

**PUBLIC SAFETY
COUNCIL COMMITTEE MEETING
JUNE 23, 2021
2:00 PM
VIDEOCONFERENCE**

Members Present:	Councilmember Melissa Cabello Havrda, <i>Chair, District 6</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> ; Colleen Bridger, <i>Assistant City Manager</i> ; Jeff Coyle, <i>Assistant City Manager</i> ; Rod Sanchez, <i>Assistant City Manager</i> ; Andy Segovia, <i>City Attorney</i> ; Liz Provencio, <i>First Assistant City Attorney</i> ; Jim Kopp, <i>Assistant City Attorney</i> ; William P. McManus, <i>Chief of Police</i> ; Karen Falks, <i>Deputy Chief, SAPD</i> ; Michael Shannon, <i>Director, Development Services</i> ; Laura Mayes, <i>Assistant Director, Government and Public Affairs</i> ; Berta Rodriguez, <i>Census Administrator, Government and Public Affairs</i> ; Richard Riley, <i>Assistant Police Director, SAPD</i> ; Mariah Medina, <i>Public Affairs Manager, SAPD</i> ; Amin Tohmaz, <i>Government and Public Affairs</i> ; Denice Trevino, <i>Office of the City Clerk</i>

Call to order

Chairwoman Cabello Havrda called the meeting to order.

1. Approval of minutes from the Public Safety Committee meeting on May 18, 2021

Councilmember Sandoval moved to approve the minutes of the May 18, 2021 Public Safety Council Committee Meeting. Councilmember Viagran 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 the Cite and Release Quarterly Report. [Maria Villagomez, Deputy City Manager]

Chief McManus stated that on July 1, 2019, the San Antonio Police Department (SAPD), in coordination with the Bexar County District Attorney, implemented an expanded cite and release program for Bexar County residents. He reported that an Officer would confirm whether or not the offense(s) qualified for cite and release and would determine whether or not to make a custodial arrest or cite based on observed circumstances and past participation. He indicated that if cited, the citation would instruct the individual to report to the Bexar County Re-Entry Center within a set timeframe. He stated that the cited individual would be required to report to the Bexar County Re-Entry Center within 30 days. He stated that the Bexar County Assistant District Attorney would review the offense(s) committed and assign the individual to appropriate program/services. He reported that the cited individual would enroll in the program and Bexar County would monitor the progress and ensure completion. He noted that Bexar County would document program completion and maintain records of cite and release participants. He added that once the cited individual completed the program an arrest record would not appear.

Chief McManus reported that the Texas Code of Criminal Procedure eligible offenses for cite and release included:

- Class A Possession of Marijuana
- Class B Possession of Marijuana
- Class A Possession of Sub Penalty Group 2-A 4 oz or less
- Class B Possession of Sub Penalty Group 2-A 2 oz or less
- Class B Criminal Mischief
- Class B Theft
- Class B Theft of Service
- Class B Driving While License is Invalid (DWLI)
- Contraband in Correctional Facility

He stated that Class A and Class B Graffiti were not eligible for cite and release due to the impact on businesses, homeowners, property owners and blight that it caused to the City.

Chief McManus stated that there was a significant decrease in cite and release encounters between year one and the third quarter of year two due to the COVID-19 Pandemic and weather related events earlier this year. He presented arrest and citations for the third quarter (January 1, 2021 – March 31, 2021):

	Year 1	Year 2
No. of arrests	1,036	591
No. of citations	600	299
Other releases	18	6
Total	1,654	896
Release rate*	37%	34%

*Release rate = citations plus other releases divided by total

Chief McManus presented the number of arrests and citations by race/ethnicity:

	San Antonio demographics	2020 Quarter 3		2021 Quarter 3	
		Total	%	Total	%
Hispanic	64.2%	1,114	67%	589	66%
White	24.8%	247	15%	154	17%
African American	6.9%	268	16%	147	16%
Other race	4.1%	25	2%	6	1%
Total	100%	1,654	100%	896	100%

Chief McManus stated that trend lines remained consistent between 2020 and 2021. He presented the number of arrests and citations by age:

Age range	Q3 offense %	Release rate	Q3 offense %	Release rate
	2020		2021	
<20	17%	61%	15%	39%
21 to 30	40%	40%	38%	33%
31 to 40	26%	32%	31%	31%
41 to 50	11%	25%	10%	32%
51 to 60	5%	32%	4%	45%
61 to 70	1%	32%	2%	64%
70+	<1%	75%	0%	-
Total	100.0%	37%	100.0%	34%

Chief McManus stated the same age trend was seen as that in the third quarter of 2020. He reported that offenders 40 years of age or younger was 83% in 2020 and 84% in 2021. He stated that the number of arrests and citations by gender was 26% female and 74% male. He indicated that the release rate by gender in 2020 was 42.8% female and 35.5% male and in 2021 was 40.6% female and 31.7% male.

