

San Antonio Police Department

Cite and Release Program

2ND QUARTER REPORT

(OCTOBER 1 TO DECEMBER 31, 2023)

FOR THE YEAR ENDING JUNE 30, 2024



Prepared by San Antonio Police Department
FEB 27 2024

SAPD Class A/B Misdemeanor Cite & Release Program Report

2nd 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 October 1, 2023, through December 31, 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

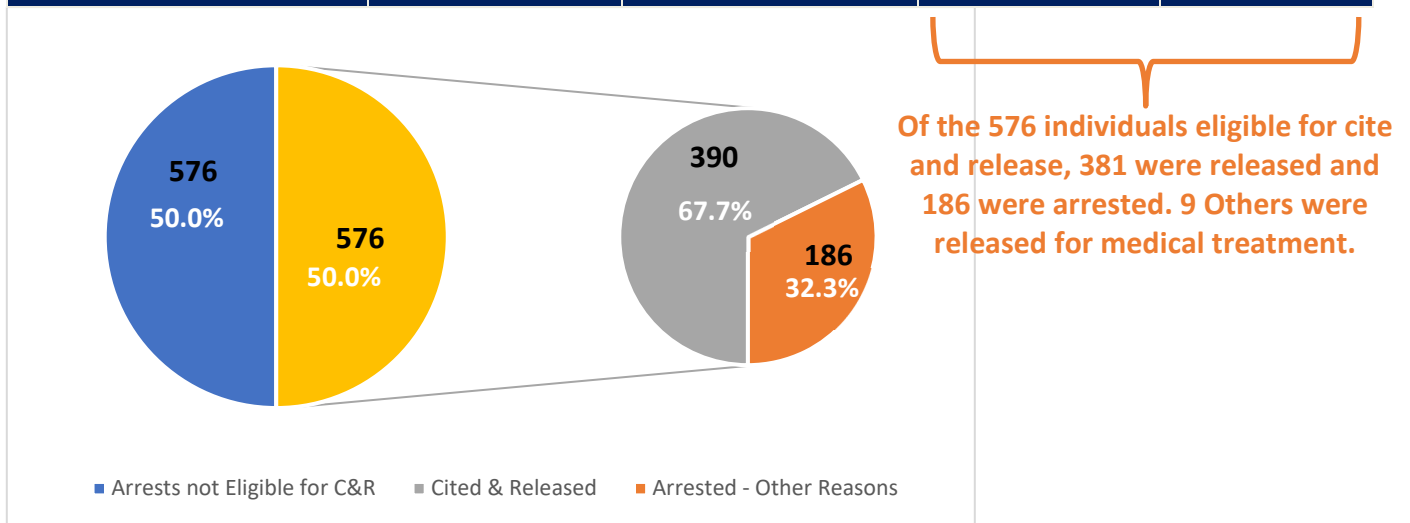
2nd Quarter Report for the Year Ending June 30, 2024

SUMMARY

During the period of October through December 2023, the SAPD encountered 1,152 individuals for eligible offenses, via either custodial arrest or issuing a misdemeanor citation. Of the 1,152 individuals encountered, 576 individuals (50.0%) had outstanding warrants and/or multiple arrests, making them ineligible for citation and release. 576 (50.0%) 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	357	129	228
White	185	96	22	74
African American	172	83	23	60
Other Race	79	40	12	28
Total	1,152	576	186	390
% of Total	100%	50.00%	16.15%	33.85%



The table below provides detail on the 576 encounters which were eligible for cite and release, disaggregated by race and ethnicity. Release rates range from 63.87% for Hispanic to 77.08% for White.

Race/ Ethnicity	C/R Eligible Encounters	Individuals Arrested	Individuals Released	Release Rate, eligible encounters
Hispanic	357	129	228	63.87%
White	96	22	74	77.08%
African American	83	23	60	72.29%
Other Race	40	12	28	70.00%
Total	576	186	390	67.71%

* Includes 9 medical releases

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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 88.54% of offenses. During Year 5, Q2, Possession of Marijuana 0-2 oz has a lower citation release rate of 25.77% as compared to the release rate of 50.23% for Class B Theft.

