


PINE BLUFF POLICE DEPARTMENT POLICY & PROCEDURES MANUAL

	SUBJECT:	POLICY NUMBER 1003
	ARREST & RELEASE – ADULT PROCEDURES	ISSUE DATE 02/19/2008
	CHAPTER: ARREST PROCEDURES	EFFECTIVE DATE 02/19/2008
	ISSUED By: Chief of Police John E. Howell	TOTAL PAGES 8

I. PURPOSE

The purpose of this order is to establish the procedures by which member of this Department manage adults (whether criminal, traffic, or status offender) with whom they come in contact.

II. MISDEMEANOR CHARGES NOT REQUIRING INCARCERATION

If an adult is arrested, there will be a criminal citation and a report written. The criminal citation will have a Municipal court date two weeks from date of arrest at 9:00 a.m. If the arrest occurs on a Saturday or Sunday the court date will be set two weeks from the following Monday. If the court date falls on a holiday the court date shall be set for the next working day following the holiday. At the end of the shift, the officer will place in the turn-in drawer in the muster room the following:

- A. Criminal Citation
- B. Incident Report (except loitering and loud and unnecessary noise)

III. CLASS A MISDEMEANOR CHARGES

All adults charged with a class A misdemeanor shall require being transported to a local Jefferson County Detention Facility and booked in for processing. Processing will consist of fingerprinting and photographing, which is done by Jefferson County Detention Facility personnel. A criminal citation and a report shall be written. An Arkansas Arrest/Disposition Report shall be completed with all necessary information included on it. The criminal citation and Arkansas Arrest/Disposition Report will have a District Court date two weeks from date of arrest at 9:00 a.m. If the arrest occurs on a Saturday or Sunday the court date will be set two weeks from the following Monday. If the court date falls on a holiday the court date shall be set for the next working day following the holiday. At the end of the shift, the officer will place in the turn-in drawer in the muster room the following:

- A. Criminal Citation
- B. Arkansas Arrest/Disposition Report
- C. Report

IV. PUBLIC INTOXICATION

An adult charged with public intoxication will require a criminal citation and a report to be written. The adult may be transported to the Central Station to be given a breathalyzer test and a public intoxication rights form will be filled out. When transported to a local Jefferson County Detention Facility, an Arkansas Arrest/Disposition Report shall be completed. The criminal citation and Arkansas Arrest/Disposition Report will have a District Court date two weeks from date of arrest at 9:00 a.m. If the arrest occurs on a Saturday or Sunday the court date will be set two weeks from the following Monday. If the court date falls on a holiday the court date shall be set for the next working day following the holiday. At the end of the shift, the officer will place in the turn-in drawer in the muster room the following:

- A. Criminal Citation
- B. Report
- C. Public Intoxication Rights Form
- D. Pink Copy of Breathalyzer Ticket
- E. Arkansas Arrest/Disposition Report (if placed in jail)
- F. Responsibility Sheet (if released before 6 hours)

V. SHOPLIFTING

An adult charged with shoplifting shall require a shoplifting affidavit, a criminal citation and a report to be written. The adult will be transported to a local Jefferson County Detention Facility and an Arkansas Arrest/Disposition Report will be completed. The criminal citation and Arkansas Arrest/Disposition Report will have a District Court date two weeks from date of arrest at 9:00 a.m. If the arrest occurs on a Saturday or Sunday the court date will be set two weeks from the following Monday. If the court date falls on a holiday the court date shall be set for the next working day following the holiday. At the end of the shift, the officer will place in the turn-in drawer in the muster room the following:

- A. Shoplifting Affidavit
- B. Criminal Citation
- C. Report
- D. Arkansas Arrest/Disposition Report

VI. D.W.I.

- A. An adult arrested for D.W.I. will require a traffic citation and a report to be written. The officer will advise the adult of his/her "Miranda Rights" and have the adult perform three field sobriety tests as prescribed by the department.
- B. The adult will be transported to the Central Station to be given a breathalyzer test if he/she has failed the field sobriety test and is arrested.

