

**Cite & Release Program
Q2 Report
October – December 2019**



Chief William McManus

March 17, 2020

SAPD Class A/B Misdemeanor Cite & Release Program Report
Q2 (October - December 2019)
March 17, 2020

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 October 1, 2019 through December 31, 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

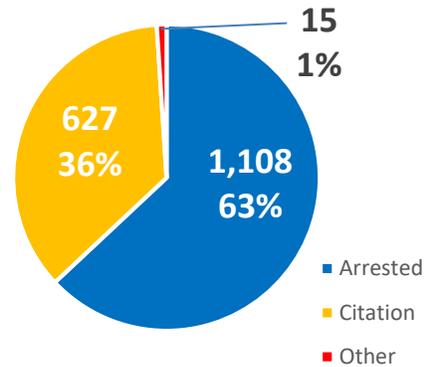
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Additionally, this report builds upon previous quarterly reports and compares data related to the above categories to ensure the program is achieving its goal of reducing officer time spent on calls and is applied in a fair and impartial manner.

1) Enforcement

During the period of October through December 2019, the SAPD arrested 1,750 individuals for eligible offenses, via either custodial arrest or issuing a misdemeanor citation. This represents an increase of 76 arrests via custodial arrest or citation as compared to the previous quarter total of 1,674 arrests. Figure 1.1 identifies the second quarter enforcement activity by type of arrest. The SAPD performed 1,108 custodial arrests which represents approximately 63% of the enforcement activity for eligible offenses. This a decrease from a 65% custodial arrest rate in the previous quarter. Similarly, the SAPD released 627 individuals via misdemeanor citation and 15 individuals via other forms of release. The citation release rate for the second quarter is 36% of the enforcement activity. This is an increase of 2% over the 34% citation rate in the previous quarter. Other forms of release include: medical, emergency detention and public intoxication.

Fig. 1.1 – Q2 2019 Arrest vs. Citation



2) Race/Ethnicity

Table 2.1 identifies the percentage of arrestees (arrests and citations) by race or ethnicity during the Q2 and compares these rates to the rates in Q1. In Q2, African Americans represented 12.9% of the total arrests and is slightly down (-3.2%) from the 16.1% arrest rate observed in Q1.

Table 2.1 – Arrestee Demographic Breakdown (Oct.-Dec.)

	2018	Q1	Q2	% Change
African American	18.6%	16.1%	12.9%	-3.2%
Hispanic	64.7%	66.4%	72.7%	6.3%
White	15.7%	16.5%	13.8%	-2.7%
Other	1.0%	1.0%	0.5%	-0.5%

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Hispanic arrests in Q2 were up approximately 6.3% at 72.7% as compared to 66.4% in Q1. Whites accounted for 13.8% of the arrests in Q2 and is a slight decrease (-2.7%) from the arrest rate for Whites of 16.5% in Q1. Overall the enforcement activity in Q2 for the eligible offenses appears to be consistent with the enforcement activity during the previous quarter.

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, 91 of the 234 individuals were released which represents an approximate 39% release rate. The data related to Hispanic arrestees demonstrates 438 individuals were released out of 1,244 total arrestees. This represents an approximate 35% release rate among Hispanic arrestees.

Table 2.2 – Release Rate by Race/Ethnicity Q2

Race/Ethnicity	Total	Arrests	Other	Citations	Q2 Release Rate	Q1 Release Rate
African American	234	143	2	89	39%	36%
Hispanic	1,244	806	8	430	35%	35%
White	257	153	0	104	40%	35%
Other	15	6	5	4	60%	27%
Total	1,750	1,108	15	627	37%	35%

In Q2, 104 whites were released out of 262 arrestees. This represents an approximate 40% 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 Q2 arrestees with respect to the age of the arrestee. This data demonstrates that approximately 1,464 or 83.6% of the 1,750 total arrestees were 40 years old or younger which is a slight increase from Q1 when 82.7% of arrestees were 40

Table 3.1 – Arrests by Age Range Q2

Age Range	Arrest	Citation	Total Offenses	Q2 Offense %	Q1 Offense %
<20	175	174	349	19.9%	10.6%
21 - 30	455	228	683	39.0%	42.2%
31 - 40	286	146	432	24.7%	29.9%
41 - 50	133	53	186	10.6%	11.6%
51 - 60	49	34	83	4.7%	4.5%
61 - 70	10	7	17	1.0%	1.0%
70+	0	0	0	0.0%	0.2%
Total	1,108	642	1,750	100.0%	100.0%

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 released via misdemeanor citation at the highest rate (39%) as compared to other age ranges which is consistent with the results observed in Q1.

