



# Cite and Release Program

*September 1 – November 30, 2020*

**GOAL 2 – SAFE AND SECURE CITY**

Assistant Chief Z. Silva





CITY CLERK DEPT  
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## RESOLUTION

**WHEREAS**, in 2007, the 80<sup>th</sup> Texas Legislature passed House Bill 2391, which amended the Texas Code of Criminal Procedure Section 14.06 relating to the appearance of certain misdemeanor offenders before a magistrate; and

**WHEREAS**, House Bill 2391 authorizes a peace officer charging a person with certain Class A or Class B misdemeanors to issue a citation with written notice of a later time and place to appear before the magistrate instead of taking the person immediately before the magistrate if that person resides in the county where the offense occurred (“cite and release”); and

**WHEREAS**, House Bill 2391 enumerated certain misdemeanors to include Class A and Class B misdemeanor possession of marijuana; and

**WHEREAS**, arrests for misdemeanor possession of marijuana result in a significant drain on the police department, requiring countless man hours and tax dollars to arrest, transport, and book each alleged offender; and

**WHEREAS**, the City Council still seeks to further the goals of reducing jail population for non-violent offenders and reducing the time officers spend on jail processing procedures, a cite and release program for Class A and Class B misdemeanor possession of marijuana is in the best interest of the City of El Paso and its citizens.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**SECTION 1.** That the City Manager is directed to implement a cite and release program under Texas Code of Criminal Procedure Section 14.06(c) for Class A and B misdemeanor possession of marijuana violations. Said program is to be implemented no later than September 1, 2020.

**SECTION 2.** That the City Manager and Police Staff continue conversations with the El Paso District Attorney’s Office, the El Paso Sheriff’s Office, County Courts, and other stakeholders with respect to the implementation of the cite and release program and provide an update to City Council in July 2020.





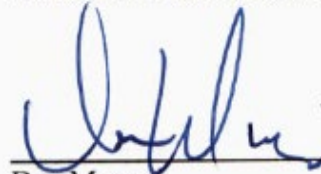
**SECTION 3.** That the City Manager provide quarterly reports to City Council regarding the cite and release program for the purposes of transparency and to provide data regarding citations being issued and when discretionary arrests are used in lieu of citation. Said reports must be submitted within 45 days after the end of the quarter for 24 months after the implementation of the program. The report should not include any information that would jeopardize any ongoing criminal investigation or prosecution, or include any sensitive, witness, or crime tip information. The report should include the following data for each instance:

1. The documented reason for the stop or arrest;
2. The reason for the discretionary use of arrest (including but not limited to: outstanding warrants, intoxicated individual, uncooperative individual, not a resident of the County of El Paso, habitual offender);
3. The race and ethnicity of the person; and
4. The general location, such as the region or zip code of the incident.

APPROVED this 12<sup>th</sup> day of May, 2020.

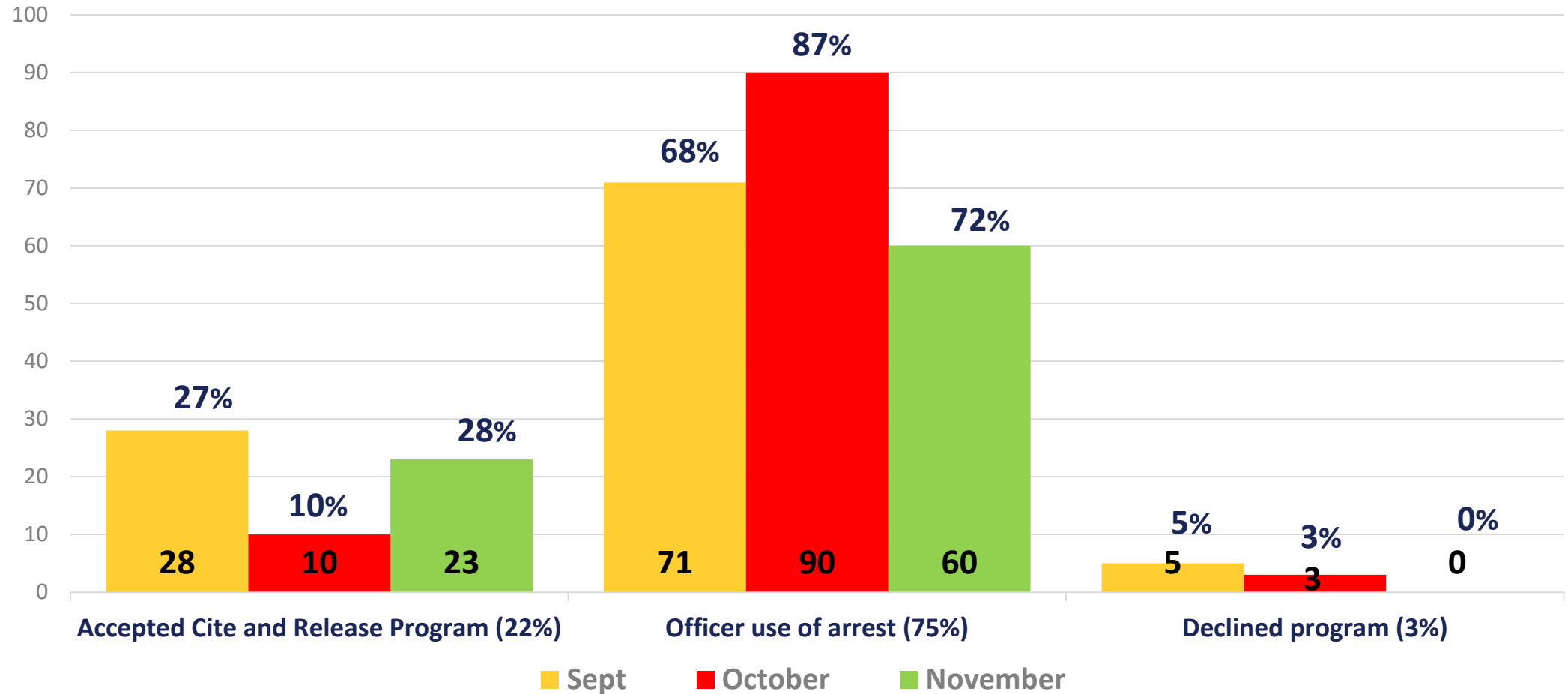


THE CITY OF EL PASO:



Dee Margo  
Mayor

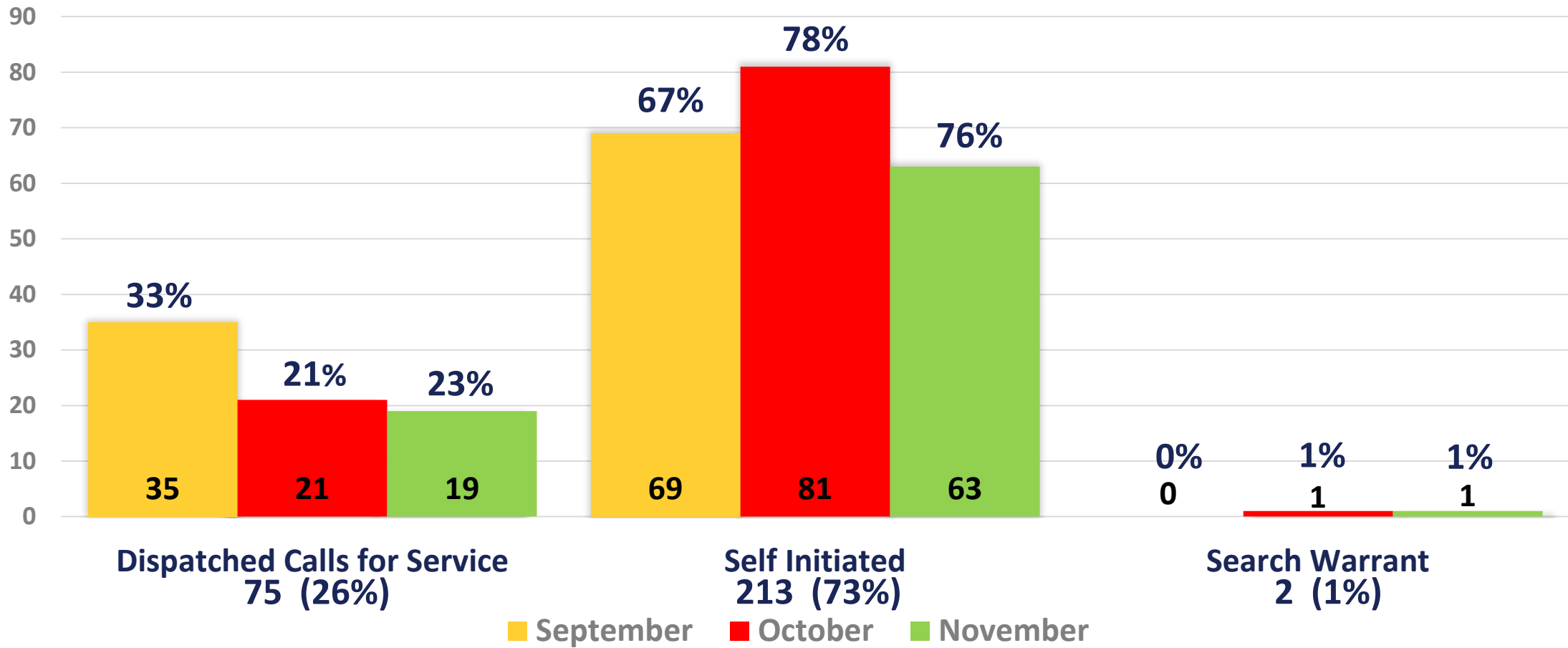
# CITE AND RELEASE DATA



- 104** Possession of Marijuana cases for September – **28** cases accepted into the program (27%)
- 103** Possession of Marijuana cases for October – **10** cases accepted into the program (10%)
- 83** Possession of Marijuana cases for November – **23** cases accepted into the program (28%)
- 290** Possession of Marijuana cases Total – **61** cases accepted into the program Total (22%)



# THE DOCUMENTED REASON FOR THE STOP OR ARREST

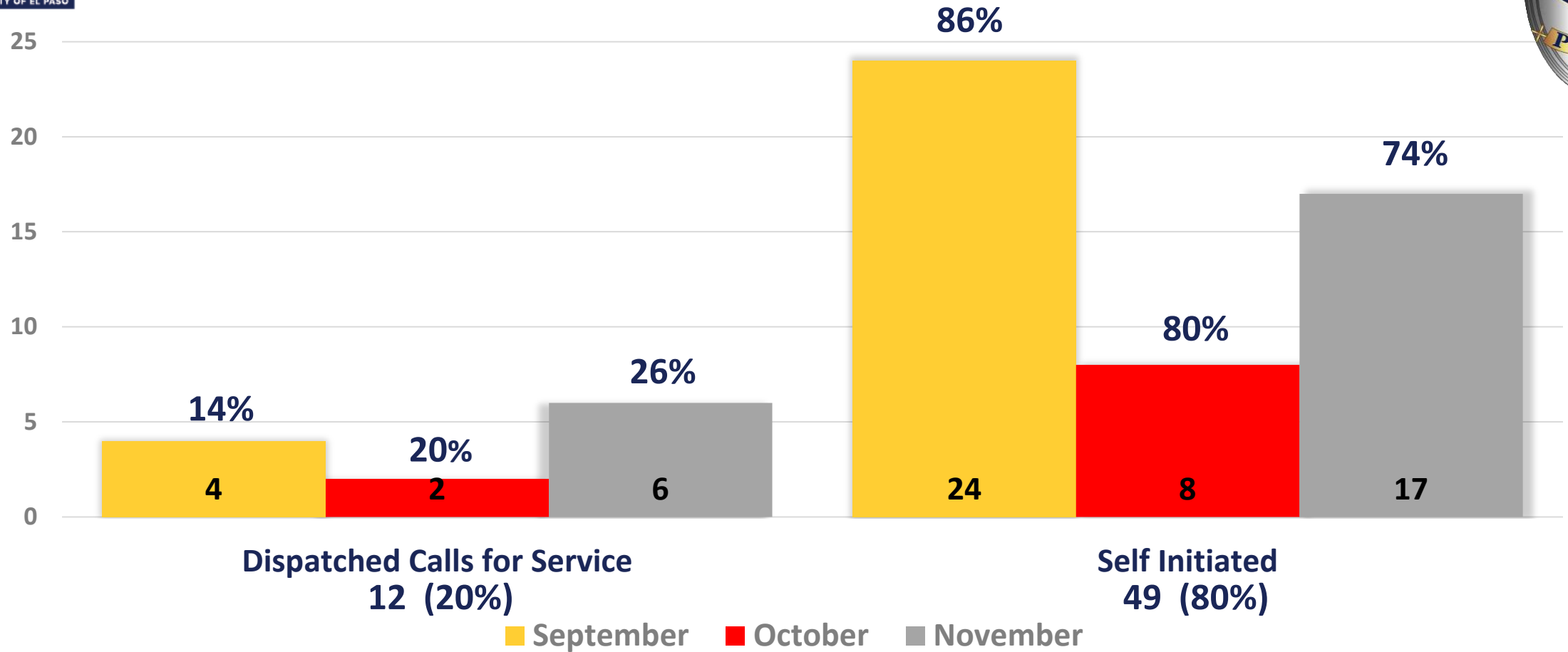


**104** Possession of Marijuana cases for September – **28** cases accepted into the program (27%)  
**103** Possession of Marijuana cases for October – **10** cases accepted into the program (10%)  
**83** Possession of Marijuana cases for November – **23** cases accepted into the program (28%)  
**290** Possession of Marijuana cases Total – **61** cases accepted into the program Total (22%)





# THE DOCUMENTED REASON FOR THE STOP FOR ACCEPTED CASES



**104** Possession of Marijuana cases for September – **28** cases accepted into the program (27%)  
**103** Possession of Marijuana cases for October – **10** cases accepted into the program (10%)  
**83** Possession of Marijuana cases for November – **23** cases accepted into the program (28%)  
**290** Possession of Marijuana cases Total – **61** cases accepted into the program Total (21%)