- C. The officer will fill out a D.W.I. Rights/Observation Form, Notice to Driver Slip, Official Driver License Receipt and Notice of Suspension/Revocation of Driving Privileges License receipt (both sides), have MECA fax a copy of the adult's drivers record to a local Jefferson County Detention Facility, take the adult's drivers license and give him the two (2) pink sheets of Official Drivers License Receipt and Notice of Suspension/Revocation of Driving Privileges and Notice To Driver Slip.
- D. The adult will then be transported to a local Jefferson County Detention Facility and an Arkansas Arrest/Disposition Report will be completed.
- E. The traffic citation and Arkansas Arrest/Disposition Report will have a District Court date two weeks from date of arrest at 9:00 a.m. If the arrest occurs on a Saturday or Sunday the court date will be set two weeks from the following Monday. If the court date falls on a holiday the court date shall be set for the next working day following the holiday. At the end of the shift, the officer will place in the turn-in drawer in the muster room the following:
 - 1. Traffic Citation
 - 2. Report
 - 3. D.W.I. Rights/Observation Form
 - 4. Drivers License Record
 - 5. Drivers License
 - 6. Official Driver License Receipt and Notice of Suspension/Revocation of Driving Privileges
 - 7. Pink Copy of Breathalyzer Ticket
 - 8. Arkansas Arrest/Disposition Report

VII. TRAFFIC

- A. All other traffic charges, unless accompanying D.W.I. or Criminal a charge, will require a traffic citation with a District Court date two weeks from the date of arrest. If the arrest occurs on a Saturday or Sunday the court date will be set two weeks from the following Monday. If the court date falls on a holiday, set the court date for the next working day.
- B. The officer will have the adult sign the citation unless arrested and taken to jail. At the end of the shift, the officer will place in the Traffic turn-in drawer in the muster room the following:
 - 1. Traffic Citation

VIII. LOCAL WARRANTS

- A. Adults arrested on local misdemeanor warrants shall require two (2) copies of the warrant from the Warrant Office and an information report. Delinquent time pays will require (2) copies of the front of the commitment jacket found in the Warrant Office but no report.

- B. The adult will be transported to a local Jefferson County Detention Facility. A criminal citation shall be issued on any warrant other than failure to appear (F.T.A.), failure to comply (F.T.C.) or delinquent time pay (D.T.P.). A criminal citation shall be written on criminal charges and a traffic ticket on traffic charges. Note on the F.T.A., F.T.C. or D.T.P. the court date given and advise MECA it has been served, so it can be removed from the computer. An Arkansas Arrest/Disposition Report shall be completed.
- C. The criminal citation and Arkansas Arrest/Disposition Report will have a District Court date of Monday at 9:00 a.m., two weeks from the date of the arrest at 9:00 a.m. At the end of the shift the officer will place in the turn-in drawer in the muster room the following:
 - 1. Copy of Warrant or Commitment
 - 2. Criminal Citation
 - 3. Information report
 - 4. Arkansas Arrest/Disposition Report

IX. OUT-OF-TOWN MISDEMEANOR WARRANTS

Adults arrested on out-of-town warrants shall require two (2) copies of the A.C.I.C. printout of the warrant as entered in A.C.I.C., a copy of the hit confirmation, any other terminal correspondence; reference to bond amounts, court dates, or when they will be picked up and a report. If the adult will not be picked up immediately and must be placed in a local Jefferson County Detention Facility, an Arkansas Arrest/Disposition Report shall be completed. At the end of the shift, the officer will place in the turn-in drawer in the muster room the following:

- A. A.C.I.C. Printout and copy of Warrant
- B. Hit Confirmation
- C. Terminal Correspondence Giving Bond Amounts, Court Dates, When They Will Be Picked up, and Any Other Correspondence
- D. Report
- E. Arkansas Arrest/Disposition Report

X. FELONY ARREST

Adults arrested for a felony will require a criminal citation and a report. If during appropriate hours, The officer will transport the adult to the Detective Office if during appropriate hours; otherwise the officer will contact a supervisor for approval of the Detective call-out. The officer will then process the adult as directed by the Detective or supervisor and note the name of the Detective or supervisor on the citation and in the report. At the end of the shift, the officer will place in the turn-in drawer in the muster room the following:

- A. Citation Marked Felony
- B. Report
- C. Arkansas Arrest/Disposition Report (if taken to jail)

