

San Antonio Police Department

Cite and Release Program

2ND QUARTER REPORT

(OCTOBER 1 TO DECEMBER 31, 2022)

FOR THE YEAR ENDING JUNE 30, 2023



Prepared by San Antonio Police Department
APR 6, 2023

SAPD Class A/B Misdemeanor Cite & Release Program Report

2nd Quarter Report for the Year Ending June 30, 2023

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, 2022, through December 31, 2022. 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 third year of implementation of the program.

SAPD Class A/B Misdemeanor Cite & Release Program Report

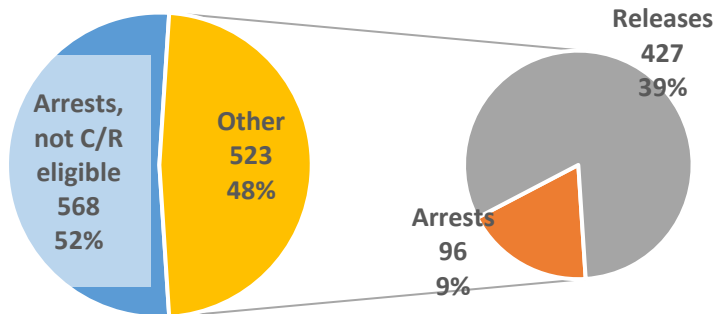
2nd Quarter Report for the Year Ending June 30, 2023

SUMMARY

During the period of October through December 2022, the SAPD encountered 1,091 individuals for eligible offenses, via either custodial arrest or issuing a misdemeanor citation. Of the 1,091 individuals encountered, 568 individuals (52.06%) had outstanding warrants and/or multiple arrests, making them ineligible for citation and release. 523 (47.94%) 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	716	396	57	263
White	173	74	22	77
African American	179	89	15	75
Other Race	23	9	2	12
Total	1,091	568	96	427
% of Total	100%	52.06%	8.80%	39.14%



Of the 523 individuals eligible for cite and release, 427 were released and 96 were arrested.

The table below provides detail on the 523 encounters which were eligible for cite and release, disaggregated by race and ethnicity. Release rates range from 85.71% for Other Race to 77.78% for White.

Race/ Ethnicity	C/R Eligible Encounters	Individuals Arrested	Individuals Released	Release Rate, eligible encounters
Hispanic	320	57	263	82.19%
White	99	22	77	77.78%
African American	90	15	75	83.33%
Other Race	14	2	12	85.71%
Total	523	96	427	81.64%

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1. OFFENSE TYPE

Table 6.1 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 89.01% of offenses. During Year4, Q2, Possession of Marijuana 0-2 oz has a lower citation release rate of 34.27% as compared to the release rate of 56.84% for Class B Theft.

Table 6.1 – Arrests by Offense type, current quarter compared to same quarter prior year

Offense Type	Year 3, Q2 Oct to Dec 2021				Year 4, Q2 Oct to Dec 2022			
	Arrest	Release	Total	Rel. %	Arrest	Release	Total	Rel. %
Contraband in Correctional Facility	0	0	0	N/A	1	0	1	0%
Criminal Mischief \$100 to <\$750	65	4	69	5.80%	55	10	65	15.38%
Driving While License Invalid	4	1	5	20%	7	0	7	0%
Class B Theft \$100 to <\$750	110	133	243	54.73%	142	187	329	56.84%
Class B Theft of Service \$100 to <\$750	3	0	3	0%	4	3	7	42.86%
Poss. Marijuana 0 to 2oz	380	185	565	32.74%	422	220	642	34.27%
Poss. Marijuana 2 to 4oz	19	4	23	17.39%	24	4	28	14.29%
Poss. Sch. 2A Ctrld Subst. < 2oz	19	2	21	9.52%	8	1	9	11.11%
Poss. Sch. 2A Ctrld Subst. 2 to < 4oz	1	0	1	0%	0	2	2	100%
Theft \$100 < \$750 (From Motor Vehicle)	N/A	N/A	N/A	N/A	1	0	1	0%
Total	601	329	930	35.38%	664	427	1,091	39.14%

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2. OFFICER AVAILABILITY

Cite and release saves officer time because issuing a citation takes less time than completing an arrest. Table 8.1 shows officer time saved according to the average amount of time an officer spends on an arrest for a particular offense. During Year 4, Q2, the officer time saved by issuing citations was 779.20 hours. The full-time equivalent (FTE) for an officer's time is estimated at 410 hrs per quarter, so the citations issued in Year 4, Q2 resulted in a time saving of 1.90 FTEs.

Table 8.1 – Reduced Officer Time On Call, current quarter compared to same quarter prior year

Offense Type	Avg. minutes for arrest	Year 3, Q2 Oct to Dec 2021		Year 4, Q2 Oct to Dec 2022	
		Releases	Hrs saved	Releases	Hrs saved
Contraband In Correctional Facility	N/A	0	N/A	0	N/A
Criminal Mischief \$100 to <\$750	0	4	N/A	10	N/A
Driving While License Invalid	70	1	1.2	0	N/A
Class B Theft \$100 to <\$750	117	133	259.4	187	364.65
Class B Theft of Service \$100 to <\$750	14	0	N/A	3	0.70
Poss. Marijuana 0 to 2oz	112	185	345.3	220	410.67
Poss. Marijuana 2 to 4oz	32	4	2.1	4	2.13
Poss. Sch. 2A Ctrlld Subst. < 2oz	63	2	2.1	1	1.05
Poss. Sch. 2A Ctrlld Subst. 2 to < 4oz	0	0	N/A	2	N/A
Total			610.10		779.20
Officer FTE (hrs)	410	329	1.49 FTE	427	1.90

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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 LICENSE STATE NUMBER SOCIAL SECURITY NUMBER

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