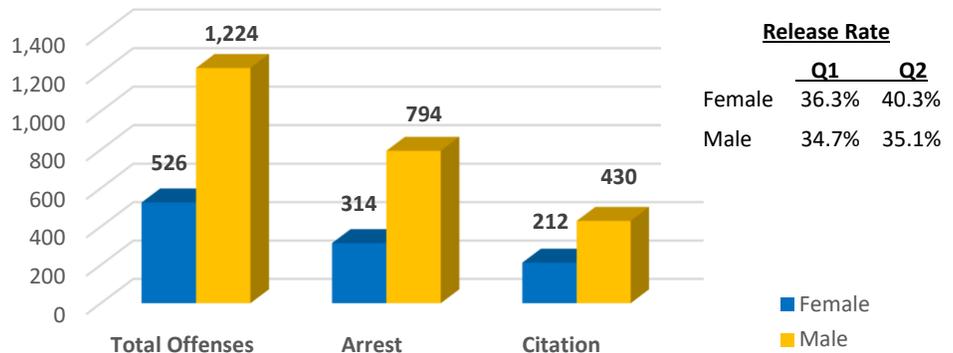
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4) Gender

Table 4.1 identifies the number of arrestees based on gender. The data demonstrates that in Q2 69.9% of the arrestees were male.

Additionally, the release rate by gender is provided at 40.3% for female arrestees which is slightly higher than the 36.3% female release rate in Q1. Similarly, the release rate for male arrestees is 35.1% which is a slight increase from the 34.7% male release rate in Q1. There does not appear to be a significant release rate difference between male and female arrestees.

Table 4.1 - Q2 Gender Comparison



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 205 arrests in the Prue Service Area to a high of 355 arrests in the West Service Area. The SAPD Service Area with the lowest citation rate was the South Service Area at 31.7% and the highest citation rate was 42.7% in the North Service Area.

Table 5.1 – Arrests by Service Area

Service Area	Total	Arrest	Citation	% Citation	Q1 % Citation
Central	338	209	129	38.2%	38.3%
North	220	126	94	42.7%	40.5%
East	258	170	88	34.1%	30.4%
West	355	212	143	40.3%	36.4%
South	353	241	112	31.7%	33.6%
Prue	205	135	70	34.1%	27.3%
Outside COSA	21	15	6	28.6%	33.3%
TOTAL	1,750	1,108	642	36.7%	35.1%

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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 57% as compared to the release rate of approximately 36% for Possession of Marijuana 0-2 oz. The lowest citation release rate is Class B Criminal Mischief at approximately 10%.

