

San Antonio Police Department

Cite and Release Program

1ST QUARTER REPORT

(JULY 1 TO SEPTEMBER 30, 2023)

FOR THE YEAR ENDING JUNE 30, 2024



Prepared by San Antonio Police Department
FEB 15, 2024

SAPD Class A/B Misdemeanor Cite & Release Program Report

1st Quarter Report for the Year Ending June 30, 2024

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, 2023, through September 30, 2023. 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 are 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

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

This report will compare the results, on a quarterly basis, to the results of the fourth year of implementation of the program.

SAPD Class A/B Misdemeanor Cite & Release Program Report

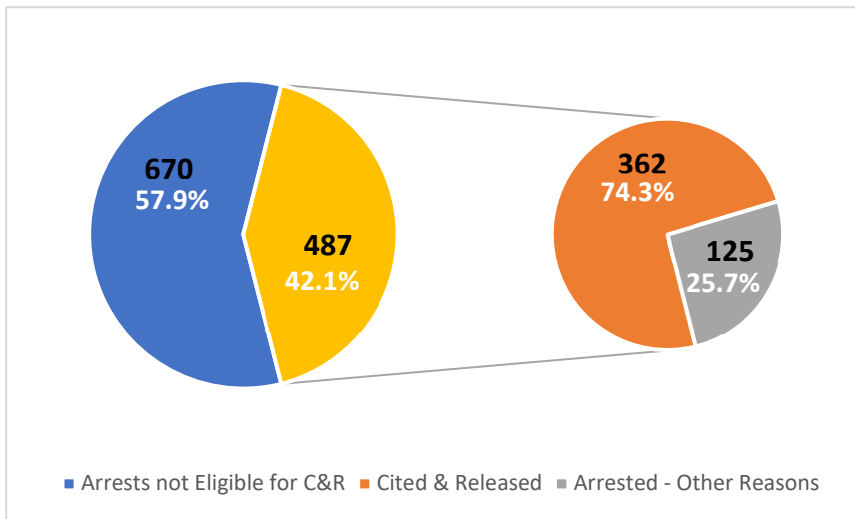
1st Quarter Report for the Year Ending June 30, 2024

SUMMARY

During the period of July through September 2023, the SAPD encountered 1,157 individuals for eligible offenses, via either custodial arrest or issuing a misdemeanor citation. Of the 1,157 individuals encountered, 670 individuals (57.9%) had outstanding warrants and/or multiple arrests, making them ineligible for citation and release. 487 (42.1%) encounters were eligible for citation and release.

The table below provides a breakdown of these police encounters by race/ethnicity.

Race/ Ethnicity	Total Encounters	Arrests (not C/R eligible)	Other Arrests	Released
Hispanic	746	432	89	225
White	162	86	18	58
African American	182	109	13	60
Other Race	67	43	5	19
Total	1,157	670	125	362
% of Total	100%	57.91%	10.80%	31.29%



Of the 487 individuals eligible for cite and release, 362 were released and 125 were arrested.

*(8) Other (medical) releases
Included in Released total*

The table below provides detail on the 487 encounters which were eligible for cite and release, disaggregated by race and ethnicity. Release rates range from 82.19% for African American to 71.66% for Hispanic.

Race/ Ethnicity	C/R Eligible Encounters	Individuals Arrested	Individuals Released	Release Rate, eligible encounters
Hispanic	314	89	225	71.66%
White	76	18	58	76.32%
African American	73	13	60	82.19%
Other Race	24	5	19	79.17%
Total	487	125	362	74.33%

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1. OFFENSE TYPE

Table 1.1 identifies the enforcement activity by type of offense during the current program quarter and compares the enforcement activity with the same quarter of the prior year. Class B Theft and Possession of 0-2 ounces of Marijuana make up a total of 87.47% of offenses. During Year 5, Q1, Possession of Marijuana 0-2 oz has a lower citation release rate of 28.22% as compared to the release rate of 44.11% for Class B Theft. Table 1.2 compares the same information for the current program year to date (July 2023 to June 2024) with the same period of the prior year.

