

San Antonio Police Department

Cite and Release Program

3RD QUARTER REPORT

(JANUARY 1 TO MARCH 31, 2023)

FOR THE YEAR ENDING JUNE 30, 2023



Prepared by San Antonio Police Department
MAY 3, 2023

SAPD Class A/B Misdemeanor Cite & Release Program Report

3RD 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 January 1, 2023, through March 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 third year of implementation of the program.

SAPD Class A/B Misdemeanor Cite & Release Program Report

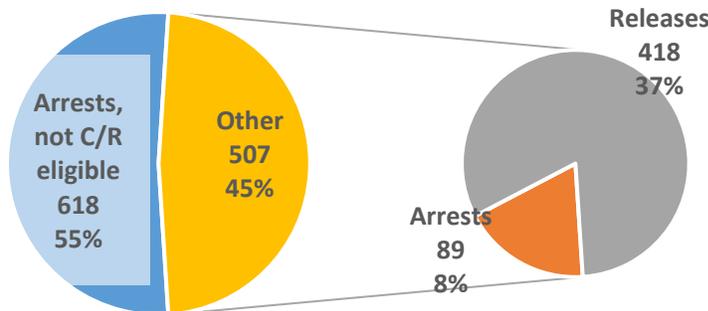
3RD Quarter Report for the Year Ending June 30, 2023

SUMMARY

During the period of January through March 2023, the SAPD encountered 1,125 individuals for eligible offenses, via either custodial arrest or issuing a misdemeanor citation. Of the 1,125 individuals encountered, 619 individuals (55.02%) had outstanding warrants and/or multiple arrests, making them ineligible for citation and release. 506 (44.98%) encounters were eligible for citation and release. Please note 1 individual was not eligible for citation and release due to multiple charges; however, he was released to another agency. In this report, this individual is counted as not eligible in the stats above and falls under released in stats and tables below as appropriate.

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	744	425	50	269
White	191	90	25	76
African American	175	96	13	66
Other Race	15	7	1	7
Total	1,125	618	89	418
% of Total	100%	54.93%	7.91%	37.16%



Of the 506 individuals eligible for cite and release, 417 were released and 89 were arrested. 1 individual who was not eligible was released to another agency and is counted as Released bringing the total to 418.

The table below provides detail on the 506 encounters which were eligible for cite and release, disaggregated by race and ethnicity. Release rates range from 87.50% for Other Races to 75.25% for White. The individual released to another agency was not eligible for citation and release; therefore he is not represented in this table.

Race/ Ethnicity	C/R Eligible Encounters	Individuals Arrested	Individuals Released	Release Rate, eligible encounters
Hispanic	319	50	269	84.33%
White	101	25	76	75.25%
African American	78	13	65	83.33%
Other Race	8	1	7	87.50%
Total	506	89	417	82.41%

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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 88.80% of offenses. During Year4, Q3, Possession of Marijuana 0-2 oz has a lower citation release rate of 33.98% as compared to the release rate of 52.40% for Class B Theft.

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

Offense Type	Year 3, Q3 Jan to Mar 2022				Year 4, Q3 Jan to Mar 2023			
	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	64	10	74	13.51%	55	8	63	12.70%
Driving While License Invalid	5	3	8	37.50%	6	0	6	0%
Class B Theft \$100 to <\$750	107	153	260	58.85%	159	175	334	52.40%
Class B Theft of Service \$100 to <\$750	2	0	2	0%	0	4	4	100%
Poss. Marijuana 0 to 2oz	386	240	626	38.39%	439	226	665	33.98%
Poss. Marijuana 2 to 4oz	25	9	34	26.47%	32	4	36	11.11%
Poss. Sch. 2A Ctrld Subst. < 2oz	19	3	22	13.64%	15	1	16	6.25%
Poss. Sch. 2A Ctrld Subst. 2 to < 4oz	0	0	0	N/A	0	0	0	N/A
Theft \$100 < \$750 (From Motor Vehicle)	N/A	N/A	N/A	N/A	0	0	0	N/A
Total	608	418	1,026	40.74%	707	418	1,125	37.16%

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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 identifies the reason for officers effecting a custodial arrest. During Year 4, Q3, 618 (87.14%) of 707 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

Arrest Reason	Year 3, Q3 <i>Jan to Mar 2022</i>		Year 4, Q3 <i>Jan to Mar 2023</i>	
	Total	%	Total	%
Multiple Charges	432	71.05%	387	54.74%
Warrants	129	21.22%	231	32.67%
<i>Mandatory arrests - not eligible for C/R</i>	561	92.27%	618	87.14%
Victim Custodial Arrest Demand / Expected	12	1.97%	18	2.55%
Medical / Self Harm	6	0.99%	0	N/A
Uncooperative Suspect	5	0.82%	11	1.56%
Unspecified	8	1.32%	6	0.85%
Insufficient ID	4	0.66%	17	2.40%
Suspect of Other Criminal Behavior	7	1.15%	27	3.82%
Not Bexar County Resident	5	0.82%	10	1.41%
Total	608	100%	707	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 shows officer time saved according to the average amount of time an officer spends on an arrest for a particular offense. During Year 4, Q3, the officer time saved by issuing citations was 767.23 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, Q3 resulted in a time saving of 1.87 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, Q3 Jan to Mar 2022		Year 4, Q3 Jan to Mar 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	10	0	8	0
Driving While License Invalid	70	3	3.50	0	0
Class B Theft \$100 to <\$750	117	153	298.35	175	341.25
Class B Theft of Service \$100 to <\$750	14	0	0	4	0.93
Poss. Marijuana 0 to 2oz	112	240	448	226	421.87
Poss. Marijuana 2 to 4oz	32	9	4.80	4	2.13
Poss. Sch. 2A Ctrl'd Subst. < 2oz	63	3	3.15	1	1.05
Poss. Sch. 2A Ctrl'd Subst. 2 to < 4oz	0	0	0	0	0
Total		418	757.80	418	767.23
Officer FTE (hrs)			410		1.85 FTE

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APPENDIX

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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