

**PUBLIC SAFETY  
COUNCIL COMMITTEE MEETING  
NOVEMBER 27, 2018  
10:00 A.M.  
MUNICIPAL PLAZA BUILDING**

**Members Present:** Councilmember William Cruz Shaw, Chair, *District 2*  
Councilmember Ana Sandoval, *District 7*  
Councilmember John Courage, *District 9*  
Councilmember Clayton Perry, *District 10*

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**Members Absent:** Councilmember Greg Brockhouse, *District 6*

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**Staff Present:** Erik Walsh, *Deputy City Manager*; Liz Provencio, *First Assistant City Attorney*; Joe Niño, *Deputy City Attorney*; William McManus, *Police Chief, SAPD*; Denice F. Treviño, *Office of the City Clerk*

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**Others Present:** Robert Phillips, *Texas Organizing Project*; Alicia Perez, *SA Stands*; Jessica Azua, *Texas Organizing Project*; Carolina Carizales, *SA Stands*; Luke Amphlett, *San Antonio Alliance*; Rebecca Flores, *Citizen*; Raven Peña, *Texas Organizing Project*

**Call to order**

Chairman Shaw called the meeting to order. He announced that Item 3 had been pulled from the Agenda and would not be addressed.

**1. Approval of the October 23, 2018 Public Safety Council Committee Meeting Minutes**

Councilmember Perry moved to approve the minutes of the October 23, 2018 Public Safety Council Committee Meeting. Councilmember Courage seconded the motion. The motion carried unanimously by those present.

**Citizens to be Heard**

Chairman Shaw called upon the citizens registered to speak.

Robert Phillips spoke in support of the Cite and Release Policy.

Luke Amphlett spoke in support of the Cite and Release Policy.

Alicia Perez spoke in support of the Cite and Release Policy.

Raven Peña spoke in support of the Cite and Release Policy.

**Items for Consideration:**

## 2. Briefing and Update on the Implementation of a Cite and Release Policy for Certain Minor Offenses. [Presented by William McManus, Chief of Police]

Chief McManus stated that discussions with City Council, City Staff, and the current District Attorney were held in September 2017 regarding implementation of the Cite and Release Policy. He noted that said policy:

- Provides Officers with discretion in issuing citations
- Provides significant savings in Officer processing times
- Allows offenders to participate in diversion programs

He stated that the San Antonio Police Department (SAPD) currently applied the Cite and Release Policy for Class C Misdemeanors. He noted that Article 14.06 of the Texas Code of Criminal Procedure (CCP) expanded SAPD cite and release enforcement to certain Class A and B Misdemeanor Offenses. He stated that this would only apply to residents of Bexar County. He noted that cite and release must be accomplished in conjunction with the Bexar County District Attorney for the policy to be viable and achieve the desired outcome. He stated that a follow-up meeting has been scheduled with the incoming District Attorney in December 2018 to determine the scope and timeline for implementation of the Cite and Release Program (Program). He noted that ongoing preparation for the Program included:

- Updates to General Manual
- Creation of new citation books
- Development of training on proposed Cite and Release Policy

Chief McManus stated that Officers would use all reasonably available means to confirm the validity of the personal information provided by the person in custody. He provided a list of eligible offenses and the arrest records for each:

Offense	2014	2015	2016	2017	2018 YTD
Class A Poss Marijuana	267	247	205	279	327
Class B Poss Marijuana	3,137	2,754	2,161	3,219	3,711
Class A Poss of Sub Penalty Group 2-A 4 oz or less	23	27	22	57	77
Class B Poss of Sub Penalty Group 2-A 2 oz or less	76	43	183	606	807
Class A Graffiti	0	0	9	4	5
Class B Graffiti	0	2	24	11	12
Class B Criminal Mischief	235	240	186	284	137
Class B Theft/of Service	3,361	2,623	1,485	1,844	1,128
Class B DWLI	214	151	75	259	109
Class B Contraband in Correctional Facility	0	0	0	0	0
<b>TOTAL</b>	<b>7,313</b>	<b>6,087</b>	<b>4,350</b>	<b>6,563</b>	<b>6,313</b>

Chief McManus noted that since 2014, SAPD has made 30,626 arrests for offenses eligible for cite and release which translates to 45,939 hours of Officer time. He stated that since 2014, 70,193 citations have been issued and 685 arrests were made for the Class C Misdemeanor offense of operating a vehicle without a valid license.

Councilmember Courage asked of the consequences for those cited. Chief McManus replied that consequences would be determined by the District Attorney's Office.

### **Citizens to be Heard**

Chairman Shaw called upon the additional citizens registered to speak.

Jessica Azua spoke in support of the Cite and Release Policy and the costs to residents for incarceration.

Carolina Carizales spoke in support of the Cite and Release Policy.

Councilmember Perry asked of an increase or decrease in crime rates as the result of Cite and Release Policies in other cities. Chief McManus stated that this data was not available. Councilmember Perry stated that he could not support the Cite and Release Policy without said data. He asked if repeat offenders would be eligible for cite and release. Chief McManus replied that repeat Offenders would not be eligible for cite and release. Councilmember Perry asked Chief McManus if he would support the Cite and Release Policy without giving Officers the discretion to cite and release. Chief McManus replied that he would not support the Cite and Release Policy without giving Officers the discretion to cite and release. Councilmember Perry requested data regarding cite and release before offering his support.

Councilmember Sandoval expressed support for further discussion of the Cite and Release Policy with the District Attorney.

Councilmember Courage spoke of the cost savings by use of the Cite and Release Policy and expressed his support.

Councilmember Perry stated that he could not support the entire list of offenses to be included in the proposed Cite and Release Policy.

Chairman Shaw stated that the Cite and Release Policy was not geared toward a decrease in repeat offenses. He stated that arrests create lost opportunity for those arrested. He expressed support for the Cite and Release Policy.

No action was required for Item 2.

**PULLED**

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

Item 3 was pulled from the agenda and not addressed.

**Consideration of items for future meetings**

Erik Walsh stated that this item would be brought before the Committee in December 2018 after the meeting with the District Attorney. He added that the Administrative Arrestee Process would be brought before the Committee in December 2018.

**Adjourn**

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

  

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*William Cruz Shaw, Chair*

***Respectfully Submitted***

  

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