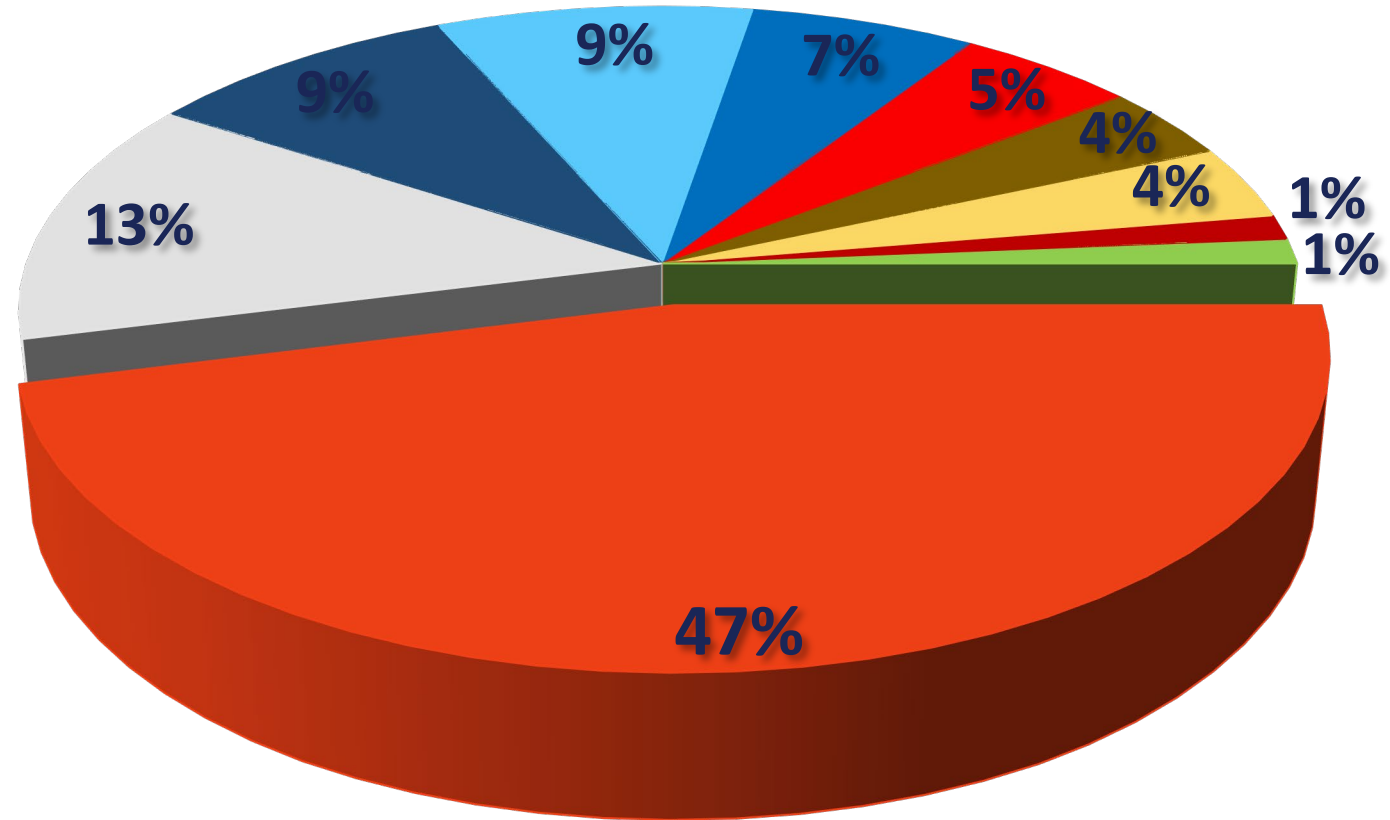


# THE REASON FOR USE OF ARREST



September 2020

Other Charges	35
Outstanding Warrants	10
Narcotics Case	7
Intoxicated	7
Defendant Declined Program	5
Uncooperative Individual	4
Does not Reside in El Paso	3
Habitual Offender	3
Confirmed Gang Member	1
Drug-Free Zone	1
Admitted to Hospital	0
Juveniles	0
Use of Force	0



## September

**104** Possession of Marijuana cases

**71 cases** (68%) were declined due to officer use of arrest.

**5 cases** (5%) defendant declined the program.

**28 cases** (27%) accepted



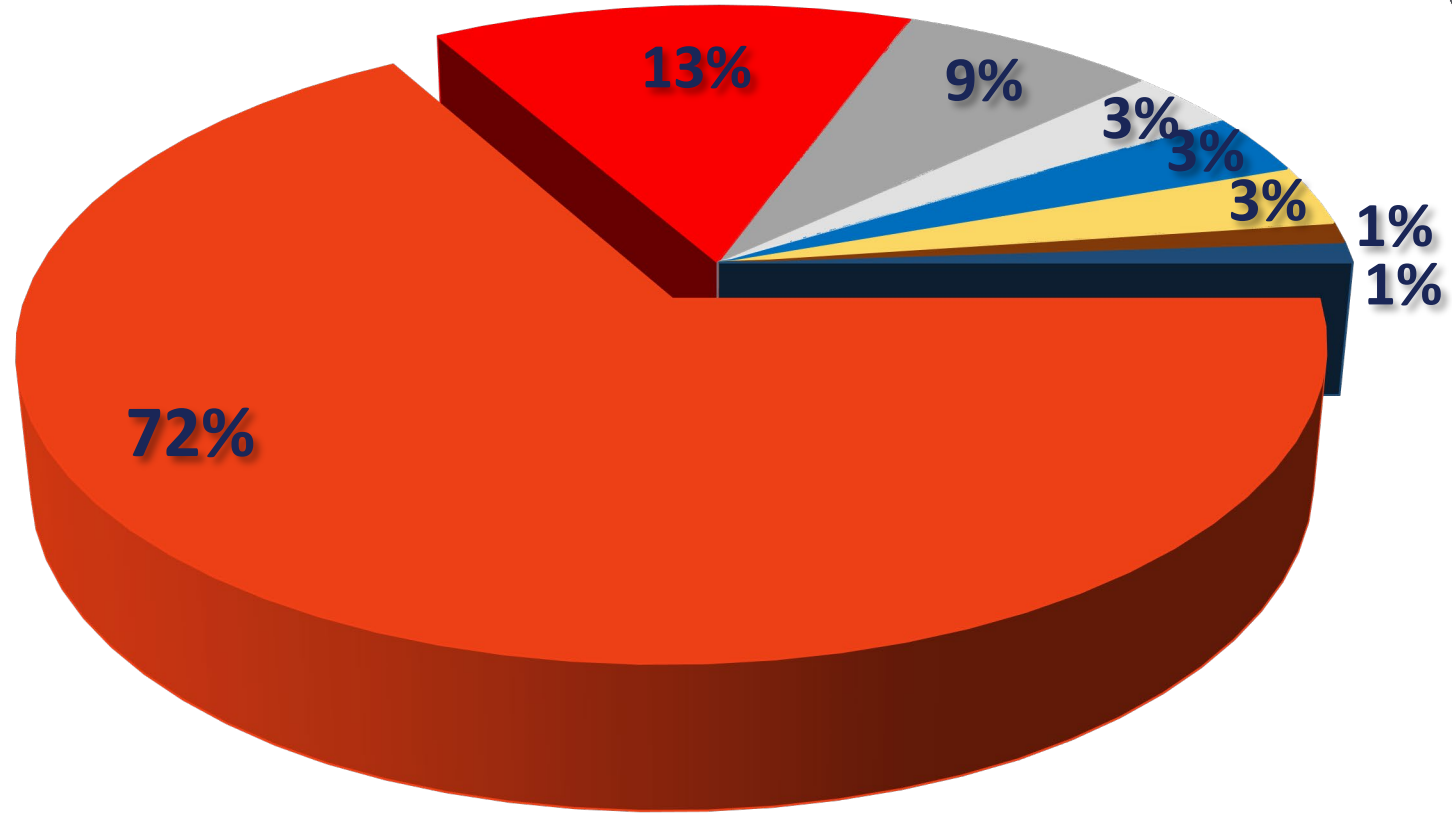


# THE REASON FOR USE OF ARREST



October 2020

Other Charges	62
Uncooperative Individual	12
Juveniles	7
Outstanding Warrants	3
Defendant Declined Program	3
Habitual Offender	3
Admitted to Hospital	1
Narcotics Case	1
Use of Force	0
Confirmed Gang Member	0
Drug-Free Zone	0
Does not Reside in El Paso	0
Intoxicated	0



## October

**103** Possession of Marijuana cases

**90 cases** (87%) were declined due to officer use of arrest.

**3 cases** (3%) defendant declined the program.

**10 cases** (10%) accepted



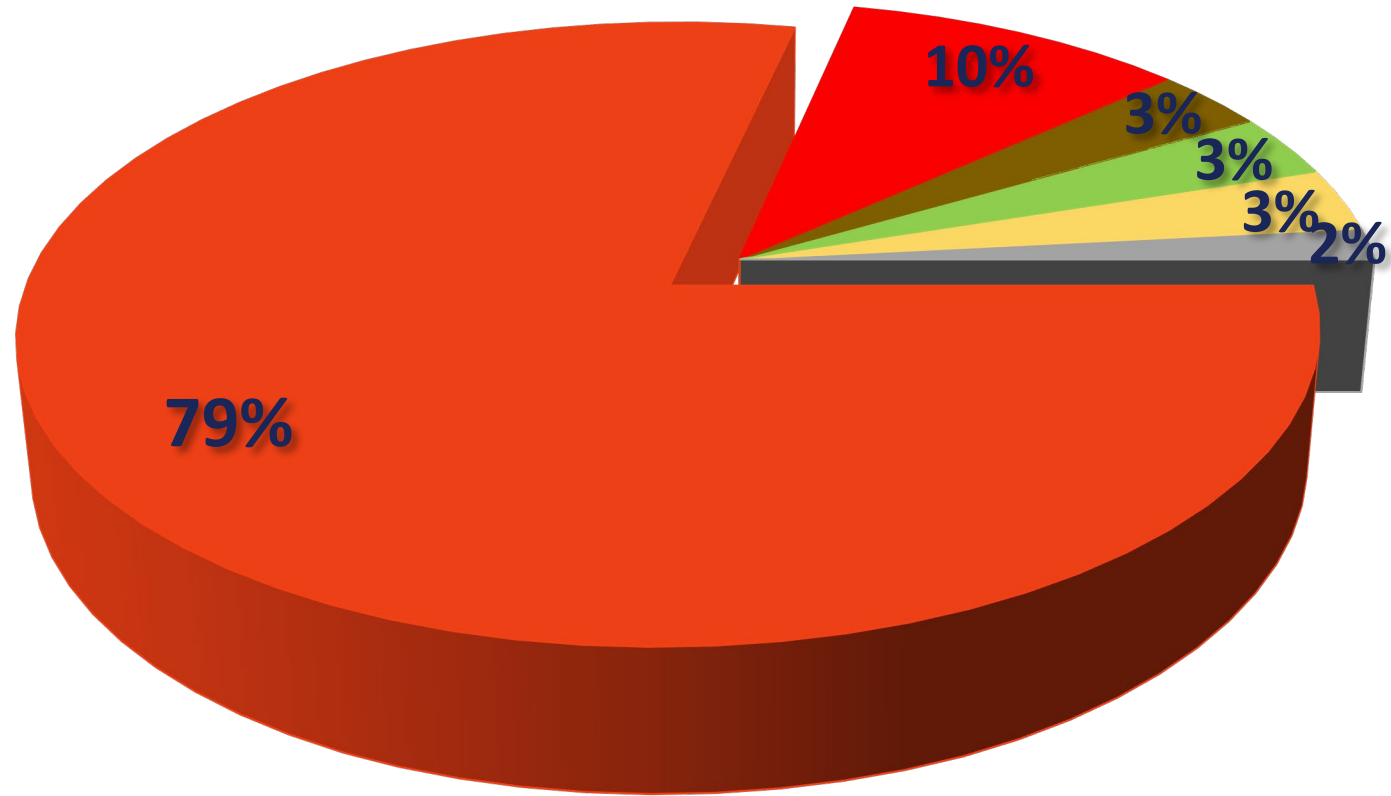


# THE REASON FOR USE OF ARREST



November 2020

Other Charges	47
Uncooperative Individual	6
Does not Reside in El Paso	2
Drug-Free Zone	2
Habitual Offender	2
Juveniles	1
Outstanding Warrants	0
Defendant Declined Program	0
Use of Force	0
Confirmed Gang Member	0
Admitted to Hospital	0
Narcotics Case	0
Intoxicated	0



## November

83 Possession of Marijuana cases

60 cases (72%) were declined due to officer use of arrest.

0 cases (0%) defendant declined the program.

