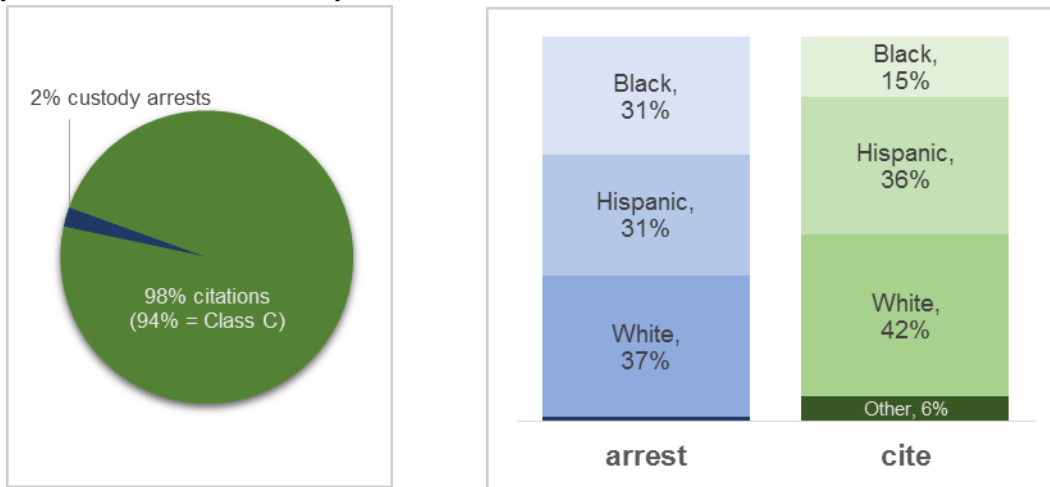# Discretionary situations: custody vs cite

The following shows the outcomes in situations (Class C, or eligible Class A/B) where officers have discretion to either make a custody arrest or issue a citation.
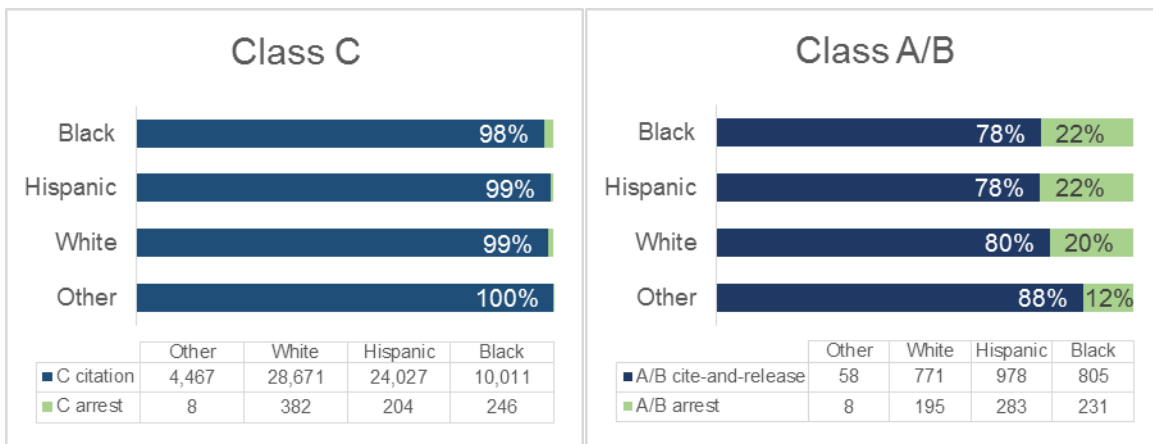
Combined (Class C + Class A/B)

2% custody arrests

98% citations
(94% = Class C)

Black, 31% / Hispanic, 31% / White, 37% — arrest

Black, 15% / Hispanic, 36% / White, 42% / Other, 6% — cite

Separated (Class C, Class A/B)

Race and Ethnicity	Class C				Class A/B			
	Arrests		Citations*		Arrests		Cite-and-Release	
	#	%	#	%	#	%	#	%
Black/African American	246	29%	10,011	15%	231	32%	805	37%
Hispanic/Latino	204	24%	24,027	36%	283	39%	978	31%
White	382	45%	28,671	43%	195	27%	771	30%
Other	8	1%	4,467	7%	8	1%	58	1%
Total	840	100%	67,176	100%	717	100%	2,612	100%

* Assumption: all Muni Court APD citations are arrestable Class C, except: Parking tickets, Red Light Camera tickets, and violations where discretionary arrest restricted per policy (Speeding and Open Container in Vehicle).

Note: Class C Citation form in 2017 includes race option for "Other".

Class C

	Other	White	Hispanic	Black
C citation	4,467	28,671	24,027	10,011
C arrest	8	382	204	246

Black 98%, Hispanic 99%, White 99%, Other 100%

Class A/B

	Other	White	Hispanic	Black
A/B cite-and-release	58	771	978	805
A/B arrest	8	195	283	231

Black 78% 22%, Hispanic 78% 22%, White 80% 20%, Other 88% 12%

Context: other 2017 racial breakdowns

Race and Ethnicity	2017 Arrests		2017 MV Stops	
	#	%	#	%
Black/African American	8,490	27%	19,977	14%
Hispanic/Latino	12,088	38%	44,899	32%
White	10,571	33%	67,347	47%
Other	496	2%	9,813	7%
Total	31,645	100%	142,036	100%

Insights from sample cases read

C custody arrests (50 of 840 cases read)
- Only 34% were eligible for citation by policy. So the 840 number is likely closer to 300. This would drop the % of total arrests from 2.7% to 0.9%.
- Those requiring arrest were primarily for FV fighting, or were necessary to stop an offense from continuing.

A/B custody arrests (50 of 717 cases read)
- Only 72% were actually eligible for cite and release. So the 717 number is likely closer to 500. This would drop the % of total arrests from 2.3% to 1.6%.
- Of those eligible for cite-and-release, all were POM and DWLI.
- Of those eligible for cite-and-release, only 20% specify that a supervisor approved the arrest.