Table 1.1 – Arrests by Offense type, current quarter compared to same quarter prior year

Offense Type	Year 4, Q1 Jul to Sep 2022				Year 5, Q1 Jul to Sep 2023			
	Arrest	Release	Total	Rel. %	Arrest	Release	Total	Rel. %
Contraband in Correctional Facility	1	0	1	0.00%	1	0	1	0.00%
Criminal Mischief \$100 to <\$750	65	6	71	8.75%	60	8	68	11.76 %
Driving While License Invalid	9	0	9	28.57%	11	2	13	15.38 %
Class B Theft \$100 to <\$750	129	184	313	53.54%	223	176	399	44.11 %
Class B Theft of Service \$100 to <\$750	3	1	4	50.00%	2	1	3	33.33%
Poss. Marijuana 0 to 2oz	460	228	688	34.40%	440	173	613	28.22%
Poss. Marijuana 2 to 4oz	19	5	24	15.79%	35	1	36	2.78%
Poss. Sch. 2A Ctrlld Subst. < 2oz	18	5	23	33.33%	23	1	24	4.17%
Poss. Sch. 2A Ctrlld Subst. 2 to < 4oz	0	0	0	0%	0	0	0	0.00%
Total	704	429	1,133	37.86%	795	362*	1,157	31.29%

**includes (8) medical releases*

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2. 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. Tables 2.1 and 2.2 identify the reason for officers effecting a custodial arrest. During Year 5, Q1, 670 (84.28%) of 795 custodial arrests were made in instances when the arrestee had outstanding warrants or multiple charges, rendering them ineligible for citation and release because an arrest is mandatory in these cases.

Table. 2.1 – Reason for Custodial Arrest, current quarter compared to same quarter prior year

Arrest Reason	Year 4, Q1 <i>Jul to Sep 2022</i>		Year 5, Q1 <i>Jul to Sep 2023</i>	
	Total	%	Total	%
Multiple Charges	400	71.17%	375	47.17%
Warrants	162	28.83%	295	37.11%
<i>Mandatory arrests - not eligible for C/R</i>	562	78.93%	670	84.28%
Victim Custodial Arrest Demand / Expected	59	8.29%	47	5.91%
Medical / Self Harm	1	1.12%	1	0.13%
Uncooperative Suspect	16	2.25%	19	2.39%
Unspecified	16	2.25%	19	2.14%
Insufficient ID	1	0.28%	17	2.35%
Suspect of Other Criminal Behavior	39	5.48%	9	1.13%
Not Bexar County Resident	10	1.40%	13	1.64%
Total	704	100%	795	100%

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3. OFFICER AVAILABILITY

Cite and release saves officer time because issuing a citation takes less time than completing an arrest. Tables 3.1 and 3.2 show officer time saved according to the average amount of time an officer spends on an arrest for a particular offense. During Year 5, Q1, the officer time saved by issuing citations was 670.28 hours. The full-time equivalent (FTE) for an officer's time is estimated at 410 hrs per quarter, so the citations issued in Year 5, Q1 resulted in a time saving of 1.63 FTEs.

Table 3.1 – Reduced Officer Time On Call, current quarter compared to same quarter prior year

Offense Type	Avg. minutes for arrest	Year 4, Q1 Jul to Sep 2022		Year 5, Q1 Jul to Sep 2023	
		Releases	Hrs saved	Releases	Hrs saved
Contraband In Correctional Facility	0	0	N/A	0	N/A
Criminal Mischief \$100 to <\$750	0	6	N/A	8	0
Driving While License Invalid	70	0	N/A	2	2.33
Class B Theft \$100 to <\$750	117	184	358.80	176	343.2
Class B Theft of Service \$100 to <\$750	14	1	0.23	1	0.23
Poss. Marijuana 0 to 2oz	112	228	425.60	173	322.9
Poss. Marijuana 2 to 4oz	32	5	2.67	1	0.5
Poss. Sch. 2A Ctrlld Subst. < 2oz	63	5	5.25	1	1.05
Poss. Sch. 2A Ctrlld Subst. 2 to < 4oz	0	0	N/A	0	0
Total		429	792.55	362*	670.21
Officer FTE (hrs)			410		1.93 FTE

**includes (8) medical releases*

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APPENDIX

SAPD Class A/B Misdemeanor Cite & Release Program Report

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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
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BUSINESS ADDRESS (OR SCHOOL ATTENDED)

CITY	ZIP CODE	BUSINESS PHONE
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RACE	SEX	HAIR	EYES	HEIGHT	WEIGHT	DATE OF BIRTH
						/ /

DRIVER'S STATE LICENSE NUMBER	SOCIAL SECURITY NUMBER
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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