23 cases (28%) accepted

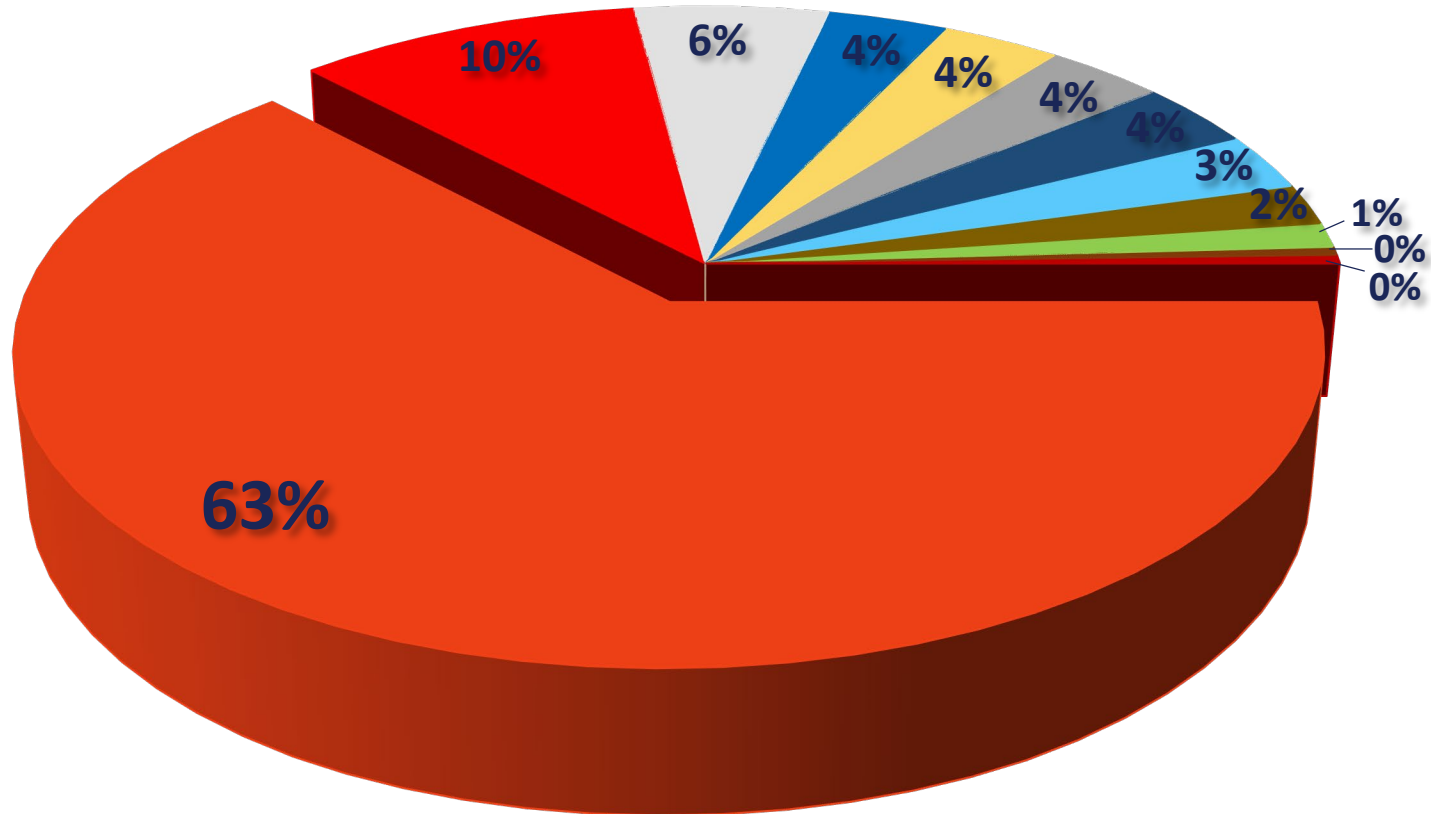


# THE REASON FOR USE OF ARREST



September 1 – November 30, 2020

Other Charges	144
Uncooperative Individual	23
Outstanding Warrants	13
Defendant Declined Program	8
Habitual Offender	8
Juveniles	8
Narcotics Case	8
Intoxicated	7
Does not Reside in El Paso	5
Drug-Free Zone	3
Admitted to Hospital	1
Confirmed Gang Member	1
Use of Force	0



**290** Possession of Marijuana cases  
**221 cases (76%)** were declined due to officer discretion.  
**8 cases ( 2%)** defendant declined the program.  
**61 cases (22%)** accepted into program



# THE RACE AND ETHNICITY OF THE PERSON

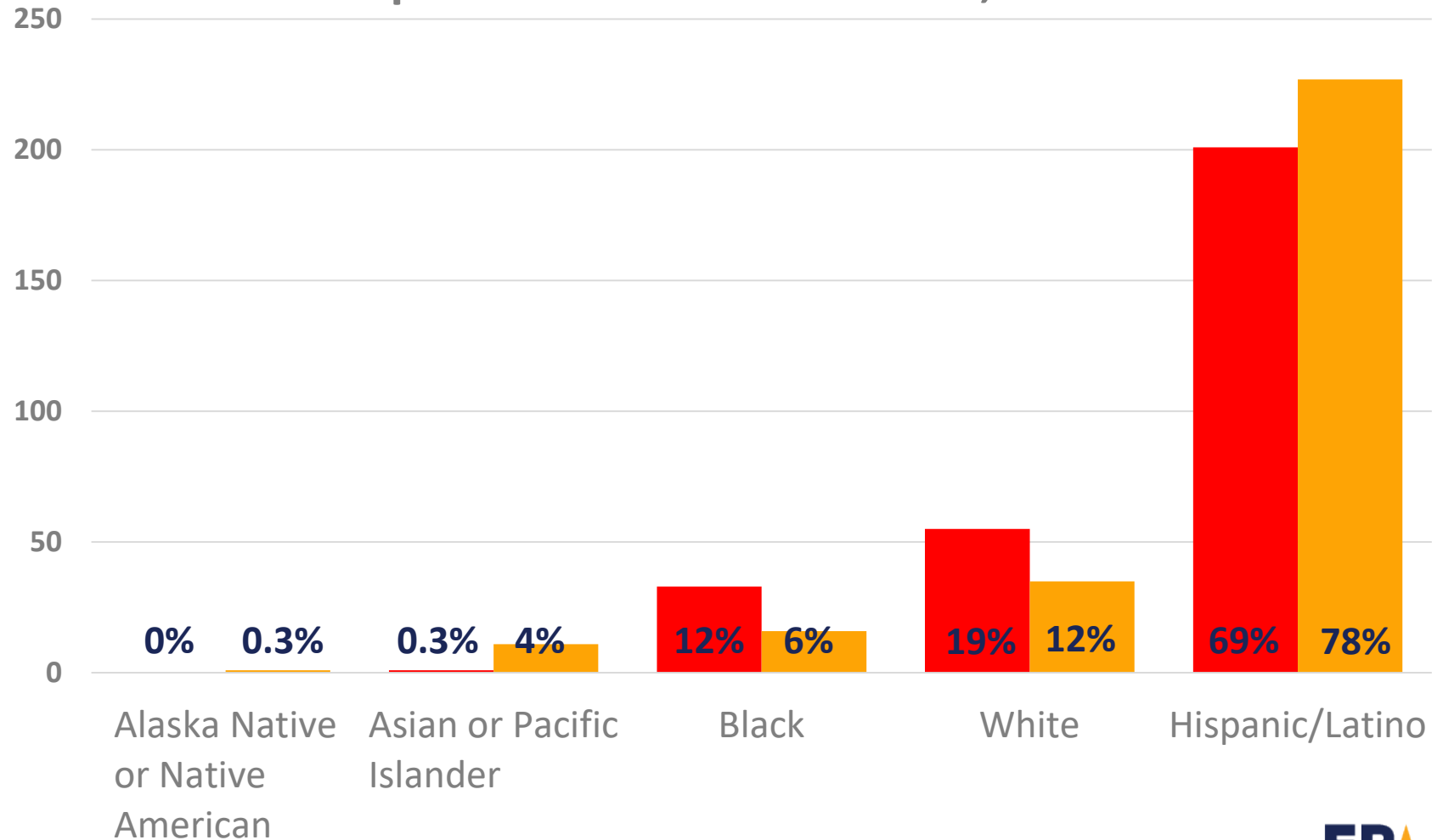
September 1 – November 30, 2020

**Officers:**

- Hispanic/Latino – **227**
- White – **35**
- Black – **16**
- Asian or Pacific Islander – **11**
- Alaska Native or Native American – **1**

**Defendants:**

- Hispanic/Latino – **201**
- White – **55**
- Black – **33**
- Asian or Pacific Islander – **1**
- Alaska Native or Native American – **0**



■ Total Defendants ■ Total Officers





# THE RACE AND ETHNICITY OF THE PERSON FOR ACCEPTED CASES

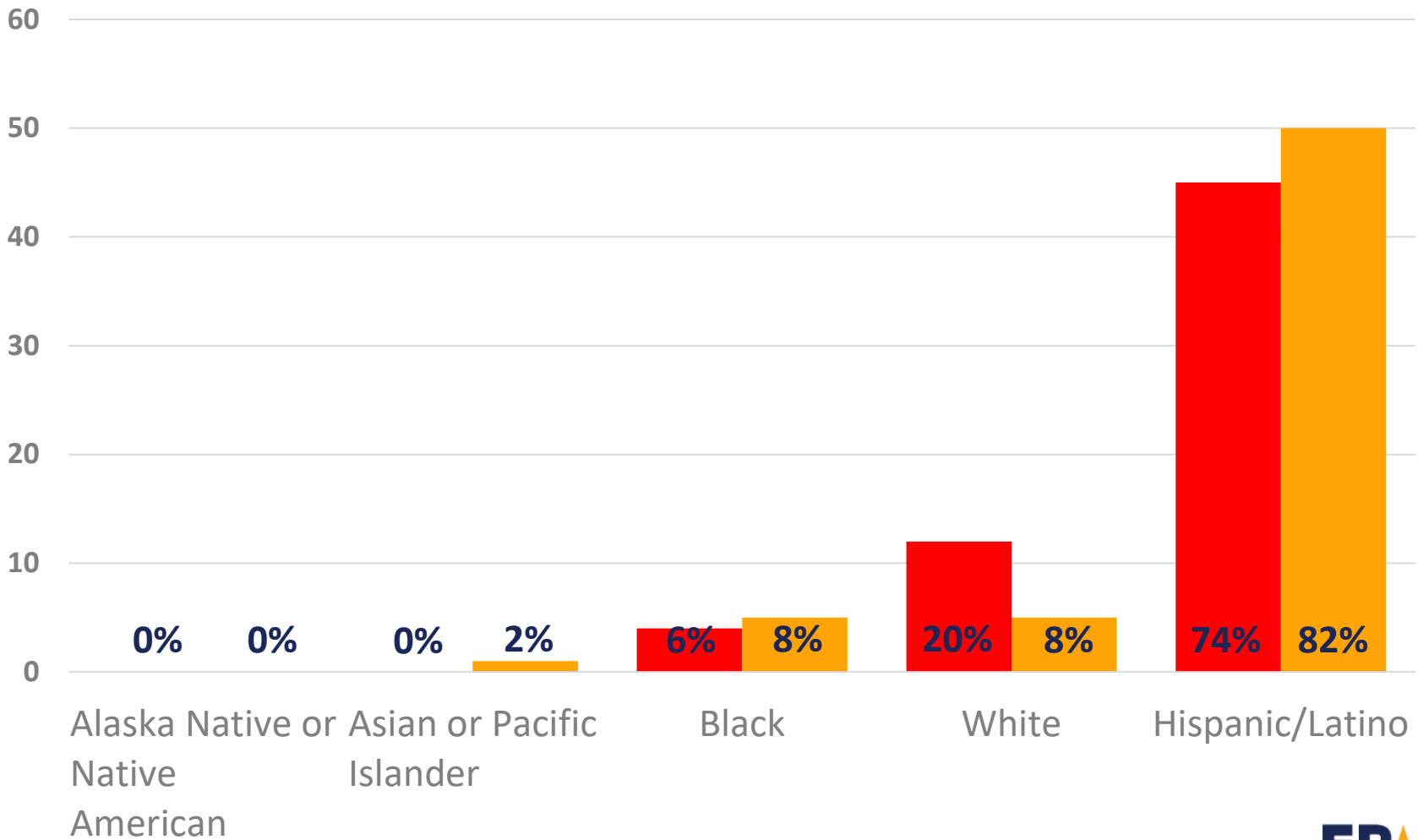
September 1 – November 30, 2020

## Officers:

- Hispanic/Latino – 50
- White – 5
- Black – 5
- Asian or Pacific Islander – 1
- Alaska Native or Native American – 0

## Defendants:

- Hispanic/Latino – 45
- White – 12
- Black – 4
- Asian or Pacific Islander – 0
- Alaska Native or Native American – 0



