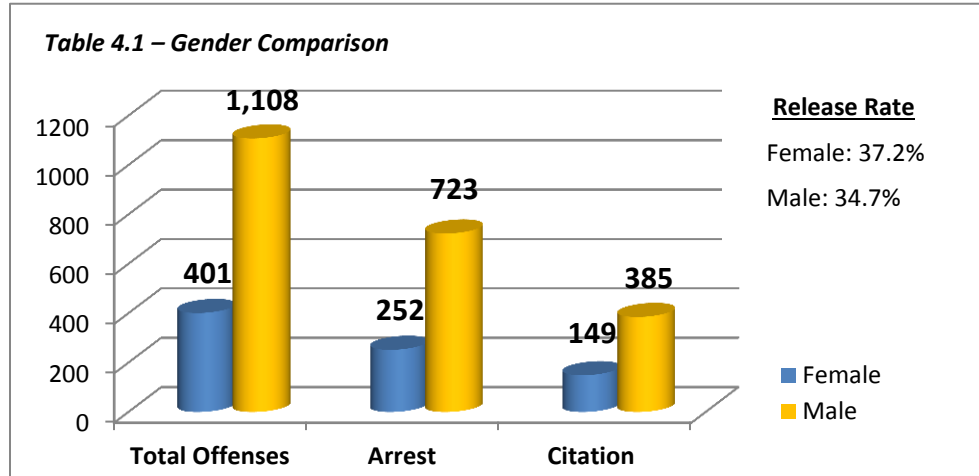
released via misdemeanor citation at the highest rate (39.5%) as compared to other age ranges.

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4) Gender

Table 4.1 identifies the number of arrestees based on gender. The data demonstrates that 74.1% of the arrestees were male.

Additionally, the release rate by gender is provided at 37.2% for female arrestees and 34.7% for male arrestees. There does not appear to be a significant release rate difference between male and female arrestees.



5) Location

Table 5.1 identifies enforcement activity by location within the applicable SAPD Service Area. The number of arrests (custodial and citation release) range from a low of 179 arrests in the Prue Service Area to a high of 374 arrests in the Central Service Area. Similarly, the SAPD Service Area with the lowest citation rate was the Prue Service Area at 25.1% and the highest citation rate was 39.8% in the Central Service Area.

Table 5.1 – Arrests by Service Area

Service Area	Total	Arrest	Citation	% Citation
Central	374	225	149	39.8%
North	210	128	82	39.0%
East	187	129	58	31.0%
West	302	194	108	35.8%
South	247	159	88	35.6%
Prue	179	134	45	25.1%
Outside COSA	10	6	4	40.0%
TOTAL	1,509	975	534	

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6) Offense Type

Table 6.1 identifies the enforcement activity by offense and the associated release rate via citation. Class B Theft and Class B Possession of Marijuana are the offenses that generate the majority of enforcement activity at 81% of the arrests combined. Class B Theft has a higher citation release rate at approximately 50% as compared to the release rate of approximately 33% for Possession of Marijuana. The lowest citation release rate is Class B Criminal Mischief at approximately 13%.

Table 6.1 – Arrests by Offense

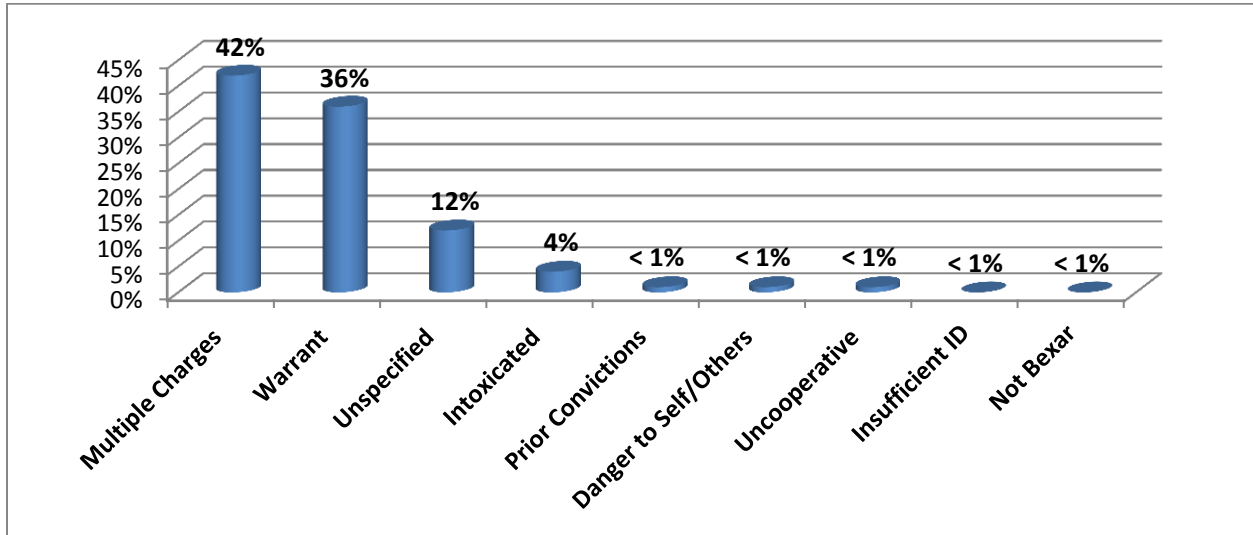
Offense	Total	Arrest	Citation/Release	% Citation
CONTRABAND IN CORR FACILITY	1	1	0	0.0%
CRIMINAL MISCHIEF \$100 TO <\$750	74	65	9	12.2%
DRIVING WHILE LICENSE INVALID	14	5	9	64.3%
CLASS B THEFT \$100 TO < \$750	300	155	145	48.3%
CLASS B THEFT SERVICE \$100 TO < \$750	3	1	2	66.7%
POSS MARIHUANA 0-2 OZ	921	605	316	34.3%
POSS MARIHUANA 2-4 OZ	24	16	8	33.3%
POSS CS PG 2A 0 -< 2 OZ	168	123	45	26.8%
POSS CS PG 2A 2 - < 4OZ	4	4	0	0.0%
TOTAL	1,509	975	534	35.5%