Chief McManus presented the total number of offenses and citations by service area:

- Prue – 73 offenses, citation rate: 23%
- North – 139 offenses, citation rate: 32%
- Central – 185 offenses, citation rate: 38%
- East – 137 offenses, citation rate: 31%
- South – 150 offenses, citation rate: 36%
- West – 185 offenses, citation rate: 35%

Chief McManus presented the number of arrests and citations by offense type:

Year 2 Quarter 3				
Offense	Total	Arrest	Citation/ other release	% Release
Contraband in correctional facility	0	0	0	-
Criminal Mischief \$100 to <\$750	64	58	6	9%
Driving While License Invalid	10	7	3	30%
Class B Theft \$100 to <\$750	169	92	77	46%
Class B Theft of Service \$100 to <\$750	3	2	1	33%
Poss. of Marijuana 0-2 oz (Class B)	569	366	203	36%
Poss. of Marijuana 2-4 oz (Class A)	25	21	4	16%
Poss. Schedule 2A Controlled Substance < 2 oz	54	43	11	20%
Poss. Schedule 2A Controlled Substance 2 to <4 oz	2	2	0	0%
Totals	896	591	305	34%

Chief McManus presented the reasons for custodial arrests:

Year 2 Quarter 3		
Arrest reason	Total	%
Multiple charges	401	68%
Warrants	118	20%
Mandatory Arrests (not eligible for cite and release)	519	88%
Victim Custodial Arrest Demand/Expected	38	6%
Medical/Self Harm	4	1%
Uncooperative Suspect	4	1%
Unspecified	6	1%
Insufficient ID	1	0%
Suspect of Other Criminal Behavior	14	2%
Not Bexar County Resident	5	1%
Total	591	100%

Chief McManus presented the custodial arrests by race/ethnicity:

San Antonio Demographics*		Number of arrests excluding warrants and multiple charges	%
Hispanic	64.2%	47	65%
White	24.8%	15	21%
African American	6.9%	10	14%
Other Race	4.1%	0	0%
Total	100%	72	100.0%

*Source: <https://www.census.gov/quickfacts/sanantoniocitytexas>

Chief McManus presented the reduced Officer time on calls as the result of the Cite and Release Program:

Offense	Hours saved 2020 Q3	Hours saved 2021 Q3
Contraband in correctional facility	0	0
Criminal Mischief \$100 to <\$750	0	0
Driving While License Invalid	4.7	3.5
Class B Theft \$100 to <\$750	317.9	150.2
Class B Theft of Service \$100 to <\$750	0	0.2
Poss. of Marijuana 0-2 oz (Class B)	754.1	378.9
Poss. of Marijuana 2-4 oz (Class A)	4.3	2.1
Poss. Schedule 2A Controlled Substance < 2 oz	32.6	11.6
Poss. Schedule 2A Controlled Substance 2 to <4 oz	0	0
Total Hours Reduced	1,113.5	546.5

Chief McManus stated that each quarterly report would be posted to the SAPD Website 45 days after the final day of the quarter as follows:

- Year 2 Annual Report (July 2020 – June 2021) August 14, 2021
- Year 3 Quarter 1 Report (July 2021 – September 30, 2021) November 14, 2021
- Year 3 Quarter 2 Report (October 2021 – December 31, 2021) February 14, 2022

Mariah Medina stated that in an ongoing effort to be more transparent, SAPD would publish a dashboard to give the public access to information in the report. She noted that this would allow the public to interact with the data with a considerable degree of specificity. She reviewed the dashboard and noted that SAPD would send out a press release today, as well as post to social media, to inform the public about this new website tool under the Open Data tab.