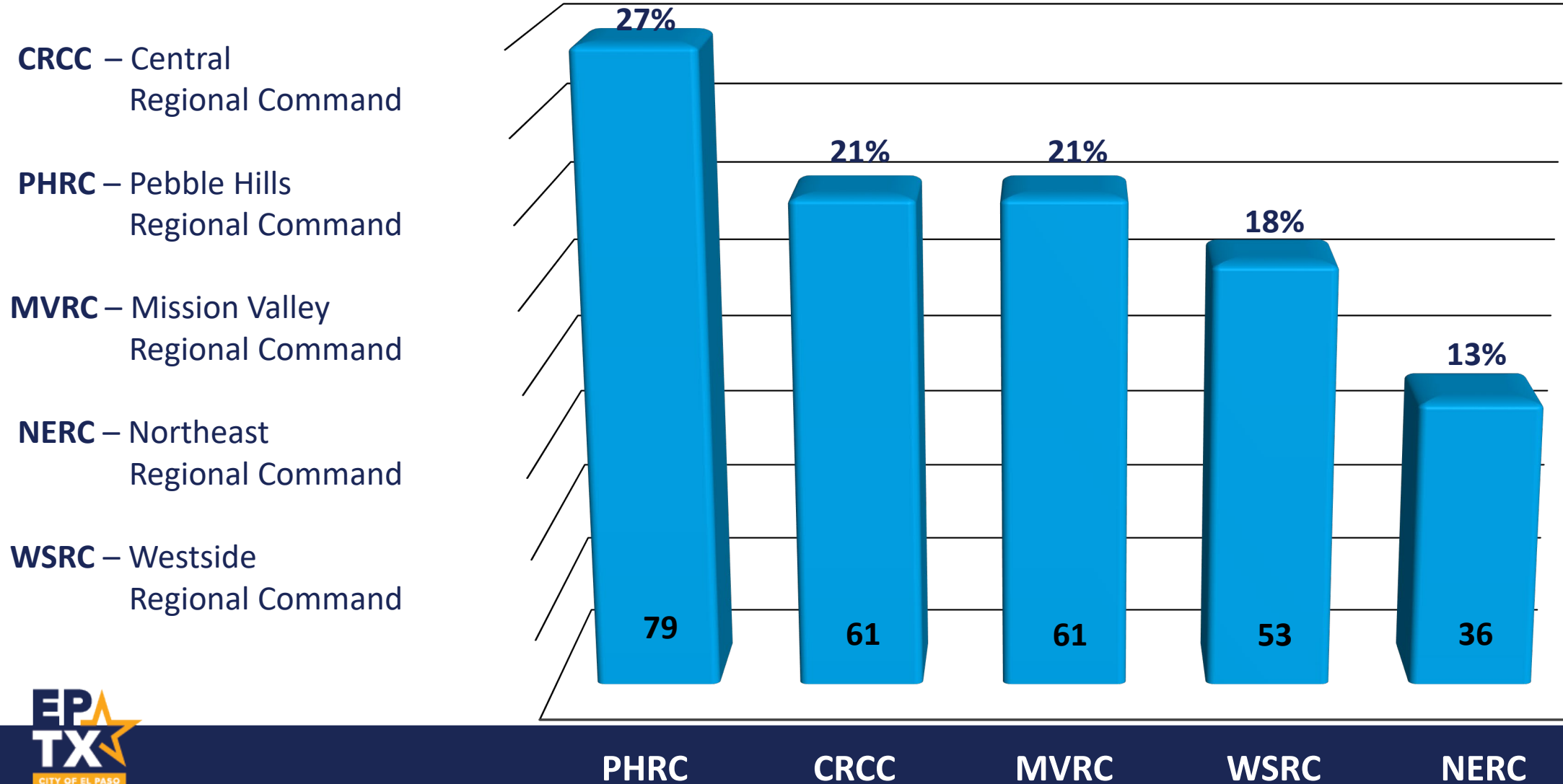
Total Defendants Total Officers





# TOTAL DEFENDANTS – BY REGIONAL COMMAND

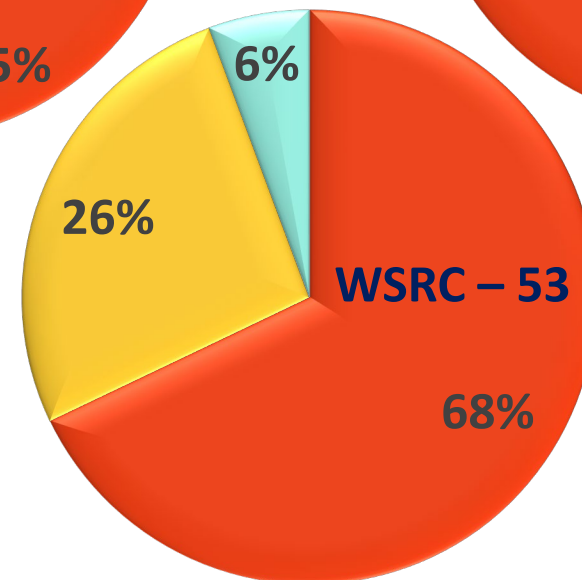
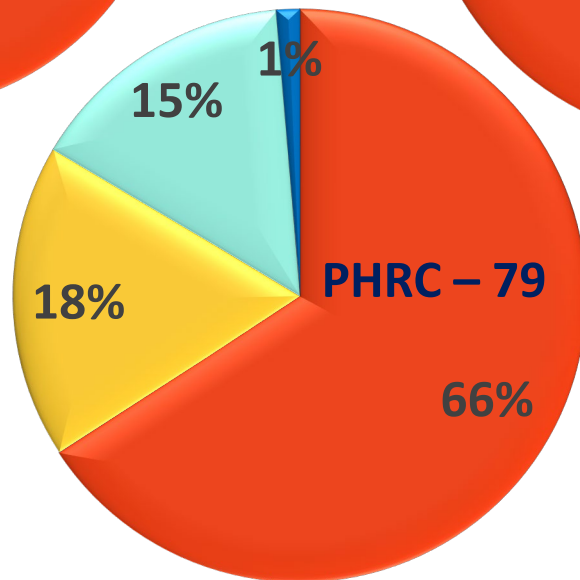
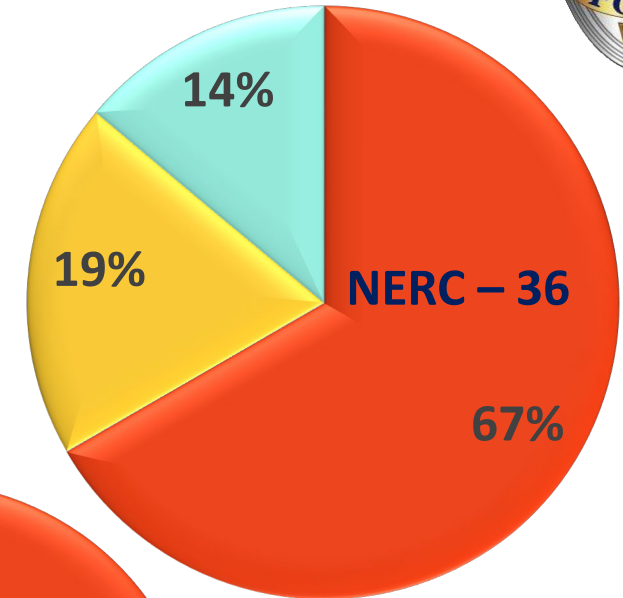
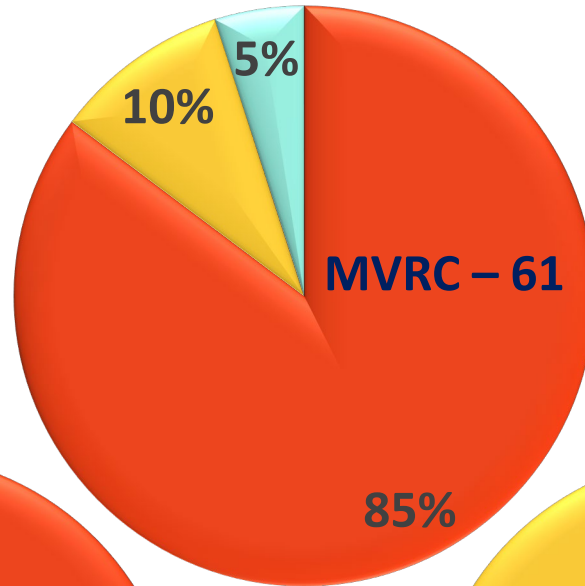
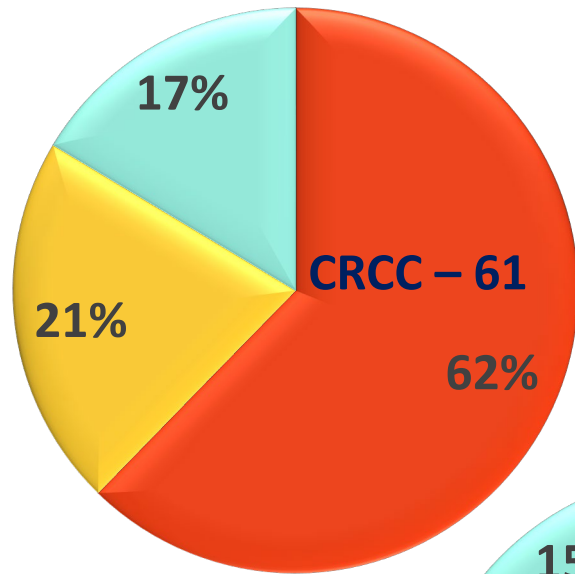
September 1 – November 30, 2020



# TOTAL DEFENDANTS – RACE BY REGIONAL COMMAND



September 1 – November 30, 2020



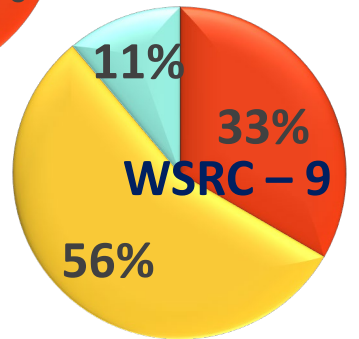
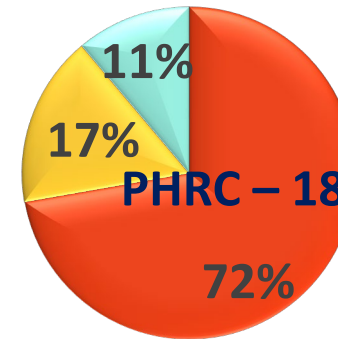
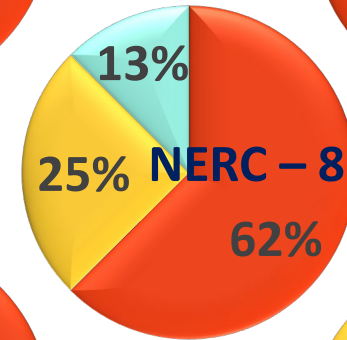
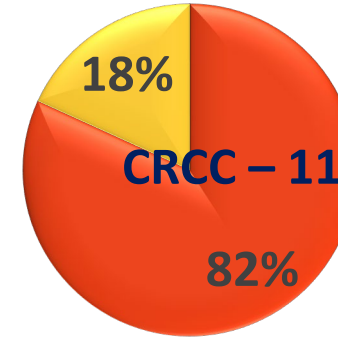
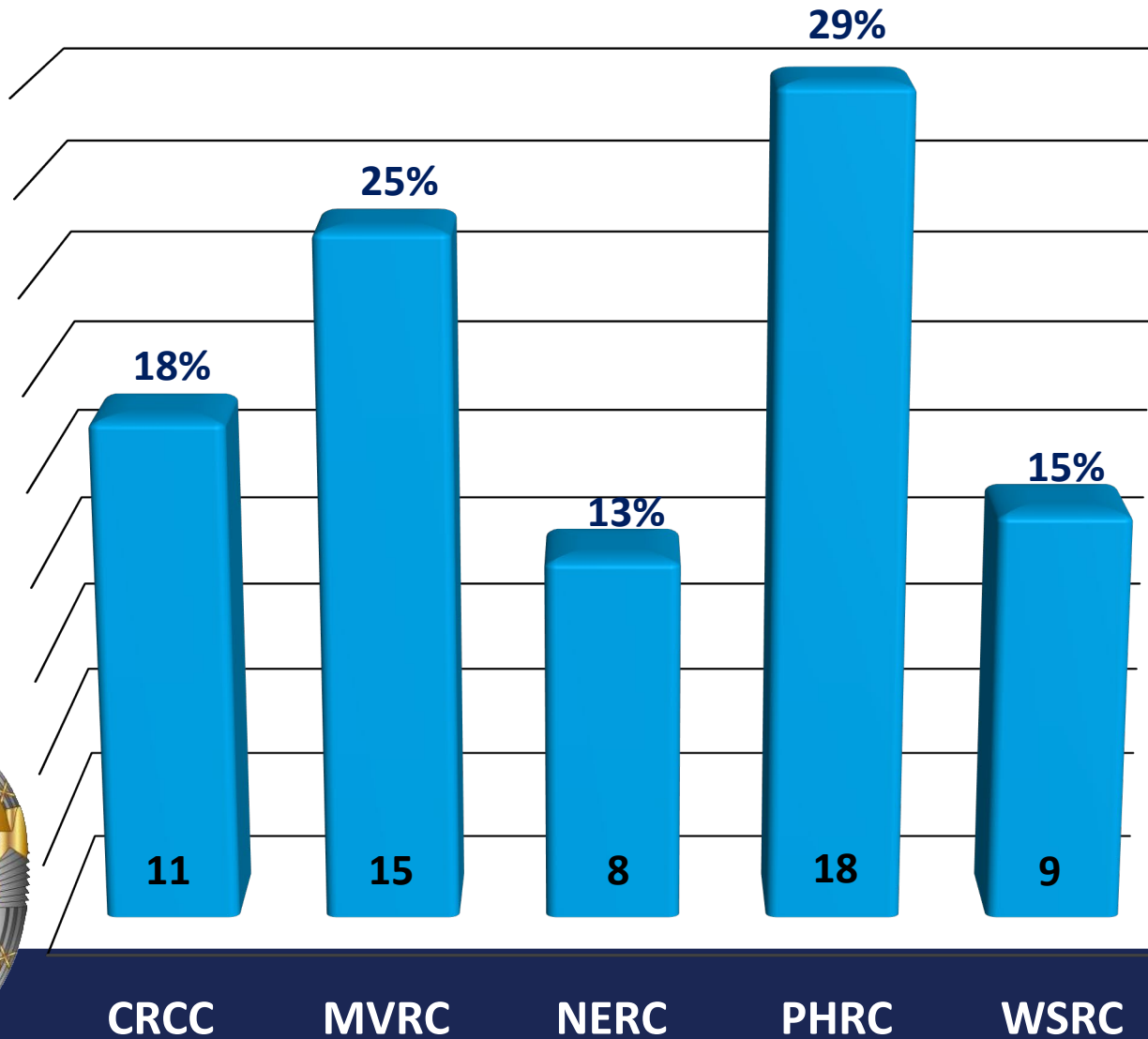
■ Hispanic ■ White ■ Black ■ Asian or Pacific Islander ■ Alaskan Native or Native American



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# TOTAL DEFENDANTS FOR ACCEPTED CASES RACE BY REGIONAL COMMAND

September 1 – November 30, 2020



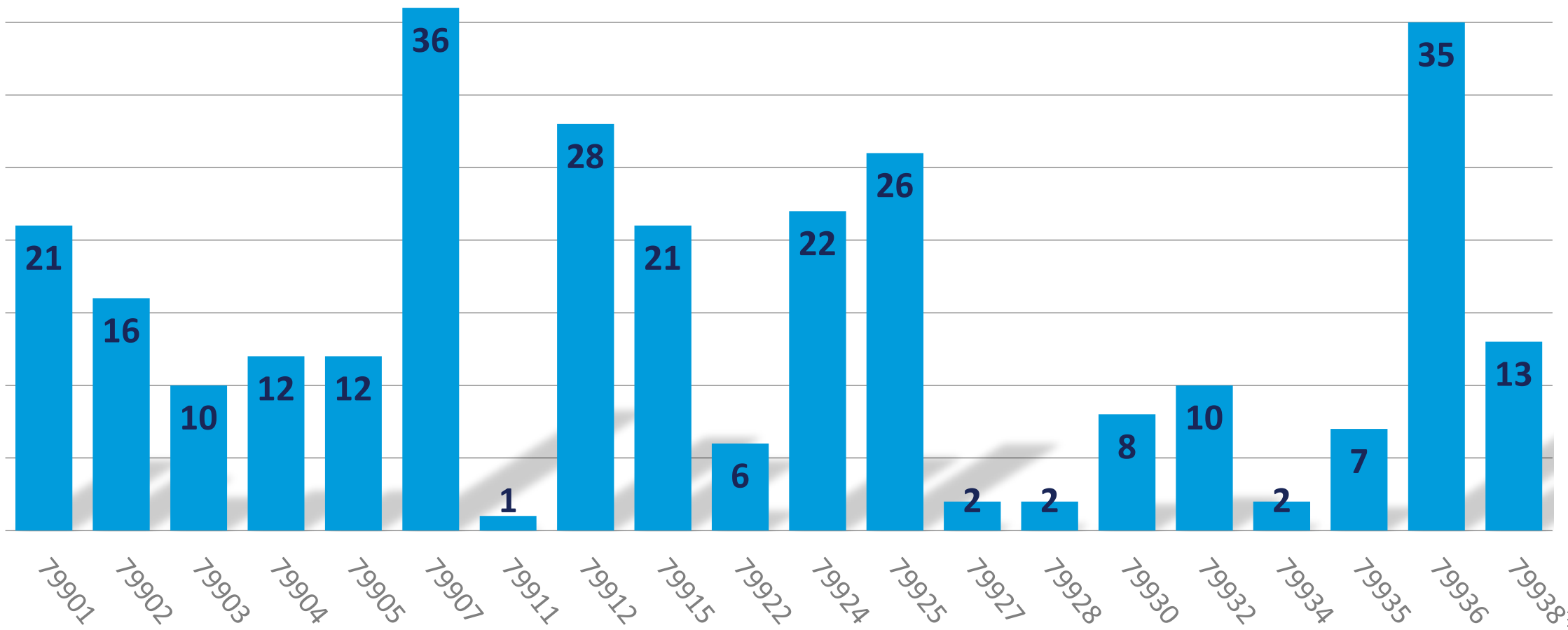
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■ Asian or Pacific Islander  
 ■ Alaskan Native or Native American