Table 6.1 – Arrests by Offense

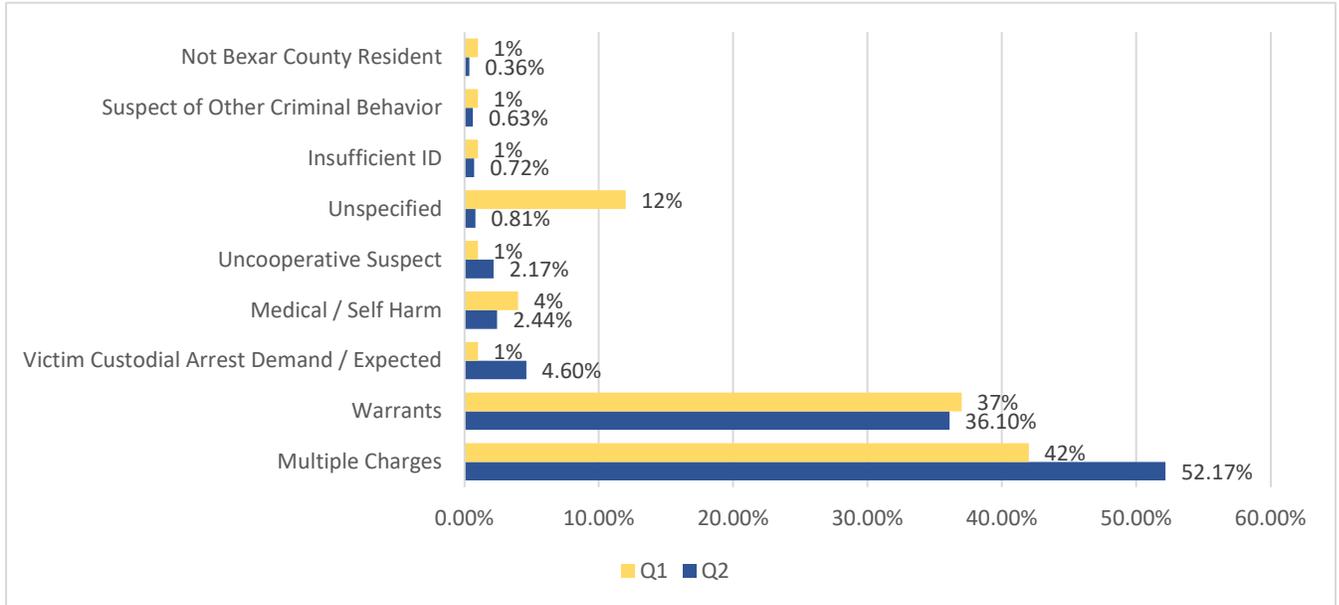
OFFENSE	Total	Arrest	Citation	% Citation	Q1 Citation %
Contraband In Correctional Facility	2	2	0	0.0%	0.0%
Criminal Mischief \$100 to <\$750	93	84	9	9.7%	12.5%
Driving While License Invalid	15	10	5	33.3%	56.3%
Class B Theft \$100 to <\$750	386	167	219	56.7%	48.8%
Class B Theft of Service \$100 to <\$750	9	6	3	33.3%	50.0%
Possession of Marijuana 0 - 2 OZ (Class B)	1,077	695	382	35.5%	34.1%
Possession of Marijuana 2 - 4 OZ (Class A)	50	39	11	22.0%	29.6%
Possession Schedule 2A Controlled Substance < 2 OZ	115	102	13	11.3%	25.5%
Possession Schedule 2A Controlled Substance 2 - <4 OZ	3	3	0	0.0%	0.0%
Totals	1,750	1,108	642	36.7%	35.1%

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 was due to the individual either being charged with violation(s) beyond the offenses eligible for cite and release and the arrestee having an existing arrest warrant at approximately 86% combined which represents a 7% increase from Q1. 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, intoxication and mental health issues that increase the likelihood for self-harm is also likely to require a custodial arrest and accounts for 2% of custodial arrests. Other custodial arrest reasons where the officer may affect a custodial arrest at less than 1% are the arrestee having insufficient identification, being suspected of other criminal behavior 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 1,166.2 hours during the three months. Based on full-time equivalent (FTE) analysis, this reduction results in officer time on call savings equivalent to 2.8 FTE during the three-month period which is an increase of .3 FTE from Q1. Since the implementation of the program there has been a total FTE savings of 5.3 officers.