7) Custodial Arrest Reason

The reason officers effect a custodial arrest can vary widely and current SAPD policy identifies certain circumstances where a custodial arrest is required. Figure 7.1 identifies the reason for officers effecting a custodial arrest. The majority of the instances where a custodial arrest was made are arresting individuals on additional charges beyond the offense eligible for cite and release and the arrestee having an existing arrest warrant at approximately 78% combined. In both of these circumstances a custodial arrest is likely required by current SAPD policy as the additional charge and/or warrant require the custodial arrest. Similarly, the arrestee being intoxicated at the time of arrest (4%) is also likely to require a custodial arrest as the arrestee may be a danger to himself/herself due to the level of intoxication. Other custodial arrest reasons where the officer may effect a custodial arrest at less than 1% are the arrestee having a prior conviction for the offense, being a danger to self or others, being uncooperative at the time of arrest, insufficient ID and not being a resident of Bexar County.

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Fig. 7.1 – Reason for Custodial Arrest



8) Officer Availability

Table 8.1 identifies the crimes with the highest citation rate and the associated average time savings as compared to custodial arrest times for those crimes. The total reduction in time spent on these crimes was 935.5 hours during the three months. Based on full-time equivalent (FTE) analysis, this reduction results in officer time on call savings equivalent to 2.3 FTE during the three month period.

Table 8.1 – Reduced Officer Time On Call

Cite / Release Crime	Citation	Avg. Arrest Time Reduction	Hours Reduced
POSS MARIJUANA 0-2 OZ	316	1:52	590
POSS MARIJUANA 2-4 OZ.	8	0:32	4
POSS CS PG 2A 0-2 OZ.	45	1:03	47
POSS CS PG 2A 2-4 OZ.	0	N/A	N/A
CRIMINAL MISCHIEF \$100-\$750	9	0:00	0
CLASS B THEFT \$100 - \$750	145	1:57	283
THEFT OF SERVICE \$100 - \$750	2	0:14	0.5
CONTRABAND IN CORRECTION FACILITY	0	N/A	N/A
DRIVING WHILE LICENSE INVALID	9	1:10	11
Total Hours Reduced			935.5