# TOTAL DEFENDANTS – BY ZIP CODE



September 1 – November 30, 2020



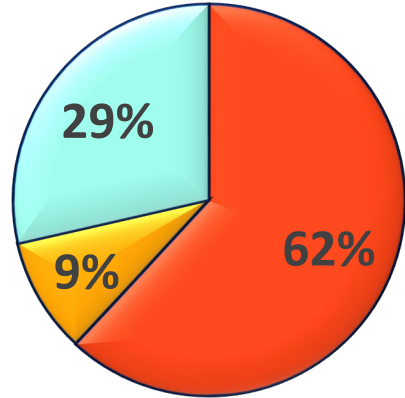


# TOTAL DEFENDANTS – RACE BY ZIP CODE

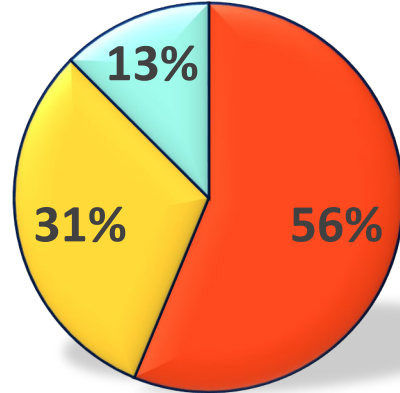


September 1 – November 30, 2020

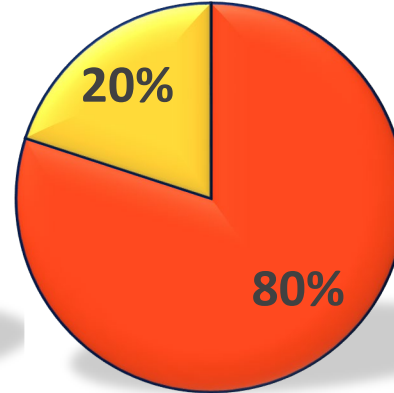
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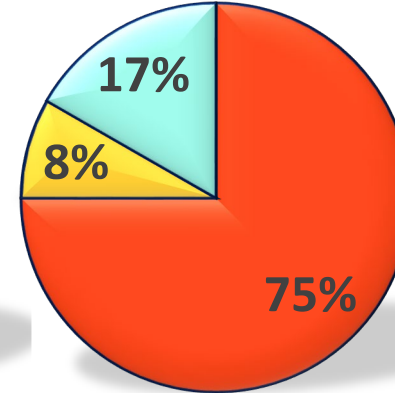
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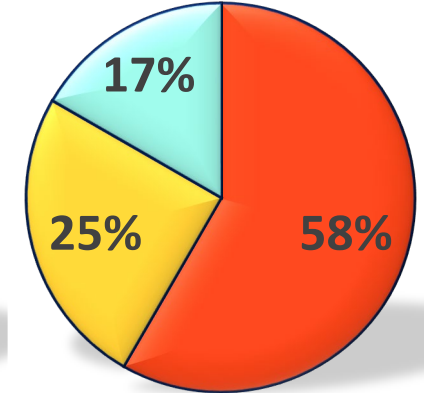
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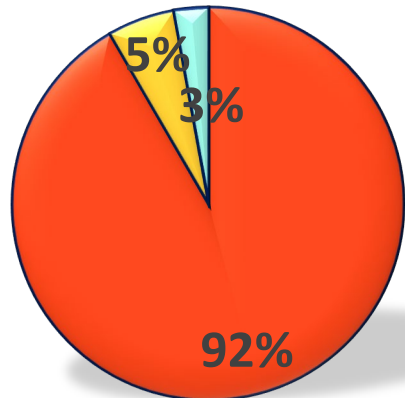
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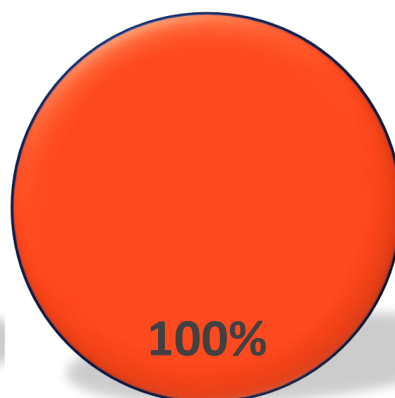
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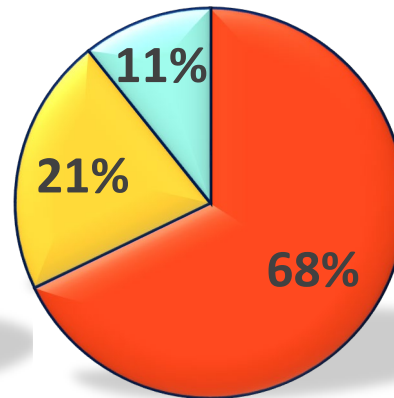
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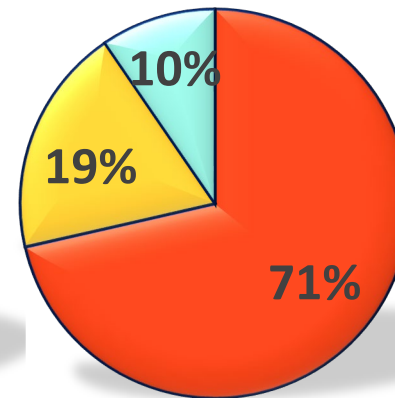
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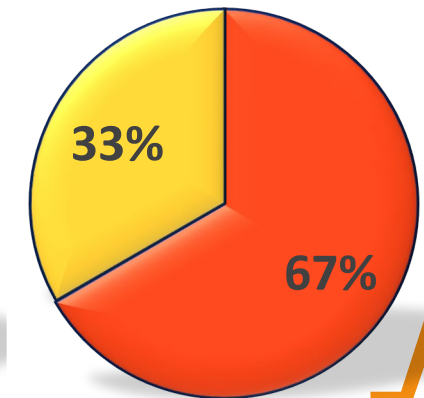
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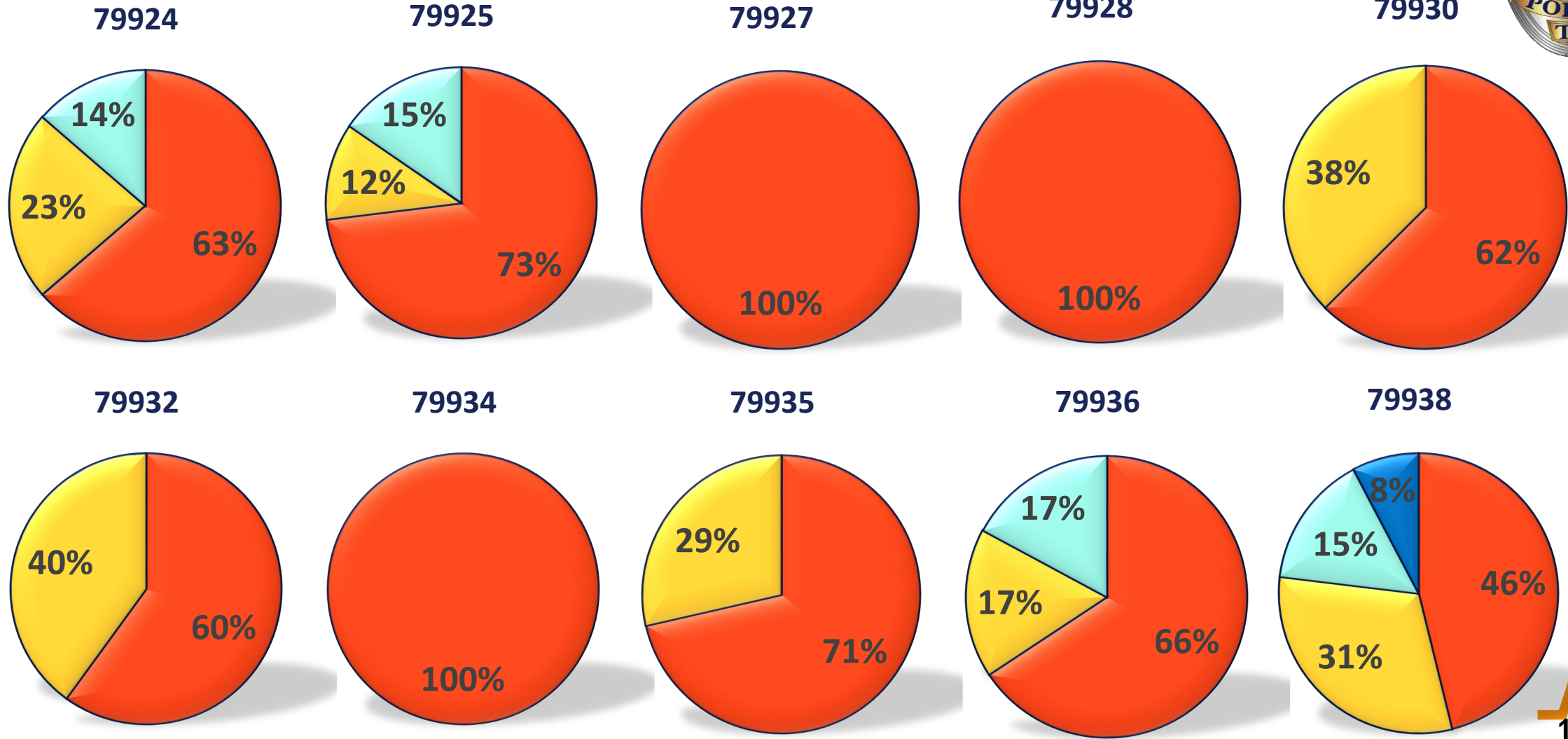


■ Hispanic 
 ■ White 
 ■ Black 
 ■ Asian or Pacific Islander 
 ■ Alaskan Native or Native American

# TOTAL DEFENDANTS – RACE BY ZIP CODE



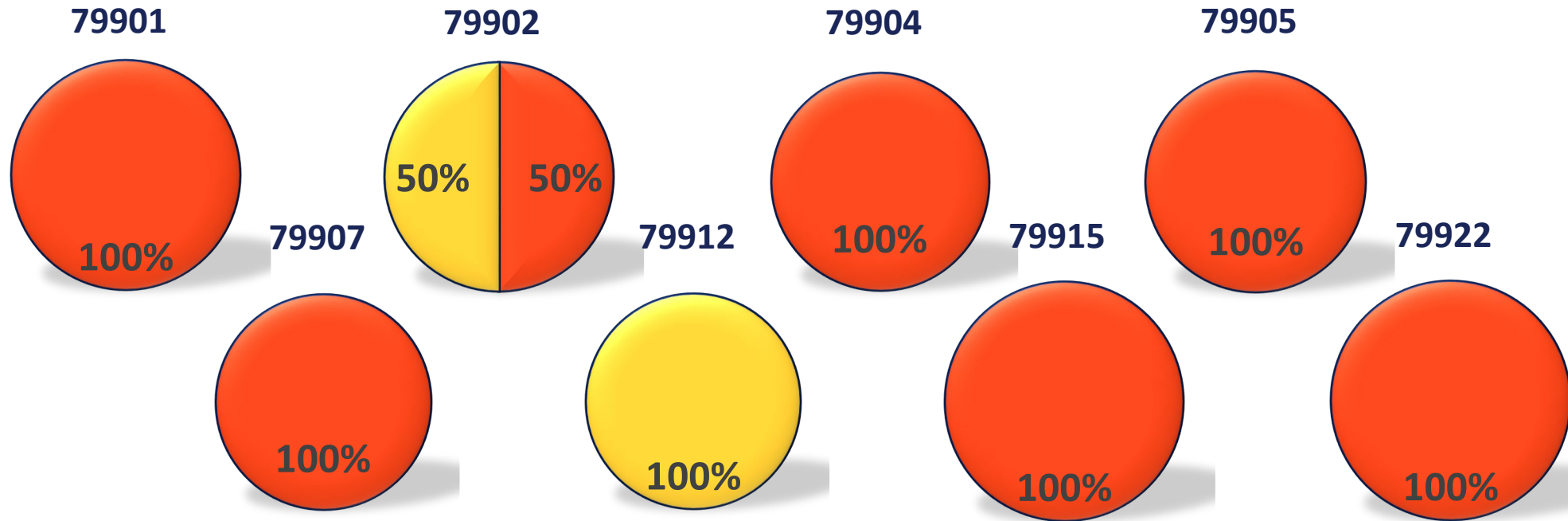
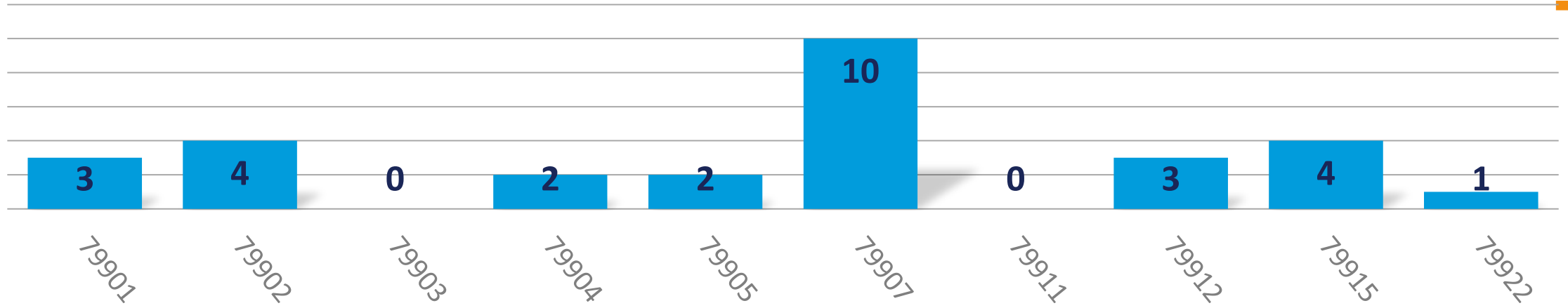
September 1 – November 30, 2020