Table 8.1 – Reduced Officer Time On Call

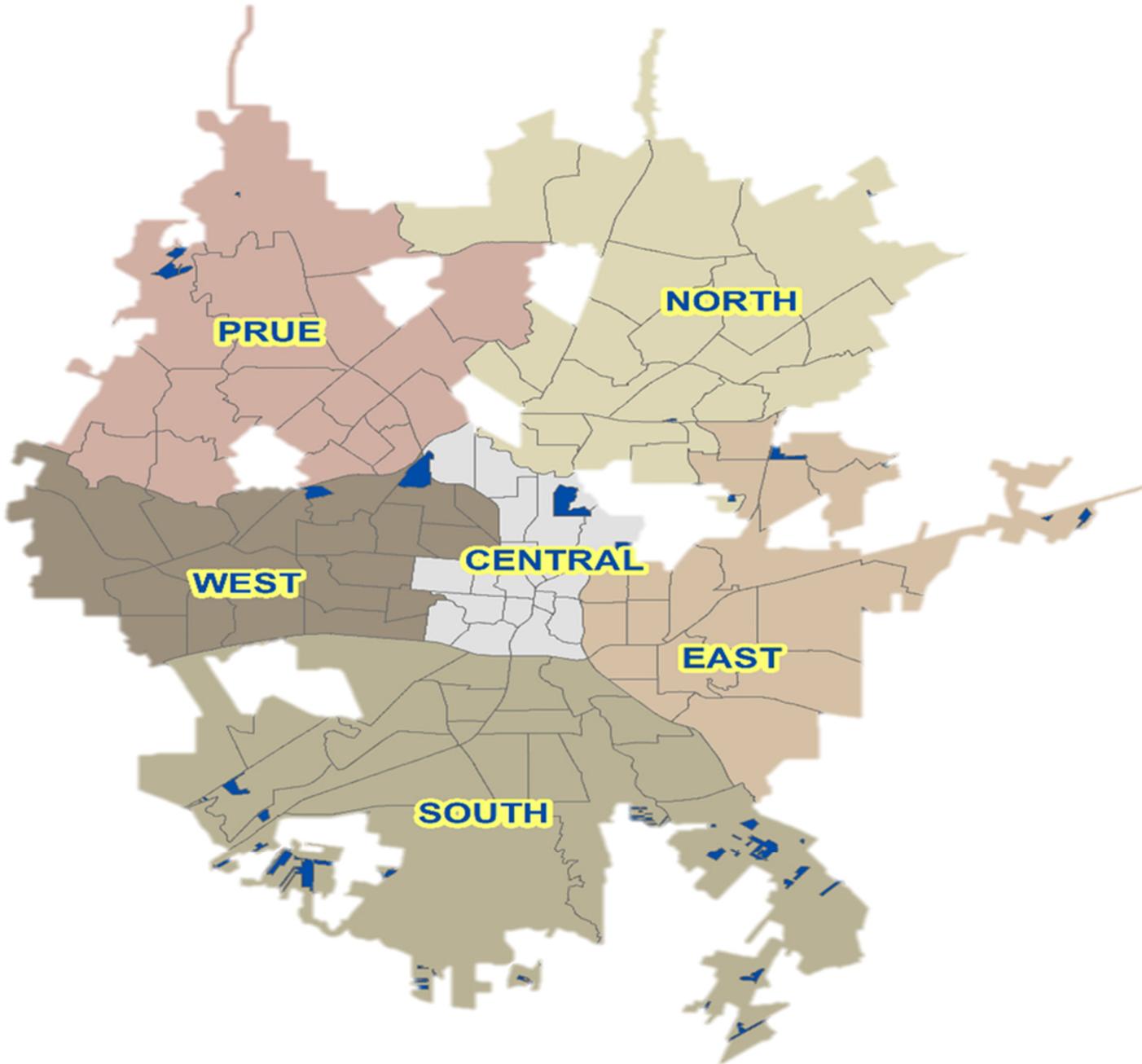
OFFENSE	Citation	Avg. Reduction	Hours Reduced	Q1 Hours Reduced	Total Savings
Contraband In Correctional Facility	0	N/A	N/A	N/A	0.0
Criminal Mischief \$100 to <\$750	9	N/A	N/A	N/A	0.0
Driving While License Invalid	5	1:10	5.8	10.5	16.3
Class B Theft \$100 to <\$750	219	1:57	427.1	319.8	746.9
Class B Theft of Service \$100 to <\$750	3	0:14	0.7	0.7	1.4
Possession of Marijuana 0 - 2 OZ	382	1:52	713.1	644.0	1,357.1
Possession of Marijuana 2 - 4 OZ	11	0:32	5.9	4.3	10.2
Possession Schedule 2A Controlled Substance < 2 OZ	13	1:03	13.7	51.5	65.2
Possession Schedule 2A Controlled Substance 2 - <4 OZ	0	N/A	N/A	N/A	0.0
Total Hours Reduced			1,166.2	1,030.8	2,197