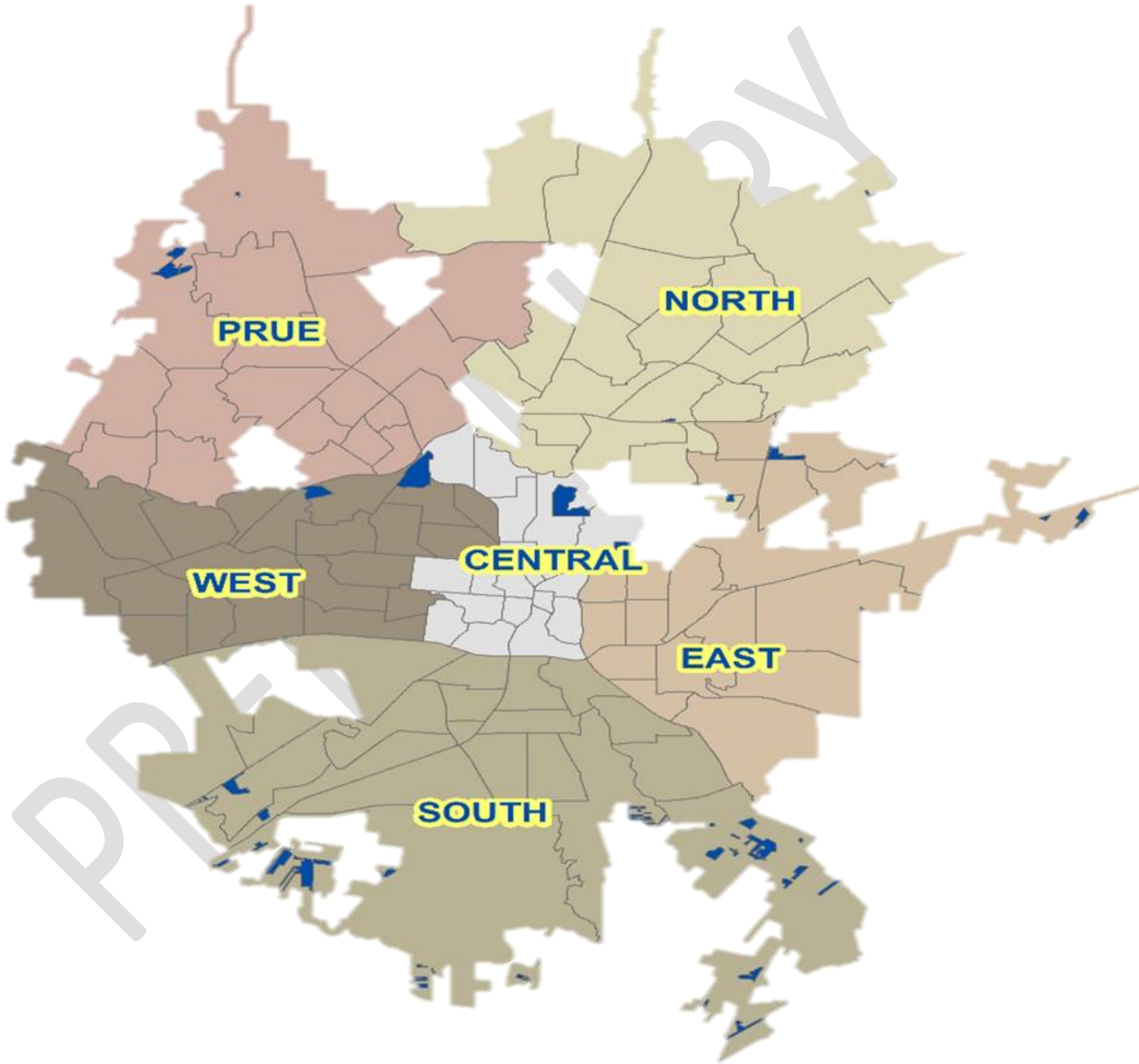
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APPENDIX

PRELIMINARY

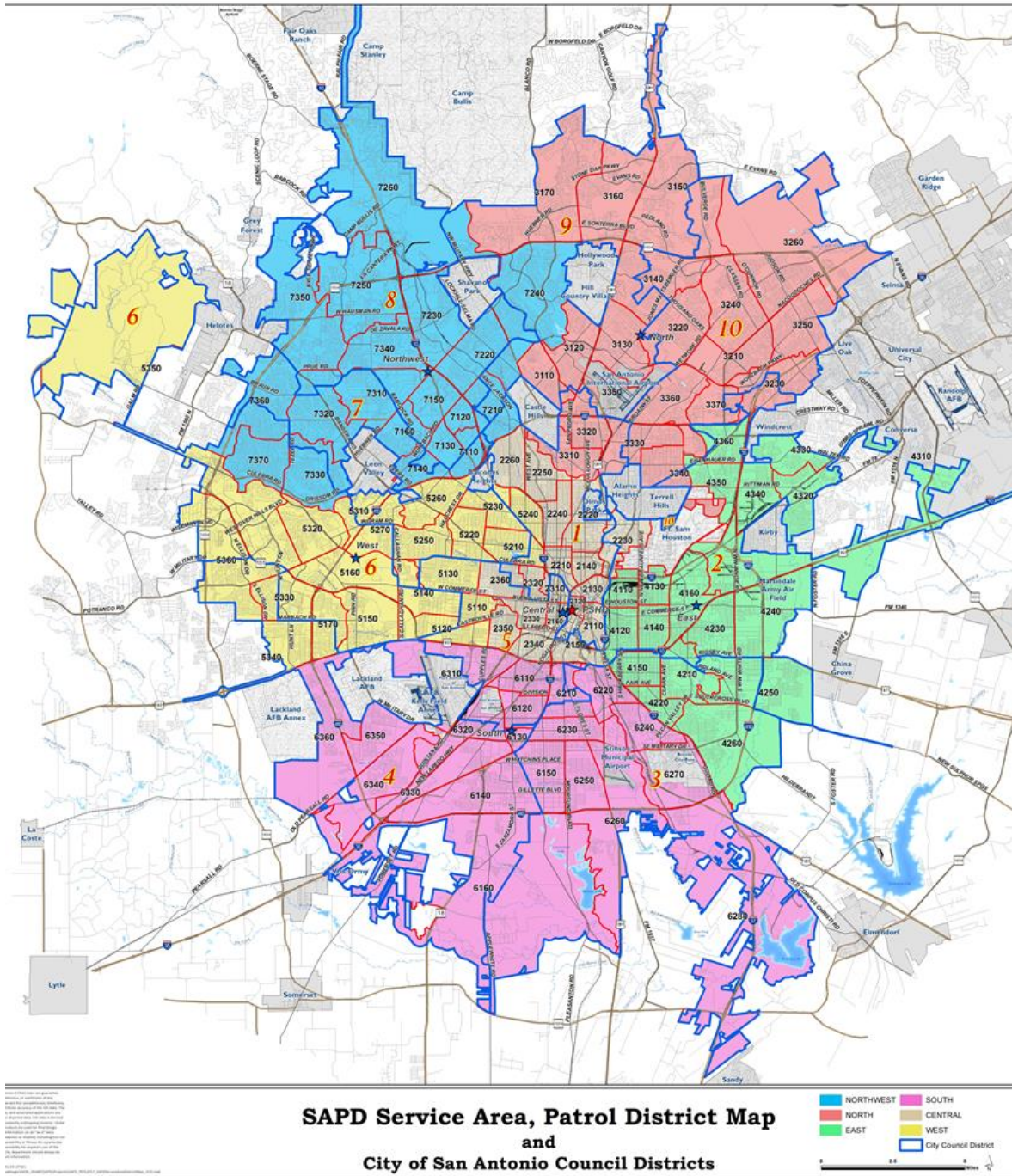
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SUBSTATION MAP



