



MEMO

TO: Mayor Hughson and Council
FROM: Chase Stapp, Director of Public Safety
DATE: February 10, 2020
RE: 2018 and 2019 SMPD Cite and Release Data - Summary

Attached to the agenda item for the March 3 regular Council meeting pertaining to Cite and Release are four spreadsheets that provided detailed information about the use of Cite and Release by sworn members of the San Marcos Police Department in 2018 and 2019. This data was compiled and prepared by Assistant Chief Brandon Winkenwerder for your information and involved an exhaustive and labor-intensive process. The purpose of this memo is to provide some explanation of the data to make it easier to process.

You will see two spreadsheets related to the 2018 data and two related to the 2019 data. The first spreadsheet for each year is the breakdown of data by offense type, race, gender, and citation eligibility. The second spreadsheet for each year is a summary breakdown of the most common reasons a person was deemed to be ineligible for Cite and Release in accordance with state law. In this memo I will provide background explanation about these documents in that respective order.

Cite and Release Data Spreadsheets:

When reviewing the first spreadsheet for each year, please first take your attention to column O (Total) and then to columns B (Not Eligible), F (Eligible) and J (Cite.) Also of note is Column A which lists the various types of offenses eligible for the use of Cite and Release according to state law. Aggregate data with all offense types is found near the top of the spreadsheet. Column O shows the total number of instances whether that be aggregate or by offense type. Column B shows the number of people by various categories who were deemed ineligible for the use of Cite and Release for various reasons. Column F reflects the number of people who were found to be eligible but were arrested rather than being release with a citation. Column J reflects the number of people who were released using a field release citation. Near the top right corner of the spreadsheet you will see summary data of the number of people who were released using a field citation sorted by race/ethnicity and gender. The total number of eligible individuals and circumstances is reached by adding the number of people who were eligible but did not receive a citation (column F) and the number of people who were released with the use of a citation (column J.)

Cite and Release Ineligibility Summary Spreadsheets:

In his analysis of the reasons why people were not eligible for Cite and Release, Chief Winkenwerder noted five primary reasons that contributed to a person being ineligible. Those were residency (not a resident of Hays County), additional charges (the arrested person faced additional charges not eligible for cite and release), a combination of residency and additional charges, the existence of an arrest warrant for the offender, and the offender was referred to mental health services. This spreadsheet provides aggregate data near the top and below that details each of these criteria for the various cite

and release eligible offenses. The data can be found in columns C (residency), E (charges), G (combination of residence and charges), I (outstanding arrest warrant), and K (mental health referral.)

The following abbreviations are used in both spreadsheets:

POM = Possession of Marihuana

MA/MB = Misdemeanors of either class A or B

POCS = Possession of controlled substance

2A = Penalty group 2A

CM = Criminal Mischief

DWLI = Driving while license invalid

	A	B	C	D	E	F	G	H	I	J	K	L
1												
2	<u>2018 Cite Arrest Ineligibility</u>		<u>Residence</u>	<u>%</u>	<u>Charge</u>	<u>%</u>	<u>RC</u>	<u>%</u>	<u>Warrant</u>	<u>%</u>	<u>MH</u>	<u>%</u>
3	Not Eligible	375	107	28.5	150	40	109	29.1	8	2.1	1	0.2
4	Eligible/Cite	168										
5												
6	<u>POM 2 -4 oz MA</u>		<u>Residence</u>	<u>%</u>	<u>Charge</u>	<u>%</u>	<u>RC</u>	<u>%</u>	<u>Warrant</u>	<u>%</u>	<u>MH</u>	<u>%</u>
7	Not Eligible	11	1	9	6	54	4	36	0	0	0	0
8	Eligible/Cite	2										
9												
10	<u>POCS 2A MB</u>		<u>Residence</u>	<u>%</u>	<u>Charge</u>	<u>%</u>	<u>RC</u>	<u>%</u>	<u>Warrant</u>	<u>%</u>	<u>MH</u>	<u>%</u>
11	Not Eligible	1	1	100	0	0	0	0	0	0	0	0
12	Eligible/Cite	0										
13												
14	<u>POCS 2A MA</u>											
15	Total	0										
16												
17	<u>Theft of Service MB 100-750</u>		<u>Residence</u>	<u>%</u>	<u>Charge</u>	<u>%</u>	<u>RC</u>	<u>%</u>	<u>Warrant</u>	<u>%</u>	<u>MH</u>	<u>%</u>
18	Not Eligible	1	0	0	1	100	0	0	0	0	0	0
19	Eligible/Cite	0										
20												
21	<u>CM MA 750-2500</u>		<u>Residence</u>	<u>%</u>	<u>Charge</u>	<u>%</u>	<u>RC</u>	<u>%</u>	<u>Warrant</u>	<u>%</u>	<u>MH</u>	<u>%</u>
22	Not Eligible	15	2	13.3	7	46.6	5	33.3	0		1	6.6
23	Eligible/Cite	1										
24												
25	<u>CM MB 100-750</u>		<u>Residence</u>	<u>%</u>	<u>Charge</u>	<u>%</u>	<u>RC</u>	<u>%</u>	<u>Warrant</u>	<u>%</u>	<u>MH</u>	<u>%</u>