Chairwoman Cabello Havrda stated that she was excited about the dashboard which individuals could view at their convenience. She asked why there was a discrepancy with the percentage of African Americans arrested compared to the City’s African American population. Chief McManus stated that deployment was centered around crime maps and complaints for patrol and specialized units. He noted that this determined where Officers were directed to and who was encountered. He added that the percentages skewed what the numbers said and the percentages made it look higher but they were not significantly higher.

Chairwoman Cabello Havrda stated that she would like staff to take an in-depth look at the numbers and see how they could be reduced. She noted that she looked forward to continued program expansion to help the community as much as we can. She asked what trends were observed to address policy considerations or Budget enhancements. Deputy City Manager Maria Villagomez stated that staff was reviewing the data collected prior to the implementation of the expanded Cite and Release Program to see how the program had diverted individuals who were eligible from being arrested rather than cited.

Councilmember Sandoval asked who directed the creation of the dashboard. Deputy City Manager Villagomez stated that Chairwoman Cabello Havrda requested more disaggregated data and SAPD

led the effort working with the Information Technology Services Department (ITSD) to develop the dashboard.

Councilmember Perry asked how many Officers participated in the Cite and Release Program. Chief McManus stated that approximately 1,400 to 1,500 Officers participated. Councilmember Perry noted that 1.8 FTEs were saved as the result of the program and asked if the program was working the way it should. Chief McManus stated that he thought there would be more time savings. Deputy City Manager Villagomez noted that the 1.8 FTE savings were for the third quarter of the second year when there was less activity due to the COVID-19 Pandemic and the winter storm, and the other intent of the program was to assist individuals from having a record for minor offenses.

Chairwoman Cabello Havrda stated that it would be optimal to be able to access the data in real time or as close to real time as possible. She noted that the program made an impact on the lives of individuals who were cited, instead of arrested.

Councilmember Sandoval stated that although more time savings was expected, the actual amount of time savings seen was not negligible. She indicated that the disparate impact to the African American community by law enforcement had to be addressed. She requested a discussion at a future meeting on whether or not graffiti would be eligible in the program.

Councilmember Perry asked if there was ever an issue of Officers targeting a particular race or ethnicity. Chief McManus stated that there was not. Councilmember Perry indicated that the numbers were not far off of the demographics of the City and from a Taxpayer's perspective, they were not getting what they paid for.

City Attorney Andy Segovia stated that the City must ensure, from a discretionary standpoint, that one race or ethnicity was not favored over another. He noted that one of the things that had to be reviewed was where the calls were coming from and the universal data.

Maria Villagomez stated that the City was required by State Law to complete a racial profiling report annually on traffic stops and that program could be expanded to include the City and Release Program.

3. Briefing and possible action on the Update of Police Services Review Project. [Maria Villagomez, Deputy City Manager]

Deputy City Manager Villagomez reported that the foundational issues of the Police Services Review included:

- Accountability
- Discipline Process
- Hiring & Training
- Transparency & Data
- Community Engagement

Deputy City Manager Villagomez stated that in the Collective Bargaining Agreement (CBA), one of the areas to be addressed was discipline and transparency, specifically when it came to the

disciplinary process in the CBA. She reported that the City had restarted negotiations with the San Antonio Police Officers Association (SAPOA) in February 2021 and staff had met with them 11 times since then. She indicated that a consensus had been reached regarding:

- 180 day rule
- Do not take home interrogatories
- Notice to Officer prior to interview by Internal Affairs

Deputy City Manager Villagomez reported that negotiations would continue regarding:

- Arbitrator’s authority
- Consider all past conduct for disciplinary actions
- Limit review of evidence prior to interview with Internal Affairs to exclude witness statements

Deputy City Manager Villagomez stated that negotiations with SAPOA would continue next week. She indicated that community expectations and community input were areas where staff worked to identify the role of SAPD and expectations of the community and encounters with Police Officers through:

Police Encounters	Transparency & Data	Response Alternatives
<ul style="list-style-type: none"> • Poll (scientific survey) • Neighborhood meetings • Community conversations y platica • Telephone town halls • Stakeholder groups 	<ul style="list-style-type: none"> • Focus groups • SASpeakUp survey 	<ul style="list-style-type: none"> • Engage non-profit providers • Three key areas: <ul style="list-style-type: none"> ○ Homelessness ○ Mental health ○ Domestic violence

