

San Antonio Police Department

Cite and Release Program

4TH QUARTER REPORT

(APRIL 1 TO JUNE 30, 2023)

FOR THE YEAR ENDING JUNE 30, 2023



Prepared by San Antonio Police Department
AUG 11, 2023

SAPD Class A/B Misdemeanor Cite & Release Program Report

4TH 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 April 1, 2023, through June 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 third year of implementation of the program.

SAPD Class A/B Misdemeanor Cite & Release Program Report

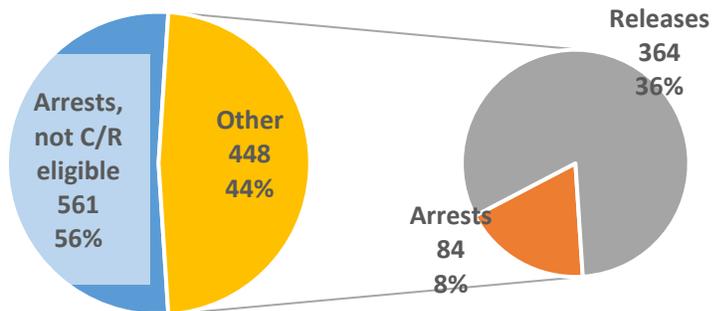
4TH Quarter Report for the Year Ending June 30, 2023

SUMMARY

During the period of April through June 2023, the SAPD encountered 1,009 individuals for eligible offenses, via either custodial arrest or issuing a misdemeanor citation. Of the 1,009 individuals encountered, 561 individuals (55.60%) had outstanding warrants and/or multiple arrests, making them ineligible for citation and release. 448 (44.40%) 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	687	380	61	246
White	145	83	11	51
African American	162	91	11	60
Other Race	15	7	1	7
Total	1,009	561	84	364
% of Total	100%	55.60%	8.33%	36.07%



Of the 448 individuals eligible for cite and release, 364 were released and 84 were arrested.

The table below provides detail on the 448 encounters which were eligible for cite and release, disaggregated by race and ethnicity. Release rates range from 87.50% for Other Races to 80.13% for Hispanic.

Race/ Ethnicity	C/R Eligible Encounters	Individuals Arrested	Individuals Released	Release Rate, eligible encounters
Hispanic	307	61	246	80.13%
White	62	11	51	82.26%
African American	71	11	60	84.51%
Other Race	8	1	7	87.50%
Total	448	84	364	

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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 87.61% of offenses. During Year4, Q4, Possession of Marijuana 0-2 oz has a lower citation release rate of 31.95% as compared to the release rate of 51.82% for Class B Theft. Table 1.2 compares the same information for the current program year to date (July 2020 to June 2021) 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 3, Q4 Apr to Jun 2022				Year 4, Q4 Apr to Jun 2023			
	Arrest	Release	Total	Rel. %	Arrest	Release	Total	Rel. %
Contraband in Correctional Facility	0	0	0	N/A	1	0	1	N/A
Criminal Mischief \$100 to <\$750	73	7	80	8.75%	61	3	64	4.69%
Driving While License Invalid	5	2	7	28.57%	2	3	5	60.00%
Class B Theft \$100 to <\$750	138	159	297	53.54%	159	171	330	51.82%
Class B Theft of Service \$100 to <\$750	2	2	4	50.00%	1	1	2	50.00%
Poss. Marijuana 0 to 2oz	410	215	625	34.40%	377	177	554	31.95%
Poss. Marijuana 2 to 4oz	16	3	19	15.79%	29	8	37	21.62%
Poss. Sch. 2A Ctrld Subst. < 2oz	10	5	15	33.33%	13	1	14	7.14%
Poss. Sch. 2A Ctrld Subst. 2 to < 4oz	1	0	1	0%	2	0	2	0%
Theft \$100 < \$750 (From Motor Vehicle)	1	0	1	0%	0	0	0	0%
Total	656	393	1,049	37.46%	645	364	1,009	36.08%

Table 1.2 – Arrests by Offense type, current year compared to prior year

Offense Type	Year 3 Jul 2021 to Jun 2022				Year 4 Jul 2022 to Jun 2023			
	Arrest	Release	Total	Rel. %	Arrest	Release	Total	Rel. %
Contraband in Correctional Facility	0	0	0	NA	4	0	4	0%
Criminal Mischief \$100 to <\$750	271	28	299	9.36%	236	27	263	10.27%
Driving While License Invalid	22	7	29	24.14%	24	3	27	11.11%
Class B Theft \$100 to <\$750	457	534	991	53.88%	589	717	1,306	54.90%
Class B Theft of Service \$100 to <\$750	10	4	14	28.57%	8	9	17	52.94%
Poss. Marijuana 0 to 2oz	1,555	790	2,345	33.69%	1,698	851	2,549	33.39%
Poss. Marijuana 2 to 4oz	87	21	108	19.44%	104	21	125	16.80%
Poss. Sch. 2A Ctrld Subst. < 2oz	71	18	89	20.22%	2	2	4	50.00%
Poss. Sch. 2A Ctrld Subst. 2 to < 4oz	2	0	2	0%	54	8	62	12.90%
Theft \$100 < \$750 (From Motor Vehicle)	1	0	1	0%	1	0	1	0%
Total	2,476	1,402	3,878	36.15%	2,720	1,638	4,358	37.59%