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

Offense Type	Year 4, Q2 Oct to Dec 2022				Year 5, Q2 Oct to Dec 2023			
	Arrest	Release	Total	Rel. %	Arrest	Release	Total	Rel. %
Contraband in Correctional Facility	1	0	1	0.00%	0	0	0	0.00%
Criminal Mischief \$100 to <\$750	55	10	65	15.38%	65	10	75	13.33%
Driving While License Invalid	7	0	7	0%	9	2	11	18.18%
Class B Theft \$100 to <\$750	143	187	330	56.66%	218	220	438	50.23%
Class B Theft of Service \$100 to <\$750	4	3	7	42.86%	1	2	3	66.67%
Poss. Marijuana 0 to 2oz	422	220	642	34.27%	432	150	582	25.77%
Poss. Marijuana 2 to 4 oz	24	4	28	14.29%	20	6	26	23.08%
Poss. Sch. 2A Ctrld Subst. < 2oz	8	1	9	11.11%	17	0	17	0.00%
Poss. Sch. 2A Ctrld Subst. 2 to < 4oz	0	2	2	100%	0	0	0	0.00%
Total	664	427	1,091	39.14%	762	390	1,152	33.85%

** Includes 9 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. Table 2.1 identify the reason for officers effecting a custodial arrest. During Year 5, Q2, 576 (75.59%) of 762 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, Q2 Oct to Dec 2022		Year 5, Q2 Oct to Dec 2023	
	Total	%	Total	%
Multiple Charges	325	48.95%	372	48.82%
Warrants	243	36.60%	204	26.77%
Mandatory arrests - not eligible for C/R	568	85.54%	576	75.59%
Victim Custodial Arrest Demand / Expected	45	6.78%	17	2.23%
Medical / Self Harm	4	0.60%	0	0.00%
Uncooperative Suspect	13	1.96%	19	2.50%
Unspecified	0	0.0%	18	2.36%
Insufficient ID	9	1.36%	21	2.76%
Suspect of Other Criminal Behavior	19	2.86%	99	12.99%
Not Bexar County Resident	6	.90%	12	1.57%
Total	664	100%	762	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. Table 3.1 show officer time saved according to the average amount of time an officer spends on an arrest for a particular offense. During Year 5, Q2, the officer time saved by issuing citations was 715.00 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, Q2 resulted in a time saving of 1.74 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, Q2 Oct to Dec 2022		Year 5, Q2 Oct to Dec 2023	
		Releases	Hrs saved	Releases	Hrs saved
Contraband In Correctional Facility	0	0	N/A	0	N/A
Criminal Mischief \$100 to <\$750	0	10	N/A	10	N/A
Driving While License Invalid	70	0	N/A	2	2.33
Class B Theft \$100 to <\$750	117	187	364.65	220	429
Class B Theft of Service \$100 to <\$750	14	3	0.70	2	0.47
Poss. Marijuana 0 to 2 oz	112	220	410.67	150	280
Poss. Marijuana 2 to 4oz	32	4	2.13	6	3.20
Poss. Sch. 2A Ctrlld Subst. < 2oz	63	1	1.05	0	N/A
Poss. Sch. 2A Ctrlld Subst. 2 to < 4oz	0	2	N/A	0	N/A
Total			779.20		715.00
Officer FTE (hrs)	410	427	1.90 FTE	390	1.74 FTE

** Includes 9 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	
BUSINESS ADDRESS (OR SCHOOL ATTENDED)						
CITY			ZIP CODE		BUSINESS PHONE	
RACE	SEX	HAIR	EYES	HEIGHT	WEIGHT	DATE OF BIRTH
DRIVER'S STATE LICENSE 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					
	<div style="border: 1px dashed black; width: 100%; height: 100%;"></div>					
<input type="checkbox"/> OFFENSE(S) NOT COMMITTED IN MY PRESENCE <input type="checkbox"/> CERTIFIED ON INFORMATION AND BELIEF.						
PLACE OF OFFENSE						
BADGE NO.		DISTRICT OF ARREST			ASSIGNMENT NO.	
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						