■ Hispanic 
 ■ White 
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# September 1 – November 30, 2020

19



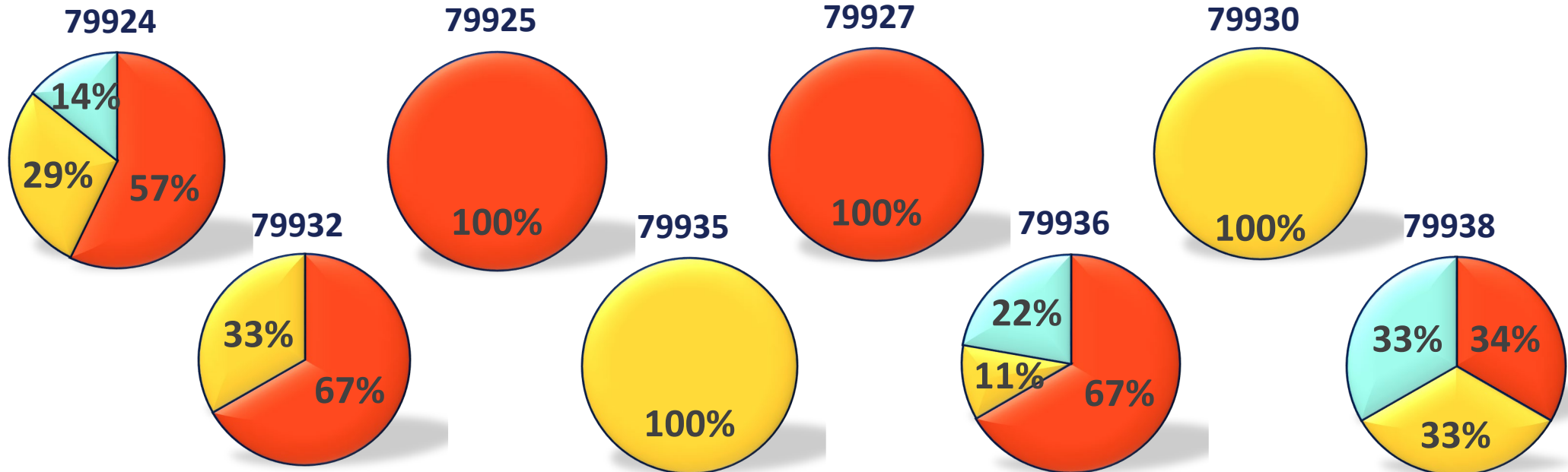
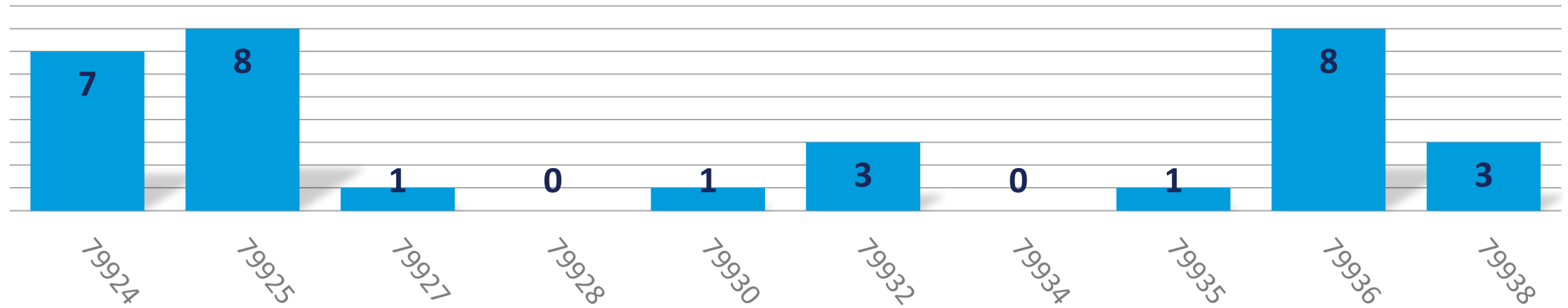
■ Hispanic 
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## TOTAL DEFENDANTS BY ZIP CODE FOR ACCEPTED CASES



# September 1 – November 30, 2020



■ Hispanic 
 ■ White 
 ■ Black 
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 ■ Alaskan Native or Native American



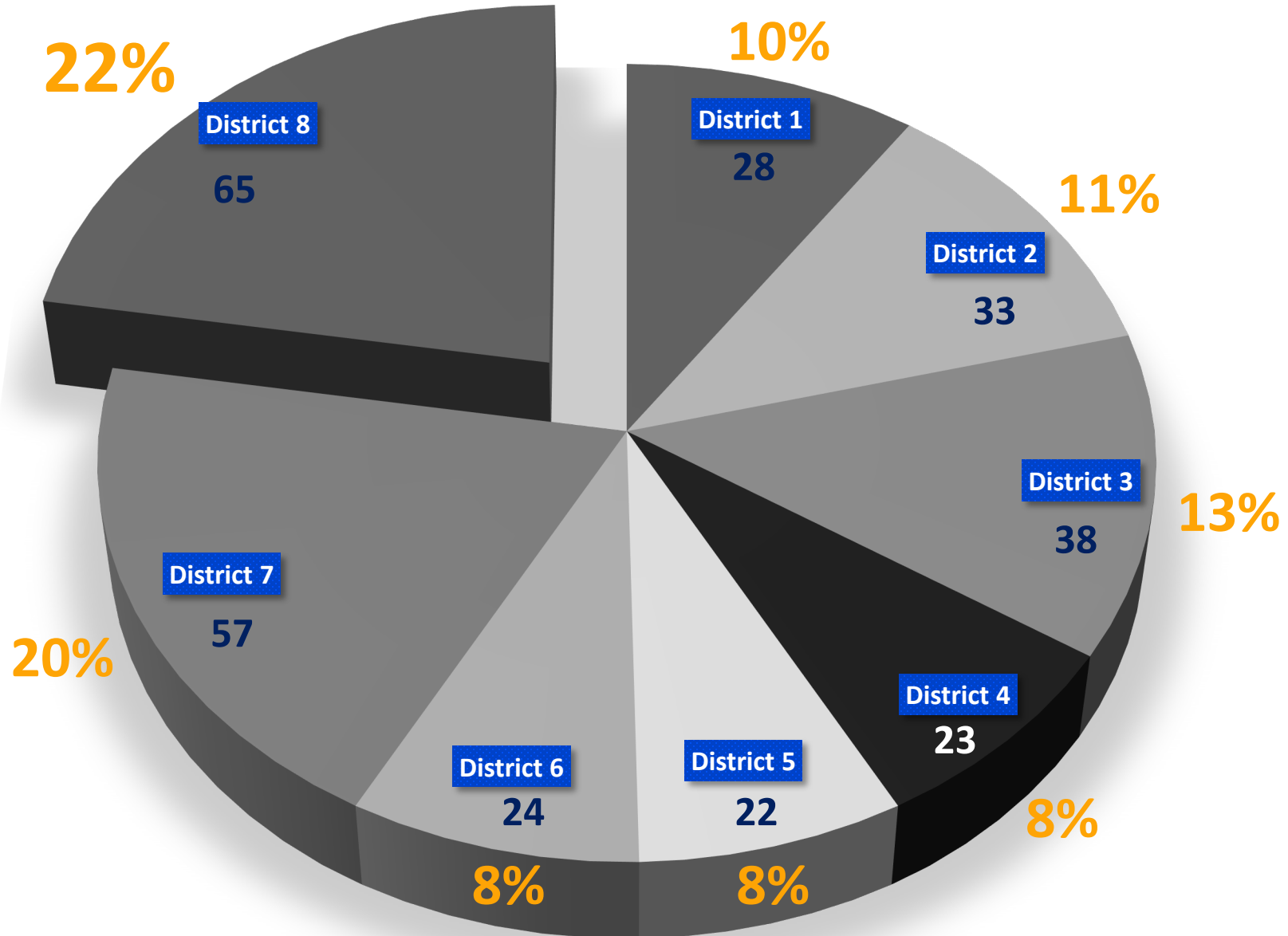
## TOTAL DEFENDANTS BY ZIP CODE FOR ACCEPTED CASES





# TOTAL DEFENDANTS – BY CITY REPRESENTATIVE DISTRICTS

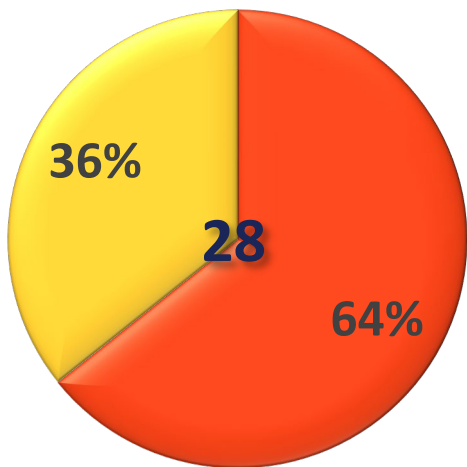
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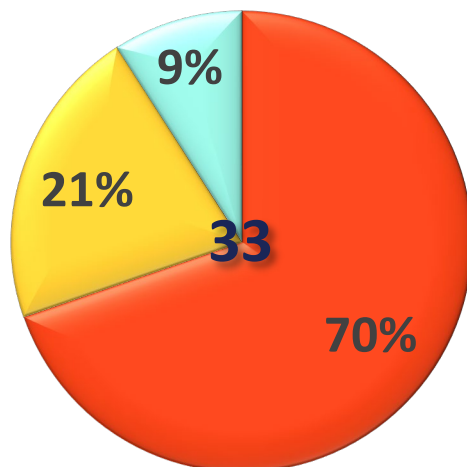
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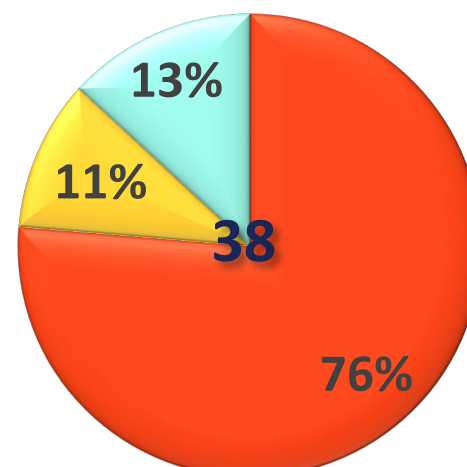
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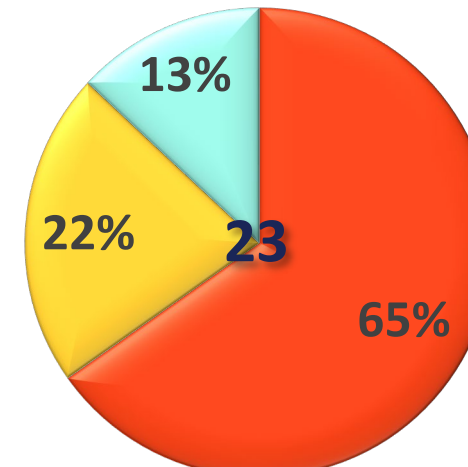
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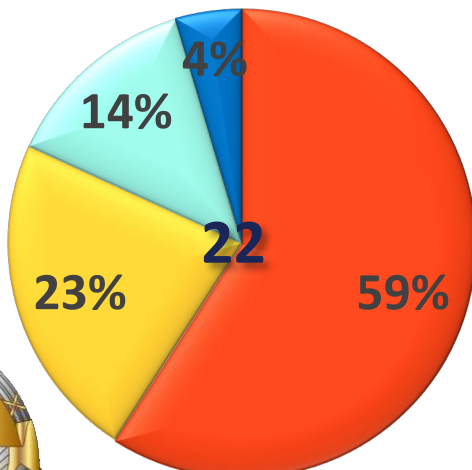
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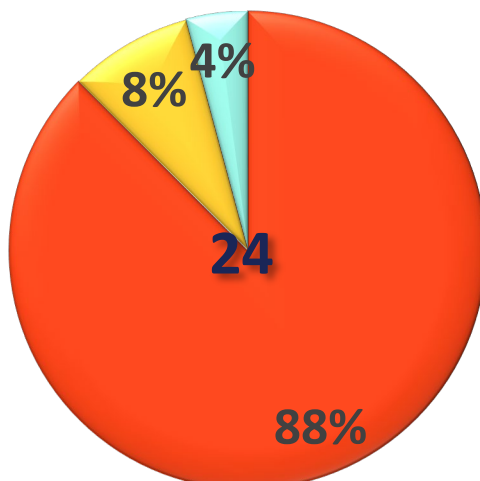
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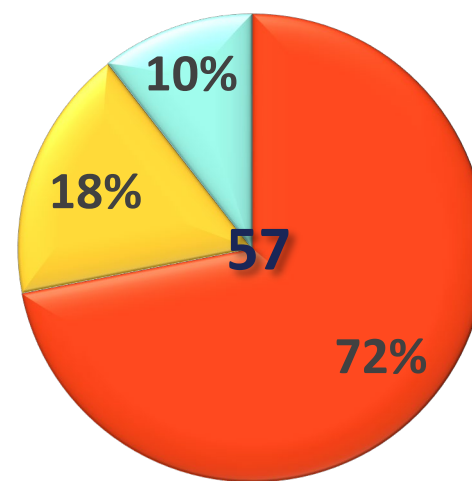
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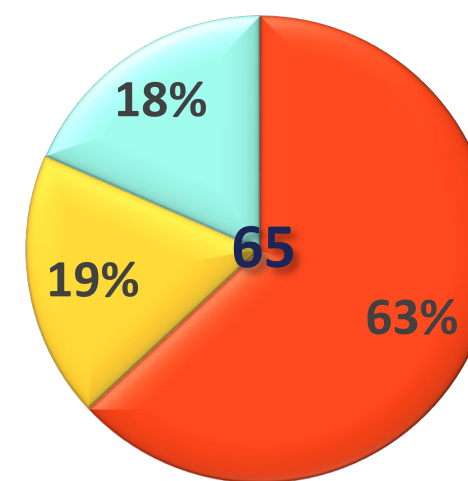
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District 7