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Substation Map – Council Districts



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CITATION BOOK

**SAN ANTONIO POLICE DEPARTMENT
CITE AND RELEASE
CITATION**

INSTRUCTIONS:

- 1) **ELIGIBLE OFFENSES:** ARE LISTED IN GENERAL MANUAL PROCEDURE 505.06.B.
 - a) An Officer who determines probable cause has been established for any of the eligible offenses can issue a citation if the offender does not have any of the restrictions listed in General Manual Procedure 505.05.A or .06.A.
- 2) **Report Responsibility:** When officers issue a Cite and Release Citation in lieu of custodial arrest, the officers shall:
 - a) Create an offense report;
 - b) Document the citation number in the report;
 - c) Submit the report for approval;
 - d) The report shall be submitted to the DA's Office per General Manual Procedure 505.03.B.
- 3) **The original citation** is submitted in an envelope through bin mail to: *DA's Office, Intake Division, Attn: Cite and Release.*
- 4) **Date of Appearance** should be set 10 days from the date the citation is issued.
- 5) **Return** empty ticket books to Records Unit for destruction.

IF FOUND PLEASE RETURN

**SAN ANTONIO POLICE DEPARTMENT
CITE AND RELEASE CITATION**

No. CR 0003175

ROUTING OF REPORT
DISTRICT ATTORNEY'S OFFICE

DATE ISSUED			TIME ISSUED			DAY OF WEEK		
MONTH	DAY	YEAR						
(PRINT) LAST NAME			FIRST			MIDDLE		

RESIDENCE ADDRESS

CITY ZIP CODE PHONE

BUSINESS ADDRESS (OR SCHOOL ATTENDED)

CITY ZIP CODE BUSINESS PHONE

RACE	SEX	HAIR	EYES	HEIGHT	WEIGHT	DATE OF BIRTH
						/ /

DRIVER'S STATE NUMBER SOCIAL SECURITY NUMBER
LICENSE

OTHER ID OR EMAIL ADDRESS:

VIOLATION CHARGED

BASED UPON THE INFORMATION CONTAINED HEREIN, A COMPLAINT WILL BE FILED AGAINST YOU FOR THE VIOLATION INDICATED BELOW

OFFENSE(S) NOT COMMITTED IN MY PRESENCE
 CERTIFIED ON INFORMATION AND BELIEF.

PLACE OF OFFENSE

BADGE NO.	DISTRICT OF ARREST	ASSIGNMENT NO.
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SIGNATURE OF OFFICER

By signing below, I agree: 1) to report to the Bexar County District Attorney's Office at the ReEntry Center at 222 S. Comal for further instructions. I will report no sooner than the date written below and no later than 30 days after that date; and 2) to be contacted at the phone number or email address provided for purposes related to this citation, including notification of reporting.

DATE OF APPEARANCE: / / (Date should be 10 days from issue)

SIGNATURE: _____

THIS IS NOT AN ADMISSION OF GUILT
SEE REVERSE SIDE FOR MORE INSTRUCTIONS