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APPENDIX

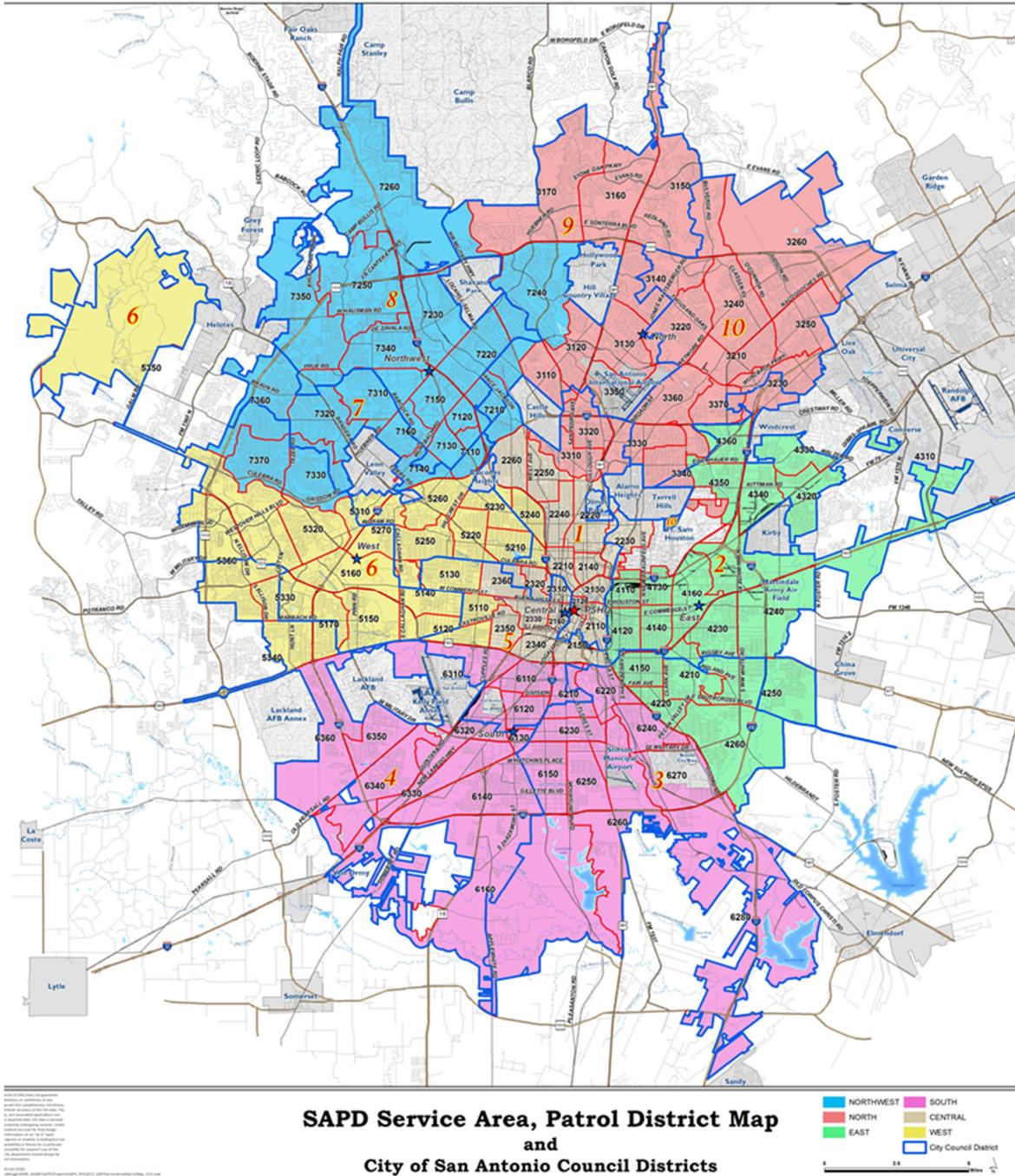
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SUBSTATION MAP



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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
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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 LICENSE	STATE	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