

**PUBLIC SAFETY
COUNCIL COMMITTEE MEETING
MARCH 24, 2021
2:00 PM
VIDEOCONFERENCE**

Members Present:	Councilmember Melissa Cabello Havrda, <i>Chair, District 6</i> Councilmember Jada Andrews-Sullivan, <i>District 2</i> Councilmember Rebecca Viagran, <i>District 3</i> Councilmember Ana Sandoval, <i>District 7</i> Councilmember Clayton Perry, <i>District 10</i>
Members Absent:	None
Staff Present:	María Villagómez, <i>Deputy City Manager</i> ; Liz Provencio, <i>First Assistant City Attorney</i> ; Jose Niño, <i>Deputy City Attorney</i> ; William P. McManus, <i>Chief of Police</i> ; Jim Kopp, <i>Assistant City Attorney</i> ; Karen Falks, <i>Deputy Chief, SAPD</i> ; Robert Blanton, <i>Chief of Staff, SAPD</i> ; Michael Brown, <i>Captain, SAPD</i> ; Richard Riley, <i>Assistant Police Director, SAPD</i>
Others Present:	None

Call to order

Chairwoman Cabello Havrda called the meeting to order.

1. Approval of minutes from the Public Safety Committee meeting on January 29, 2021

Councilmember Perry moved to approve the minutes of the January 29, 2021 Public Safety Council Committee Meeting. Councilmember Andrews-Sullivan seconded the motion. The motion carried unanimously.

Public Comment

Written Testimony

There were no written comments submitted.

Live Testimony

There were no citizens registered to speak.

Items for Consideration

- 2. Briefing and Possible Action on Street Racing in San Antonio and discussions on a potential ordinance to enhance the ability of the Police Department to effectively address street racing and individuals that attend these events.** [Maria Villagomez, Deputy City Manager; William P. McManus, Chief of Police]

Chief McManus reported that the behavior and tactics of street racing groups was evolving and posing new public safety concerns:

- Organized via social media
- Number of participants grew quickly
- Assaults on Police Officers
- Potential injury to participants and spectators
- Disruption of traffic flow along streets/highways
- Property damage

Chief McManus played a video from a television channel in Houston, Texas about an incident of street racing which resulted in fatalities. He stated that the same kinds of activities were seen in San Antonio. He reported that an incident occurred in which individuals were throwing firecrackers at the police and had their hands blown off. He stated that he discussed the matter of street racing with Councilmembers Cabello Havrda and Viagran and the creation of an Ad Hoc Task Force to deal with such incidents.

Chief McManus reviewed the responses by major Texas cities to street racing:

	Task Force	Intelligence Sharing	Social Media Monitoring	Ordinance
San Antonio	✓	✓	✓	
Dallas		✓	✓	✓
Houston	✓		✓	

Chief McManus reported that outreach was performed where car clubs gathered. He noted that 26 Criminal Trespass Affidavits were signed by property owners and there had been enhanced security provided by property owners. He indicated that SAPD provided radar enforcement and the Fusion Center performed intelligence gathering and sharing, and the Ad Hoc Street Racing Task Force was created and comprised of:

- Southwest Texas Fusion Center (Fusion Center)
- Eagle Helicopter unit
- DWI Unit
- Street Crimes Unit
- Traffic Unit
- Patrol
- SAFFE

Chief McManus displayed a map which indicated where previous events had occurred. He noted that since September 2020, SAPD had responded to 64 locations for street racing which resulted in:

Arrests	105
Citations	258
Vehicles towed	69
Weapons recovered	3
Sworn personnel hours	2,085

Chief McManus reported that in response to the emergence of street takeover events across the State, on March 11, 2021, Senate Bill 1495 was introduced and:

- Would amend Section 42.03 of the Texas Penal Code to make offenses related to highways and motor vehicles State Jail Felonies if committed in furtherance of reckless driving exhibitions with a fine of \$1,000 to \$4,000 and a jail sentence of up to one year
- Would amend Chapter 545 of the Transportation Code to create an offense for being a spectator of a reckless driving exhibition or in proximity of preparations for an exhibition as a Class C Misdemeanor punishable by a fine not to exceed \$500

Chief McManus reviewed the Class B and Class C Misdemeanors under State Law. He indicated that Class B Misdemeanors were a first degree Felony and arrests for those violations could result in seizure of one's vehicle.

Jim Kopp stated that the City of Dallas had an ordinance which increased the ability for enforcement. He indicated that the proposed Street Racer Spectator Ordinance read as follows:

It shall be unlawful for an person to intentionally or knowingly be present as a spectator:

- At a street race conducted on a public street, highway, or off-street parking facility
- At a reckless driving exhibition conducted on a public street, highway, or off-street parking facility
- Where preparations were being made for a street race or reckless driving exhibition conducted on a public street, highway, or off-street parking facility

Mr. Kopp reported that violations of the Ordinance would be a Misdemeanor offense subject up to a \$500 fine.

Chief McManus stated that staff were seeking input from the Committee, and with that input, a proposed Ordinance would be developed before the end of April 2021 and would be presented to the City Council in May 2021.