Deputy City Manager Villagomez provided a summary of major findings of the community poll:

- Conducted February 15, 2021 to March 19, 2021
- Satisfaction with SAPD was high
- Most residents felt safe in their neighborhoods, however there were some areas in the City where residents did not feel safe
- Majority of residents thought visibility of Police in neighborhoods should be increased
- Majority of residents were willing to have SAPD share some of its current responsibilities with other City departments

Deputy City Manager Villagomez reviewed the percentage of respondents who thought SAPD should have various levels of responsibility for all 16 types of 9-1-1 calls. She reported that the community indicated a level of agreement to have a different kind of response for fireworks, parking violations, graffiti, enforcement of public health orders, mental health not involving a weapon and animal related calls.

Deputy City Manager Villagomez stated that the community identified the following as to how SAPD could build better relationships with residents:

- 73.3% Involvement with schools and youth
- 72.8% Community Based Policing Program
- 63.9% Partnerships with non-profits
- 57.0% SAFFE (San Antonio Fear Free Environment)

Deputy City Manager Villagomez stated that the University of Texas at San Antonio (UTSA) performed a review of calls for service to the Police Department between January 2018 and October 2020. She indicated that over 4 million calls were identified and some records were not analyzed because they did not fit the scope of interest so the total number of calls analyzed was 3,090,823. She reported that UTSA concluded that certain call types (e.g. barking dog, loud music) rarely resulted in an official report being taken and were often dispatched to a single Officer, and were handled relatively quickly. She noted that these call types could be amenable to a response by non-sworn police personnel and the current categorization of call types and priority categories should be reviewed to ensure accuracy and logical consistency. She stated that considerations/limitations included: 1) Current data were based on what occurred when an Officer was dispatched; it was not clear what would have happened if the call received a different response; and 2) Transfer of response to another City unit/department would require resources, training and oversight to maintain responsiveness to resident needs.

Deputy City Manager Villagomez stated that the following methods to engage the public were utilized:

- Poll (scientific survey)
- Neighborhood meetings
- Community conversations
- Telephone town hall meetings
- Stakeholder group meetings
- SAPD Officer input

Deputy City Manager Villagomez reviewed the results of the comments received at these events. She reported that a survey was administered through the SASpeakUp platform from June 7 - 21, 2021 and she reviewed the results.

Deputy City Manager Villagomez stated that the Community Health and Equity Council Committee provided recommendations to the Public Safety Council Committee in three categories: 1) Mental health; 2) Racial equity; and 3) Gender equity. She highlighted the recommendations for the three categories.

Dr. Bridger reviewed the recommended framework for alternative responses to mental health, domestic violence and homelessness calls.

Deputy City Manager Villagomez reported that an update would be provided to the City Council during the Goal Setting Session, recommendations would be prepared in July 2020,

recommendations would be brought back to the Committee in August 2021, and the final recommendations would be presented on August 12, 2021 as part of the proposed Budget.

Chairwoman Cabello Havrda asked if there was a significant variance in community priorities. Deputy City Manager Villagomez stated that there were, for instance, in Council Districts 3, 4 and 5 there were more comments about streetlighting as opposed to other districts and that was where staff would ensure recommendations were aligned with the Budget Equity Tool.

Councilmember Perry asked if Police Officers received annual training on response to mental health calls. Chief McManus replied that Officers were required to take 40 hours of Crisis Intervention Team (CIT) training annually and there were blocks of this training provided during in-service training every year. He reported that policy was changed to provide for an escalated mental health call where an individual in crisis was armed or violent so to prevent an encounter with the individual in crisis by a supervisor or mental health clinician. Councilmember Perry questioned the need to have individuals from other departments assisting.

Councilmember Sandoval stated that SAFFE Officers and community-based policing were worthy approaches to policing and she would like to see that protected in the Budget and administratively. She requested that an administrative alternative to staffing for those things that SAFFE Officers were pulled away to cover. Deputy City Manager Villagomez stated that there were times when Officers were pulled away from the substations but those were rare and the largest gap that could occur would be the result of a SAFFE Officer being promoted.

Consideration of items for future meetings

There were no items considered for future meetings.

Adjourn

There being no further discussion, the meeting was adjourned at 3:41 PM.

Respectfully Submitted

Melissa Cabello Havrda, Chair

Denice F. Trevino, Office of the City Clerk