SAPD Class A/B Misdemeanor Cite & Release Program Report

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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 4, Q4, 561 (86.98%) of 645 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 3, Q4 Apr to Jun 2022		Year 4, Q4 Apr to Jun 2023	
	Total	%	Total	%
Multiple Charges	444	67.68%	375	58.14%
Warrants	163	24.85%	186	28.84%
Mandatory arrests - not eligible for C/R	607	92.53%	561	86.98%
Victim Custodial Arrest Demand / Expected	15	2.29%	41	6.36%
Medical / Self Harm	9	1.37%	0	0%
Uncooperative Suspect	6	0.91%	8	1.24%
Unspecified	1	0.15%	3	0.47%
Insufficient ID	6	0.91%	7	1.09%
Suspect of Other Criminal Behavior	7	1.07%	13	2.02%
Not Bexar County Resident	5	0.76%	12	1.86%
Total	656	100%	645	100%

Table. 2.2 – Reason for Custodial Arrest, current year compared to prior year

Arrest Reason	Year 3 Jul 2021 to Jun 2022		Year 4 Jul 2022 to Jun 2023	
	Total	%	Total	%
Multiple Charges	1,631	65.87%	1,488	54.71%
Warrants	566	22.86%	821	30.18%
Mandatory arrests - not eligible for C/R	2,197	88.73%	2,309	84.86%
Victim Custodial Arrest Demand / Expected	100	4.04%	166	6.10%
Medical / Self Harm	38	1.53%	0	0.00%
Uncooperative Suspect	26	1.05%	48	1.76%
Unspecified	15	0.61%	26	0.96%
Insufficient ID	21	0.85%	35	1.29%
Suspect of Other Criminal Behavior	60	2.42%	98	3.60%
Not Bexar County Resident	19	0.77%	38	1.40%
Total	2,476	100%	2,720	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 4, Q4, the officer time saved by issuing citations was 672.90 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, Q4 resulted in a time saving of 1.64 FTEs.

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

Offense Type	Avg. minutes for arrest	Year 3, Q4 Apr to Jun 2022		Year 4, Q4 Apr to Jun 2023	
		Releases	Hrs saved	Releases	Hrs saved
Contraband In Correctional Facility	N/A	0	N/A	0	N/A
Criminal Mischief \$100 to <\$750	0	7	0	3	0
Driving While License Invalid	70	2	2.33	3	3.50
Class B Theft \$100 to <\$750	117	159	310.05	171	333.45
Class B Theft of Service \$100 to <\$750	14	2	0.47	1	0.23
Poss. Marijuana 0 to 2oz	112	215	401.33	177	330.40
Poss. Marijuana 2 to 4oz	32	3	1.60	8	4.27
Poss. Sch. 2A Ctrlld Subst. < 2oz	63	5	5.25	1	1.05
Poss. Sch. 2A Ctrlld Subst. 2 to < 4oz	0	0	0	0	0
Total			721.03		672.90
Officer FTE (hrs)	410	393	1.76 FTE	364	1.64 FTE

Table 3.2 – Reduced Officer Time On Call, current year compared to prior year

Offense Type	Avg. minutes for arrest	Year 3 Jul 2021 to Jun 2022		Year 4 Jul 2022 to Jun 2023	
		Releases	Hrs saved	Releases	Hrs saved
Contraband In Correctional Facility	N/A	0	N/A	0	N/A
Criminal Mischief \$100 to <\$750	0	28	0	27	0
Driving While License Invalid	70	7	8.17	3	3.50
Class B Theft \$100 to <\$750	117	534	1,041.30	717	1,398.15
Class B Theft of Service \$100 to <\$750	14	4	0.93	9	2.10
Poss. Marijuana 0 to 2oz	112	790	1,474.67	851	1,588.53
Poss. Marijuana 2 to 4oz	32	21	11.20	21	11.20
Poss. Sch. 2A Ctrlld Subst. < 2oz	63	18	18.90	2	2.10
Poss. Sch. 2A Ctrlld Subst. 2 to < 4oz	0	0	0	8	0
Total			2,555.17		3,005.58
Officer FTE (hrs)	410	1,402	6.23 FTE	1,638	7.33

SAPD Class A/B Misdemeanor Cite & Release Program Report
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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.

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