District 8



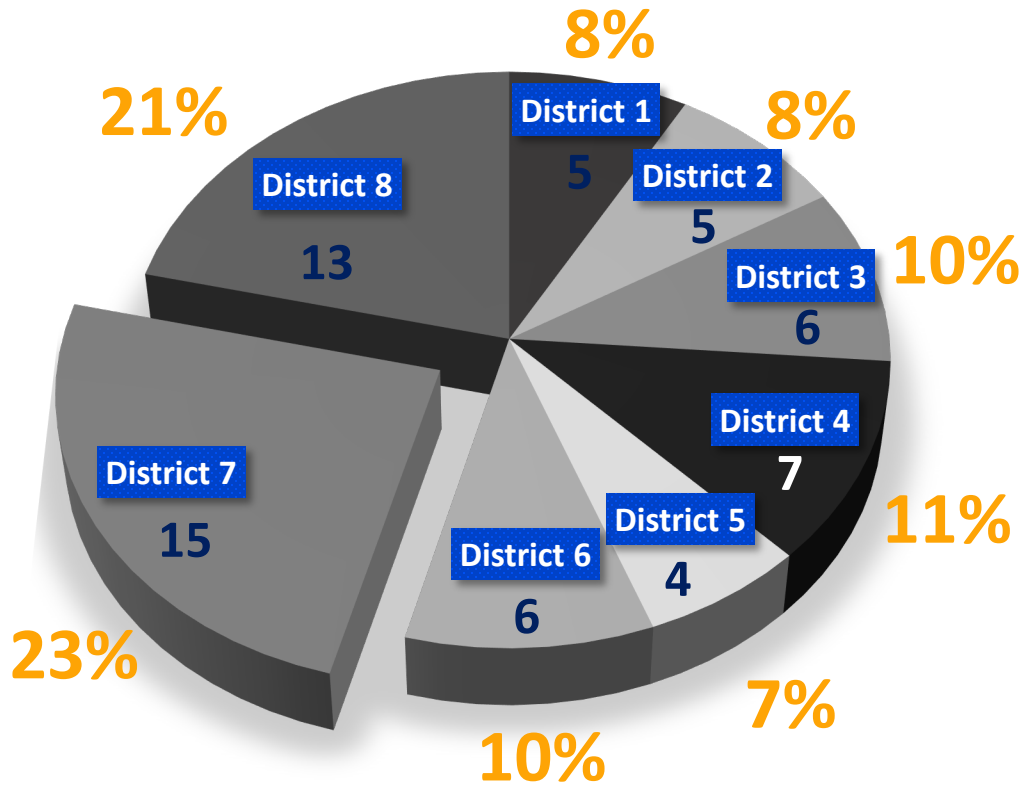
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 ■ Asian or Pacific Islander 
 ■ Alaskan Native or Native American



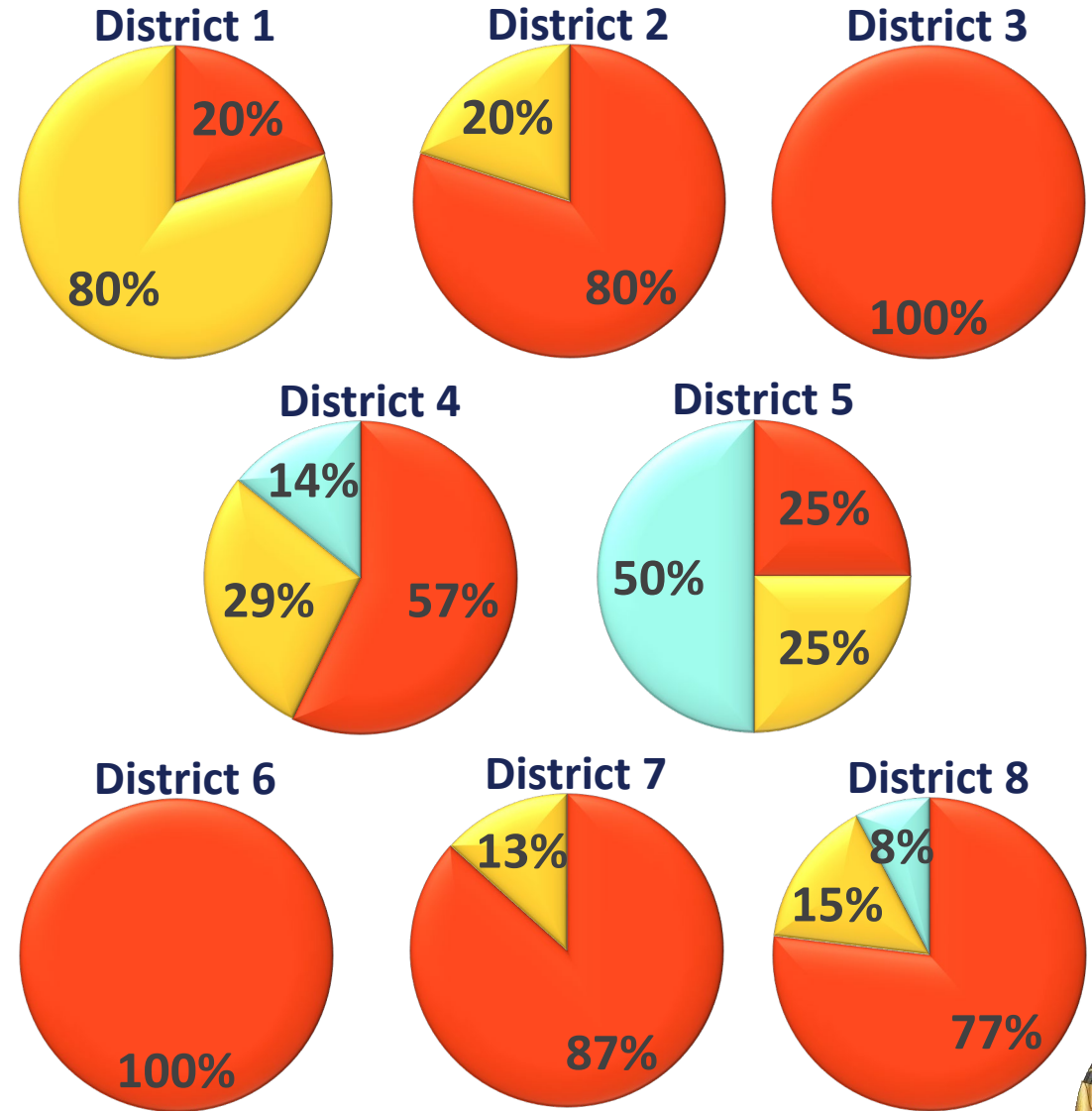
## TOTAL DEFENDANTS – RACE BY CITY REPRESENTATIVE DISTRICT



# September 1 – November 30, 2020



61 Accepted Cite and Release cases



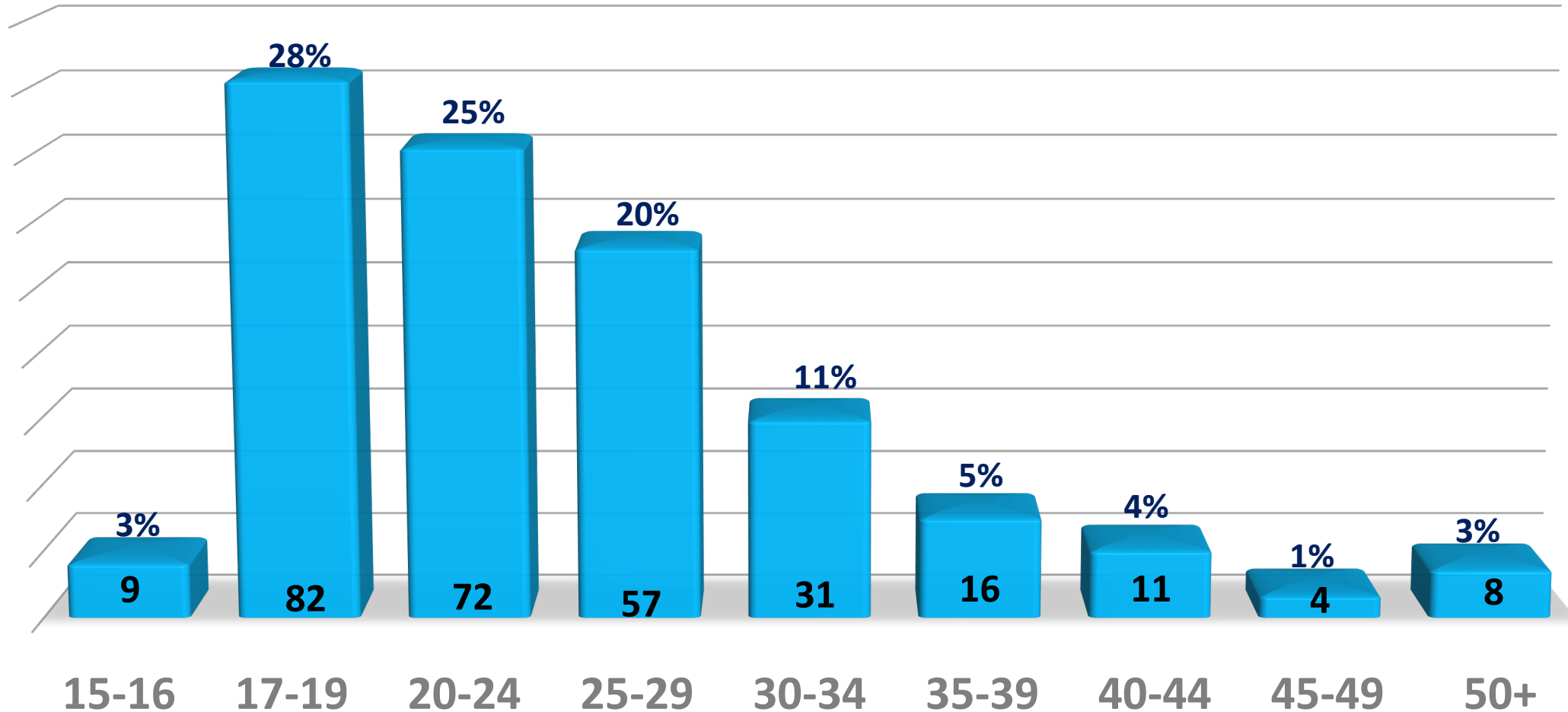
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# TOTAL DEFENDANTS – BY AGE



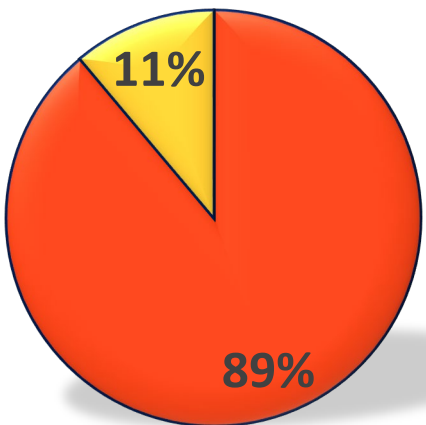
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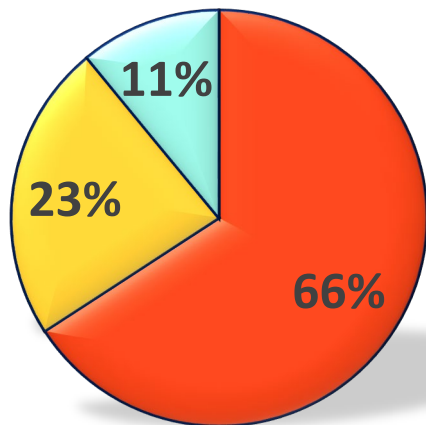
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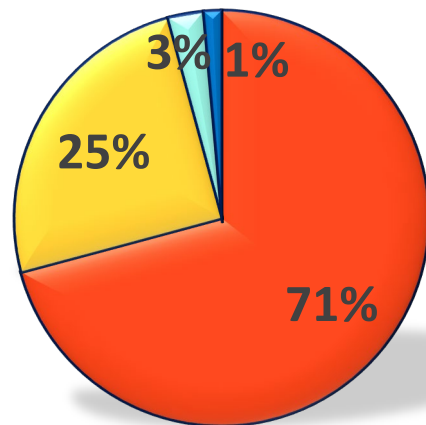
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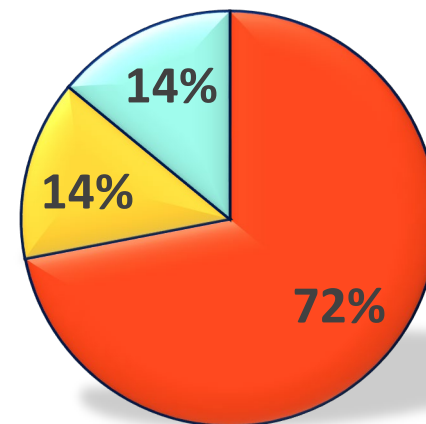
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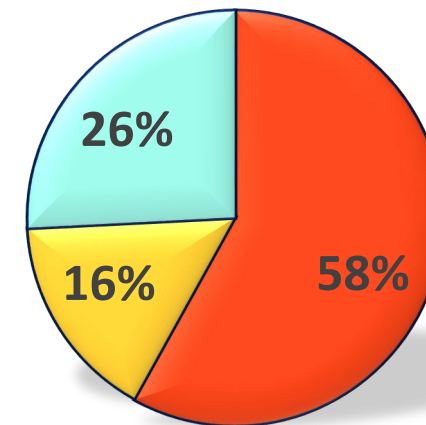
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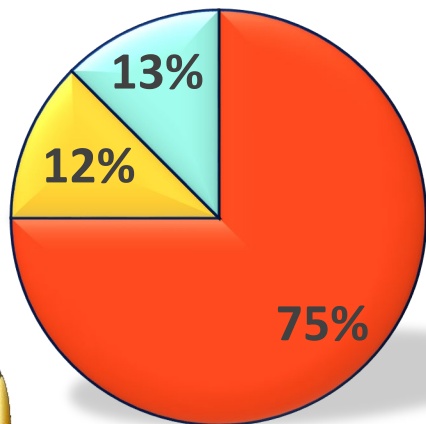
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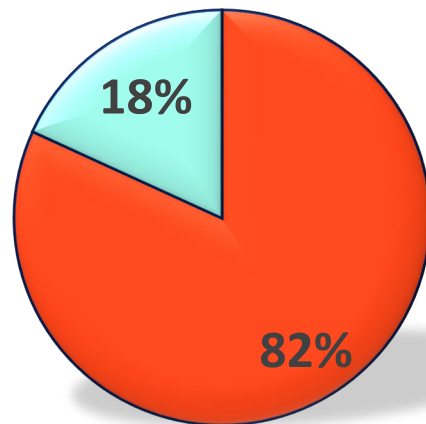
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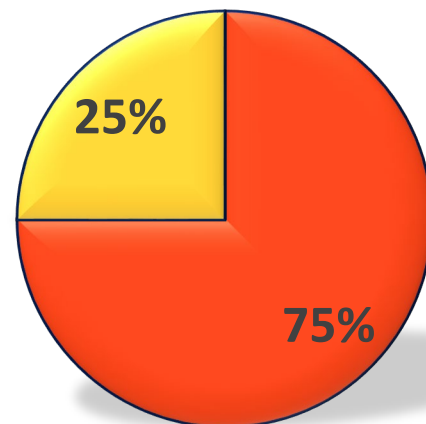
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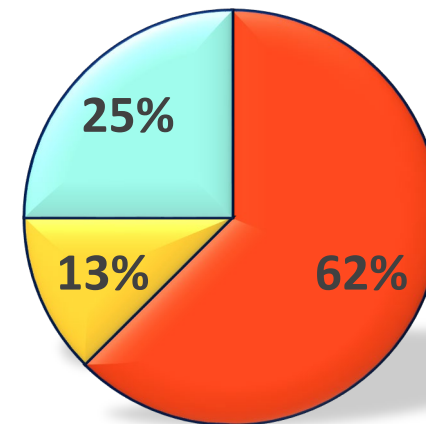
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45-49



