



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4050

**Type:** Staff Briefing - Without Ordinance

**In control:** Governance Committee

**On agenda:** 6/20/2018

**Title:** Briefing on Council Consideration Request (CCR) from Councilmembers Brockhouse, Sandoval and Perry - Request discussion on creation of mailbox theft taskforce and best practices to reduce mail theft. [Erik Walsh, Deputy City Manager; William McManus, Chief of Police]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Creation of a Mail Box Theft Task Force

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Police Department

**DEPARTMENT HEAD:** William P. McManus, Chief of Police

**COUNCIL DISTRICTS IMPACTED:** Citywide

### SUBJECT:

Proposed Mail Theft Task Force

### SUMMARY:

On February 21, 2018, Council members Greg Brockhouse, Ana Sandoval and Clayton Perry, through a Council Consideration Request (CCR), requested the Governance Committee consider the creation of a mailbox theft task force to review issues surrounding mail theft to include the investigative process. In addition, the CCR seeks consideration for the creation of guidelines to address best practices in reducing theft from cluster mailboxes.

### BACKGROUND INFORMATION:

#### Mail Crimes

Since 2017, there have been a total of 362 mail crimes reported with 20 individuals arrested. The table below

provides a breakdown by service area. It is important to note that there has been an overall 50% decrease year-to-date with the most significant decrease in the North service area:

Service Area	2017	2018 YTD
North	155	23
Prue	66	26
East	26	3
West	22	9
South	11	3
Central	9	4
Bad Address	3	2
<b>TOTAL</b>	<b>292</b>	<b>70</b>

### Offenses & Penalties

The table below provides an overview of the state charges that may be applicable for mail theft and related crimes.

Offense	Classification	Penalty
Criminal Mischief	Class A Misdemeanor	Up to one year in jail; fine up to \$4,000
Fraud Use	State Jail to 1 <sup>st</sup> Degree Felony	180 days to life in prison
Credit Card Abuse	State Jail to 1 <sup>st</sup> Degree Felony	180 days to life in prison

### SAPD Response & Investigation

The SAPD Property Crime Detail investigates criminal mischief offenses which includes damage done to mailboxes for the purpose of stealing mail.

The SAPD Financial Crimes Unit, which includes the Forgery and White Collar Crimes Details, are responsible for investigating fraud and credit card abuse that may result from mail box break-ins and mail theft in coordination with the USPI. Investigations of this nature require considerable coordination and communication due to the potential for shared jurisdiction based on the individual characteristics of each case. For instance, the USPI is responsible for investigating crimes involving unopened mail whereas the SAPD oversees crimes in which mail has been tampered with or opened.

### Task Force Participation

In addition to providing the USPI with a weekly report on postal-related crimes and collaborating on investigative activities, members of the SAPD also serve on two multi-agency task forces responsible for investigating crimes associated with mail theft.

A total of four SAPD officers are assigned to the United States Secret Service *Electronic Crimes Taskforce* and the *Financial Crimes Taskforce* which are comprised of personnel from the Internal Revenue Service, Bexar County Sheriff's Office, the Bexar County District Attorney, the Department of Public Safety and law enforcement agencies from cities within Bexar County and throughout the Rio Grande Valley. The Taskforces are

responsible for investigating crimes that result from mail theft to include check forgery and identity theft and play an integral role in obtaining search warrants and coordinating investigative activities across multiple jurisdictions.

### **Legislative Initiatives**

Ultimately, the creation of more severe penalties for postal-related crime is necessary to discourage this type of criminal activity. It has been suggested that San Antonio, and other major Texas cities, introduce and support legislation designed to strengthen penalties as part of the upcoming 86<sup>th</sup> state legislative session.

During the 85<sup>th</sup> legislative session, San Antonio State Representative Ina Minjarez introduced HB 1747 that would make mail theft a state offense and establish penalties for the offense ranging from a state jail felony to a second degree felony depending on the number of pieces of mail appropriated. The bill, which was supported by the Texas Major Cities Chiefs, failed to pass.

### **RECOMMENDATION:**

The SAPD does not recommend the creation of a mail theft taskforce based on the comprehensive investigative response to postal crimes that exists between the SAPD and various local, state and Federal law enforcement agencies through its participation in multi-agency taskforces.

The SAPD does support the creation of guidelines to address best practices with input from various community stakeholders to discuss crime prevention strategies and ensure all factors that contribute to mail theft are addressed to include: types of mailboxes utilized, location of mailboxes, lighting and related considerations.