

**PUBLIC SAFETY  
COUNCIL COMMITTEE MEETING  
JANUARY 22, 2019  
9:30 A.M.  
MUNICIPAL PLAZA BUILDING**

**Members Present:** Councilmember Ana Sandoval, Chair, *District 7*  
Councilmember Rey Saldaña, *District 4*  
Councilmember Greg Brockhouse, *District 6*  
Councilmember John Courage, *District 9*  
Councilmember Clayton Perry, *District 10*

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**Members Absent:** None

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**Staff Present:** Erik Walsh, *Deputy City Manager*; Liz Provencio, *First Assistant City Attorney*; Joe Niño, *Deputy City Attorney*; Jim Kopp, *Assistant City Attorney*; William McManus, *Police Chief, SAPD*; Robert Blanton, *Deputy Chief, SAPD*; Lieutenant Jesse Salame, *SAPD*; Heber Lefgren, *Director, Animal Care Services*; Shannon Sims, *Assistant Director, Animal Care Services*; Margarita Pol, *Municipal Court Judge*; Fred Garcia, *Municipal Court Clerk*; Denice F. Treviño, *Office of the City Clerk*

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**Others Present:** None

**Call to order**

Chairwoman Sandoval called the meeting to order. She announced that the Committee Meetings would be broadcasted on Facebook Live. She noted that those interested could sign up to be placed on an email distribution list to receive Committee Meeting Agenda Packets. She stated that a memo was provided by Chief McManus which addressed questions raised at the last Public Safety Council Committee Meeting.

**1. Approval of the December 20, 2018 Public Safety Council Committee Meeting Minutes**

Councilmember Courage moved to approve the minutes of the December 20, 2018 Public Safety Council Committee Meeting. Councilmember Perry seconded the motion. The motion carried unanimously by those present.

**Citizens to be Heard**

There were no citizens registered to speak.

**Items for Consideration:**

## 2. Briefing and Update on the Magistration Process and the Transition of the City's Central Magistration Facility to the Arrestee Administrative Processing Center. [Presented by William McManus, Chief of Police]

Chief McManus stated that in 2016, Bexar County proposed a new facility for processing arrestees. He noted that the City provided feedback on operational needs of the San Antonio Police Department (SAPD) and after several conversations and meetings with Bexar County, the City of San Antonio (CoSA) determined that operations at Frank Wing must continue. He stated that CoSA identified the following concerns regarding the Bexar County Facility:

- Capacity
- Custody transfer
- Public inebriates
- Class C Arrestees
- Property acceptance

Chief McManus stated that the use of the Bexar County Facility by SAPD would prevent Officers from returning to the field in a timely manner. He noted that the Bexar County Facility did not process arrests for Class C Misdemeanors and Public Inebriates and processing those arrests would require payment from the City to utilize the facility.

Deputy Chief Blanton reviewed the following costs to the city:

	Previous Operations	Current Operations	County estimate
Operations cost to City	\$4.5 million	\$4.8 million	\$3.6 million
Revenue from payment to Bexar County	(\$1.5 million)	\$0	\$1.5 million
<b>Subtotal for hard costs</b>	<b>\$3.0 million</b>	<b>\$4.8 million</b>	<b>\$5.1 million</b>
Additional Officer time	\$0	\$0	\$4.8 million
<b>Total</b>	<b>\$3.0 million</b>	<b>\$4.8 million</b>	<b>\$9.9 million</b>

Deputy Chief Blanton reviewed the Fiscal Year (FY) cost per arrestee for other Texas Cities, SAPD in FY 2017, SAPD in FY 2018, and for the Bexar County option. He noted that the cost per arrestee for SAPD in FY 2018 was \$131.39 and the cost of the Bexar County option was \$269.60.

Chief McManus stated that according to a City Auditor Report in May 2018, a recommendation was made that the Police Chief should ensure that arrested persons were processed through the City Magistrate within 18 hours. He noted that SAPD responded to that recommendation and the processing time has been significantly reduced. He stated that on December 17, 2019, Bexar County vacated the City facility and the City

continues processing of Class C Misdemeanors, Public Inebriates, and Class B Misdemeanors and above.

Councilmember Brockhouse entered the meeting at this time.

Chief McManus reviewed the following future operations:

- Short term
  - City continues magistration of City Arrestees
  - City facility remains the only processing location for Class C Misdemeanors and some Public Inebriates
  - Review Bexar County proposal
  - Continued discussions with Bexar County
- Long term
  - Frank Wing replacement plan
  - Analysis of future needs based on projected population growth
  - Create work group consisting of Bexar County and City Officials to identify magistration process improvements and related issues

Councilmember Saldaña asked of the concerns of SAPD regarding the processing of arrestees at the Bexar County Facility. Chief McManus stated that there were five stations which SAPD Officers had to take arrestees to the Bexar County Facility before returning to duty. He noted that this would decrease the time that Officers were on patrol. Fred Garcia stated that the Magistration Area in the Bexar County Facility was too small.

Erik Walsh spoke of options for SAPD such as the building of another facility, adding on to the existing Bexar County Facility, and processing arrestees at Police Substations.

Councilmember Courage spoke of reviewing the costs for each of the options.

Councilmember Perry asked if the Bexar County Facility was fully operational. Chief McManus replied that it was. Councilmember Perry stated that he was opposed to building a new facility for the City. He suggested that the Committee walk through the City and County Facilities.

Mr. Walsh stated that a proposal from Bexar County to modify the Bexar County Facility was under review by Municipal Court and SAPD.