50+



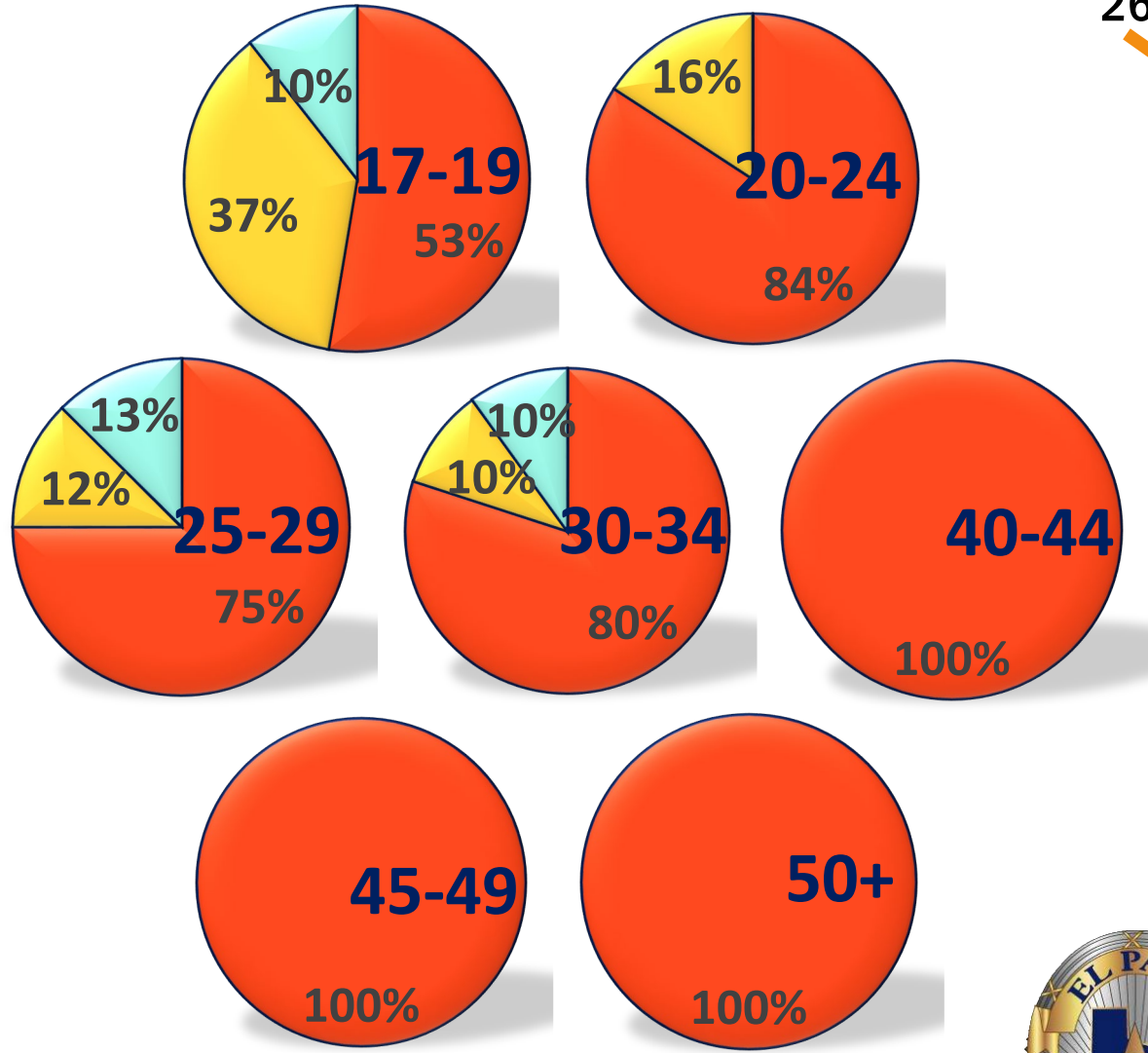
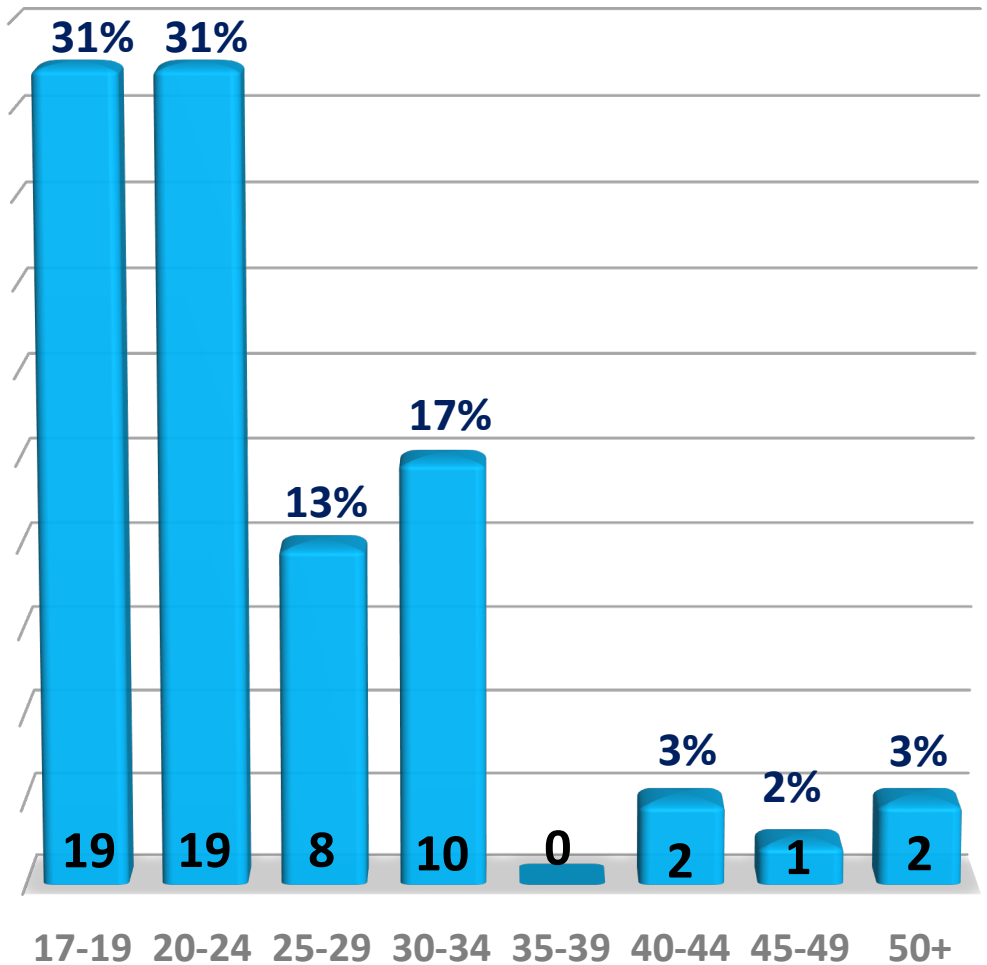
Hispanic White Black Asian or Pacific Islander Alaskan Native or Native American

# TOTAL DEFENDANTS – RACE BY AGE





# September 1 – November 30, 2020



■ Hispanic 
 ■ White 
 ■ Black 
 ■ Asian or Pacific Islander 
 ■ Alaskan Native or Native American



## TOTAL DEFENDANTS RACE BY AGE FOR ACCEPTED CASES



# CITE AND RELEASE REPORT

September 1 – November 30, 2020



## El Paso Police Department

**MAYOR**  
Oscar Leeser

**To:** El Paso City Council  
**Date:** December 30, 2020  
**Subject:** Cite and Release 9/1/2020 – 11/30/2020

**CITY COUNCIL**

**District 1**  
Peter Svarzbein

**District 2**  
Alexsandra Annelo

**District 3**  
Cassandra Hernandez

**District 4**  
Joe Molinar

**District 5**  
Isabel Salcido

**District 6**  
Claudia L. Rodriguez

**District 7**  
Henry Rivera

**District 8**  
Cissy Lizarraga

**CITY MANAGER**  
Tommy Gonzalez

**Cite and Release Data**

Accepted Cite and Release	61	22%
Officer Use of Arrest	221	75%
Declined Program	8	3%
<b>Totals</b>	<b>290</b>	<b>100%</b>

**Documented Reason for the Stop or Arrest**

Dispatched Call for Service	75	26%
Self-Initiated	213	73%
Search Warrant	2	1%
<b>Totals</b>	<b>290</b>	<b>100%</b>

**Reason for Use of Arrest**

Other Charges	144	63%
Uncooperative Individual	23	10%
Outstanding Warrants	13	6%
Defendant Declined Program	8	4%
Habitual Offender	8	4%
Juveniles	8	4%
Narcotics Case	8	4%
Intoxicated	7	3%
Does not Reside in El Paso	5	2%
Drug-Free Zone	3	1%
Admitted to Hospital	1	>1%
Confirmed Gang Member	1	>1%
Use of Force	0	0%
<b>Totals</b>	<b>229</b>	<b>100%</b>



Gregory K. Allen – Chief of Police  
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Office (915) 212-4000 | www.elpasotexas.gov/police



## El Paso Police Department

**MAYOR**  
Oscar Leeser

**CITY COUNCIL**

**District 1**  
Peter Svarzbein

**District 2**  
Alexsandra Annelo

**District 3**  
Cassandra Hernandez

**District 4**  
Joe Molinar

**District 5**  
Isabel Salcido

**District 6**  
Claudia L. Rodriguez

**District 7**  
Henry Rivera

**District 8**  
Cissy Lizarraga

**CITY MANAGER**  
Tommy Gonzalez

**Race and Ethnicity of the Person**

Race	Total Defendants	Percentage of Total # Defendants	Total Officers	Percentage of Total # Officers
Alaska Native or Native American	0	0%	1	00.3%
Asian or Pacific Islander	1	00.3%	11	4%
Black	33	12%	16	6%
White	55	19%	35	12%
Hispanic/Latino	201	69%	227	78%
<b>Totals</b>	<b>290</b>	<b>100%</b>	<b>290</b>	<b>100%</b>

**Total Possession of Marijuana Cases by Regional Command**

CRCC	61	21%
MVRC	61	21%
NERC	36	13%
PHRC	79	27%
WSRC	53	18%
<b>Totals</b>	<b>290</b>	<b>100%</b>

**Total Possession of Marijuana Cases by City Representative District**

District 1	28	10%
District 2	33	11%
District 3	38	13%
District 4	23	8%
District 5	22	8%
District 6	24	8%
District 7	57	20%
District 8	65	22%
<b>Totals</b>	<b>290</b>	<b>100%</b>



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## CITE AND RELEASE PROGRAM STEPS AND REQUIRED RESOURCES

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Officer implements the program – takes approximately 1.5-2 hours includes taking defendant back to station for fingerprints, citing, putting narcotics into evidence and report writing

Officers are required to send two separate emails with supplement attachments to District Attorney to advise them case is now in the Records Management System (On-Call)

Case is routed to Patrol Sergeant for approval and sent to Narcotics supervisor. Both patrol and Narcotic supervisors approves report

The Strategic Planning Section increased staffing by one officer to implement and manage the program. Officer runs a weekly report of all marijuana A and B cases and reviews reports for completeness. Incomplete reports are returned for corrections



## CITE AND RELEASE PROGRAM STEPS AND REQUIRED RESOURCES

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Strategic Planning employee sends a weekly report to Latent Prints Section

Latent Prints personnel retrieve fingerprints from AFIS (automated fingerprint identification system) and manually fill out a hard copy CR43 fingerprint report and mail to DPS per DPS requirements. Another copy is sent via interoffice mail to County Court 7.

District Attorney's office will coordinate with Planning employee for missing information and corrections

Planning creates the PowerPoint and the report for council



## Mission

Deliver exceptional services to support a high quality of life and place for our community



## Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



## Values

Integrity, Respect, Excellence, Accountability, People





## Misión

Brindar servicios excepcionales para respaldar una vida y un lugar de alta calidad para nuestra comunidad



## Visión

Desarrollar una economía regional vibrante, vecindarios seguros y hermosos y oportunidades recreativas, culturales y educativas excepcionales impulsadas por un gobierno de alto desempeño



## Valores

Integridad, Respeto, Excelencia, Responsabilidad, Personas