Chairwoman Cabello Havrda asked if current State Laws regulated activity on residential or city maintained roadways. Mr. Kopp replied that they did. Chairwoman Cabello Havrda asked if there was anything else which could advance the policy. Chief McManus replied that in addition to the proposed Ordinance, additional staffing was needed.

Councilmember Viagran asked of the part played by the Fusion Center. Chief McManus stated that the Fusion Center monitored the intelligence received. Councilmember Viagran asked how many of the arrests made resulted in the individual serving jail time. She requested information on those magistrates by the City and Bexar County and the results of the magistration. Chief McManus stated that he would provide that information.

Councilmember Sandoval asked of the response to an event where there was no advance notice. Chief McManus stated that a Patrol Officer would be dispatched, and depending on the circumstances, the Patrol Officer could call for other units to respond. She spoke of the need to create a group for a long-term response to the events. She spoke of unintended consequences of the Ordinance such as creating a public record for youth.

Councilmember Andrews-Sullivan asked how many fatalities resulted from such events in San Antonio. Chief McManus reported that there had not been any fatalities in San Antonio as a result of these events. Councilmember Andrews-Sullivan asked for the rate of increase in these events. Chief McManus stated that he would provide that information. Councilmember Andrews-Sullivan requested information on the costs to business owners resulting from property damage.

Councilmember Perry asked of outreach to car clubs. Chief McManus stated that SAPD had not provided outreach to car clubs because they did not engage in the behavior noted. Councilmember Perry requested metrics associated with the events before he could support the proposed Ordinance. Chief McManus stated that he would provide that information.

Councilmember Viagran reported that there was a death as the result of street racing in 2017 in Council District 3. She spoke of the need for more data prior to enacting an Ordinance. She requested the presence of the Bexar County District Attorney and the Presiding Judge at the meeting to discuss the Item further.

3. Briefing and possible action on an application by the San Antonio Police Department for a grant not to exceed \$2,173,086 from the Office of National Drug Control Policy (ONDCP) for a High Intensity Drug Trafficking Area (HIDTA) grant for the San Antonio HIDTA Initiative. [Maria Villagomez, Deputy City Manager; William McManus, Chief of Police]

Chief McManus reported that the mission of the High Intensity Drug Trafficking Area (HIDTA) Grant Program with the San Antonio Police Department (SAPD) was to reduce drug trafficking in the San Antonio Metropolitan Area by instituting innovative narcotic enforcement investigations and seizing illegally obtained assets in an effort to reduce the profitability of narcotics trafficking. He stated that this was the 28th year that the Office of National Drug Control Policy (ONDCP) had offered the grant to SAPD.

Chief McManus stated that staff was requesting authorization by the City Council to submit for and accept up to \$2,173,086 from the ONDCP Agency plus additional grant award modifications of up to 20% for the grant period of January 1, 2021 through December 31, 2022. He added that the grant would fund 17 positions and provided funding in eight areas:

1. South Texas HIDTA SAPD Task Force - \$843,484
2. Homeland Security Investigations HIDTA Initiative - \$94,649
3. DEA HIDTA Task Force - \$217,558
4. HIDTA Financial Crimes Initiative - \$49,338
5. South Texas HIDTA Intelligence Center - \$637,576
6. HIDTA Support Services - \$75,619
7. HIDTA Director's Administrative Support Office - \$90,521
8. HIDTA Information Technology Initiative - \$164,341

Chief McManus provided the metrics for HIDTA in 2020:

HIDTA 2020 Metrics	Total
Arrested persons	161
Search warrants executed	43
Guns recovered	143
Marijuana seized (grams)	131,523
Heroin seized (grams)	8,611.8

HIDTA 2020 Metrics	Total
Cocaine seized (grams)	28,929.30
Meth seized (grams)	128,221
Other drugs seized (grams)	74,863.10
Cash seized	\$1,655,654
Gang contacts/blue sheets	11

Chief McManus stated that the item was scheduled for City Council consideration at an “A” Session in April 2021.

Chairwoman Cabello Havrda spoke of how much the award meant to the community and the police force and their ability to protect the neighborhoods.

Councilmember Sandoval asked if HIDTA funded 100% of the work that SAPD did in this area. Chief McManus replied that HIDTA did not fund the work of the local Narcotics Unit. Councilmember Sandoval asked if a local match of funds was required. Chief McManus replied that it was not.

Councilmember Sandoval moved to recommend and forward the authorization by the City Council to submit for the High Intensity Drug Trafficking Area (HIDTA) Grant and accept up to \$2,173,086 from the ONDCP Agency plus additional grant award modifications of up to 20% for the grant period of January 1, 2021 through December 31, 2022. Councilmember Andrews-Sullivan seconded the motion. The motion carried unanimously.

Consideration of items for future meetings

Councilmember Viagran requested that sex offenders residing in close proximity to schools be discussed at the next meeting.

Chairwoman Cabello Havrda requested that the City Attorney’s Office review existing State Laws pertaining to this.

Adjourn

There being no further discussion, the meeting was adjourned at 3:06 pm.

Melissa Cabello Havrda, Chair

Respectfully Submitted

Denice F. Trevino, Office of the City Clerk