

San Antonio Police Department

Cite and Release Program

1ST QUARTER REPORT

(JULY 1 TO SEPTEMBER 30, 2022)

FOR THE YEAR ENDING JUNE 30, 2023



Prepared by San Antonio Police Department
DEC 06, 2022

SAPD Class A/B Misdemeanor Cite & Release Program Report

1st 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 July 1, 2022 through September 30, 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

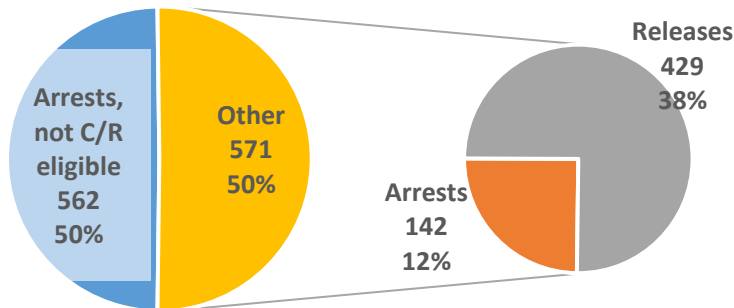
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SUMMARY

During the period of July through September 2022, the SAPD encountered 1,133 individuals for eligible offenses, via either custodial arrest or issuing a misdemeanor citation. Of the 1,133 individuals encountered, 562 individuals (49.60%) had outstanding warrants and/or multiple arrests, making them ineligible for citation and release. 571 (50.40%) 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	737	377	82	278
White	165	70	23	72
African American	190	103	25	62
Other Race	41	12	12	17
Total	1,133	562	142	429
% of Total	100%	49.60%	12.53%	37.86%



Of the 571 individuals eligible for cite and release, 429 were released and 142 were arrested.

The table below provides detail on the 571 encounters which were eligible for cite and release, disaggregated by race and ethnicity. Release rates range from 75.79% for White to 58.62% for Other Race.

Race/ Ethnicity	C/R Eligible Encounters	Individuals Arrested	Individuals Released	Release Rate, eligible encounters
Hispanic	360	82	278	77.22%
White	95	23	72	75.79%
African American	87	25	62	71.26%
Other Race	29	12	17	58.62%
Total	571	142	429	

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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 88.35% of offenses. During Year 4, Q1, Possession of Marijuana 0-2 oz has a lower citation release rate of 33.14 % as compared to the release rate of 58.79 % for Class B Theft.

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

Offense Type	Year 3, Q1 <i>Jul to Sep 2021</i>				Year 4, Q1 <i>Jul to Sep 2022</i>			
	Arrest	Release	Total	Rel. %	Arrest	Release	Total	Rel. %
Contraband in Correctional Facility	0	0	0	NA	1	0	1	0.00%
Criminal Mischief \$100 to <\$750	69	7	76	9.21%	65	6	71	8.45%
Driving While License Invalid	8	1	9	11.11%	9	0	9	0.00%
Class B Theft \$100 to <\$750	102	89	191	46.60%	129	184	313	58.79%
Class B Theft of Service \$100 to <\$750	3	2	5	40%	3	1	4	25.00%
Poss. Marijuana 0 to 2oz	379	150	529	28.36%	460	228	688	33.14%
Poss. Marijuana 2 to 4oz	27	5	32	15.63%	19	5	24	20.83%
Poss. Sch. 2A Ctrld Subst. < 2oz	23	8	31	25.81%	18	5	23	21.74%
Poss. Sch. 2A Ctrld Subst. 2 to < 4oz	0	0	0	NA	0	0	0	NA
Theft \$100 < \$750 (From Motor Vehicle)	0	0	0	NA	0	0	0	NA
Total	611	262	873	30.01%	704	429	1,133	37.86%

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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, Q1, the officer time saved by issuing citations was 792.55 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, Q1 resulted in a time saving of 1.93 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, Q1 <i>Jul to Sep 2021</i>		Year 4, Q1 <i>Jul to Sep 2022</i>	
		Releases	Hrs saved	Releases	Hrs saved
Contraband In Correctional Facility	NA	0	NA	0	NA
Criminal Mischief \$100 to <\$750	0	7	NA	6	NA
Driving While License Invalid	70	1	1.2	0	NA
Class B Theft \$100 to <\$750	117	89	173.5	184	358.80
Class B Theft of Service \$100 to <\$750	14	2	0.5	1	0.23
Poss. Marijuana 0 to 2oz	112	150	280	228	425.60
Poss. Marijuana 2 to 4oz	32	5	2.7	5	2.67
Poss. Sch. 2A Ctrlld Subst. < 2oz	63	8	8.4	5	5.25
Poss. Sch. 2A Ctrlld Subst. 2 to < 4oz	0	0	NA	0	NA
Total			466.3		792.55
Officer FTE (hrs)	410	262	1.14 FTE	429	1.93 FTE

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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