Councilmember Brockhouse requested that Bexar County Representatives be included at Committee Meetings when this item is discussed. He spoke of partnering further with Bexar County.

Chairwoman Sandoval spoke of the need for additional information. She stated that Commissioner Rodriguez would be taking the lead for Bexar County for discussions.

Mr. Walsh stated that staff would provide an update on this item in 60 days.

Councilmember Courage requested a special meeting of the Committee to tour the two facilities.

Councilmember Saldaña requested a list of requests by Bexar County.

No action was required for Item 2.

**3. Briefing on the Council Consideration Request on the Creation of a Mail Theft Task Force.** [Presented by William McManus, Chief of Police]

Chief McManus stated that SAPD briefed the Governance Committee in June 2018 on Department efforts related to investigating and preventing mail theft in response to a Council Consideration Request (CCR) submitted by Councilmember Brockhouse. He noted that SAPD did not recommend the creation of a Mail Theft Task Force. He stated that there had been a 24% decrease in Mail Theft in 2018. He provided the following data on mail crimes for 2017 and 2018:

Service Area	2017	2018
North	155	55
Prue	66	86
East	26	16
West	22	23
South	11	22
Central	9	15
Bad Address	3	5
TOTAL	292	222

Chief McManus reported that the Property Crime Detail investigated criminal mischief offenses which included damage to mail boxes for the purpose of mail theft. He stated that the Financial Crimes Unit investigated fraud and credit card abuse resulting from mail box break-ins and mail theft in coordination with the United States Postal Inspector (USPI). He noted that the USPI was responsible for investigating crimes involving unopened mail and SAPD investigated crimes where mail has been opened/tampered with such as fraud and credit card abuse. He stated that considerable coordination and communication was required due to the potential for shared jurisdiction based on the individual characteristics of each case. He noted that the San Antonio Fear Free Environment (SAFFE) Unit has provided information to neighborhoods throughout the City on strategies to reduce entry into mail boxes such as:

- Stronger locking mechanisms
- New mailbox design

- Increased lighting

Chief McManus stated that Public Service Announcements (PSAs) would be created and shared via Social Media that:

- Highlight the nature of mail theft crime
- Encourage residents to report suspicious activity

He noted that House Bill (HB) 1747 was introduced into the 85<sup>th</sup> Legislative Session by San Antonio State Representative Ina Minjarez. He stated that HB 1747 would make mail theft a State Offense and establish penalties ranging from a State Jail Felony to a Second Degree Felony depending on the number of pieces of mail appropriated. He noted that the City supports this legislation and has included it in its Legislative Program for the current session.

Councilmember Brockhouse stated that passage of HB 1747 would be helpful and he spoke of ensuring with developers that mail boxes be made to withstand attempted theft.

Councilmember Courage stated that he was encouraged by the decline in mail theft and noted that the problem would re-occur.

Chairwoman Sandoval asked of the process to relay information to SAFFE Officers and Home Owners Associations (HOAs). Chief McManus stated that said information would be relayed to SAFFE Officers and HOAs that were attended by SAPD.

No action was required for Item 3.

#### **4. Briefing on Councilmember Brockhouse's CCR on the Creation of Good Samaritan Protections for Residents.** [Presented by William McManus, Chief of Police]

Chief McManus stated that a CCR was submitted by Councilmember Brockhouse to review strategies to educate the public on child and pet safety as well as the potential inclusion of Good Samaritan protections for residents that take action to protect children and pets in danger as a result of neglect. He noted that on September 19, 2018, the Governance Committee was briefed on the CCR and a Major Texas Cities Comparison and review by the City Attorney were provided. He noted that SAPD and Animal Care Services (ACS) educate the public on dangers of leaving children and pets unattended in vehicles during the winter and summer months via community meetings and events and PSAs. He stated that since 2017, SAPD and ACS have responded to 1,525 calls related to children locked in vehicles and approximately 30 calls annually for animals being left unattended in vehicles. He reviewed the existing State Laws related to children or pets left in motor vehicles and noted that the City was preempted by State Law from enacting any Ordinances contrary to State Provisions. He noted that there was no provision in State Law protecting a person who rescues a child or animal left in a vehicle from danger. He stated that State Law provides for protection from civil and criminal liability if action

deemed justified to reasonably avoid imminent harm and assist a vulnerable individual. He noted that the Cities of Dallas, Houston, Ft. Worth, and Austin:

- Do not offer Good Samaritan protections to residents which act in an effort to protect children or animals in danger
- Have Ordinances which protect Public Safety Personnel which act to remove children and/or animals left unattended in vehicles

Chief McManus noted that Chapter 21, Article 1, Section 21-1 of the San Antonio City Code protects Police Officers, Fire Department and Emergency Medical Personnel.

Councilmember Brockhouse stated that his office received numerous calls regarding pets and inclement weather.

Heber Lefgren described the process for addressing neglect, and cruelty. He spoke of new Officers hired to more quickly address same and stated that Dispatchers would prioritize calls.

Councilmember Courage asked if State Law prohibited the City from setting up a process on citizen protection. Jim Kopp replied that the City could not add additional protections to State Law.

No action was required for Item 4.

#### **Consideration of items for future meetings**

Mr. Walsh stated that the City Attorney's Office would submit amendments to the Massage Parlor Ordinance to the full City Council on February 14, 2019.

#### **Adjourn**

There being no further discussion, the meeting was adjourned at 11:08 a.m.

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*Ana Sandoval, Chair*

*Respectfully Submitted*

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*Denice F. Trevino, Office of the City Clerk*