XI. FELONY WARRANT

A. JEFFERSON COUNTY FELONY WARRANTS

1. If an adult is arrested on a Jefferson County felony warrant, it shall require the original issued by the Court. The original warrant will be in the detective office or brought to a local Jefferson County Detention Facility by a Jefferson County Deputy.
2. The officer shall transport the adult to a local Jefferson County Detention Facility for processing.
3. He will complete an Arkansas Arrest/Disposition Report and leave it, and the original warrant with the jail.
4. At the end of the shift, the officer will place in the turn-in drawer in the muster room the following:
 - a) Photo copy of the Warrant
 - b) Information report
 - c) Photo copy of the Arkansas Arrest/Disposition Report

B. OUT OF TOWN FELONY WARRANTS

1. If an adult is arrested on a Jefferson County out of town felony warrant, the arrest shall require the original warrant, A.C.I.C. hit, warrant, the hit confirmation, and any further communications from the entering agency and a report.
2. The officer shall transport the adult to a local Jefferson County Detention Facility for processing.
3. He will complete an Arkansas Arrest/Disposition Report and leave a copy of it, and a copy the faxed warrant and the A.C.I.C. information with the jail..
4. At the end of the shift, the officer will place in the turn-in drawer in the muster room the following:
 - a) A.C.I.C. Hit and Copy of the Warrant
 - b) Hit Confirmation
 - c) Any Other Communications from the Entering Agency
 - d) Report
 - e) Arkansas Arrest/Disposition Report

C. OUT OF STATE FELONY WARRANTS

1. If an adult is arrested on out of state felony warrant, it shall require two (2) copies of the N.C.I.C. hit or warrant (all efforts will be made to obtain a copy of the warrant), the hit confirmation, any further communications from the entering agency and a report.
2. The officer shall transport the adult to a local Jefferson County Detention Facility for processing.
3. He will complete an Arkansas Arrest/Disposition Report and leave a copy of it and the N.C.I.C. information with the jail.

4. At the end of the shift, the officer will place in the turn-in drawer in the muster room the following:
 - a) N.C.I.C. Hit or Copy of the Warrant
 - b) Hit Confirmation
 - c) Any Other Communications from the Entering Agency
 - d) Report
 - e) Arkansas Arrest/Disposition Report

XII. ADULTS CHARGED WITH DRUG OFFENSES

A. MISDEMEANOR DRUG OFFENSES

1. When an adult is arrested on a misdemeanor drug offense the officer will issue a citation and write a report. Any person found with a usable amount of any illicit drug, will be arrested by members of this department. Shift supervisors, Vice Intelligence and narcotics officers are the only personnel allowed to release a person found with a usable amount of any illicit drug without incarceration. This permission may be done in person, by radio or by phone.
2. Persons found in possession of small amounts of drug paraphernalia (i.e., crack pipe) can be arrested for "Possessing Instrument of Crime", (ACA 5-73-102), class "A" misdemeanor.
3. Follow policy 1003 Sec. III.
4. If a Vice and Narcotics officer is in service they will be contacted to determine if there is a need to interview the adult. If a Vice and Narcotics officer is not available, do not call one out. The shift supervisor will advise what actions to take.
5. The officer will assign a District Court date two weeks from date of arrest at 9:00 a.m. If the arrest occurs on a Saturday or Sunday, the court date will be two weeks from the following Monday. If the court date falls on a holiday, set the court date for the next working day.
6. At the end of the shift, the officer will place in the turn-in drawer in the muster room the following:
 - a) Citation
 - b) Incident Report

B. FELONY DRUG OFFENSE

1. When an adult is arrested on a felony drug offense the officer will issue a citation and write a report.
2. The officer will contact a supervisor for approval of a vice and narcotics officer to be called out.
3. The officer will process the adult as directed by the vice and narcotics officer or supervisor.
4. At the end of the shift the officer will place in the turn-in box in the muster room the following:
 - a) Citation Marked Felony
 - b) Incident Report

XIII. MULTIPLE CHARGES

On all individuals that are charged with both traffic and criminal charges, the criminal court date will be used. Note on the traffic ticket that there is also a criminal charge.

XIV. TRANSPORT LOG

A transport form will be filed when a prisoner is transported to an out of town facility. Anytime an individual is transported to a jail, the transporting officer will make certain that the transport form has all necessary information. The transporting officer shall turn the form in at the end of shift. The form will be forwarded to the Service Division by placing it in the turn-in drawer in the muster room.

A. Necessary information needed:

1. Date
2. Prisoner's Name
3. Prisoner's Date of Birth
4. Charges
5. Location Transported To
6. Officer Transporting

XIV. A.R.C.P. RULE 5.2 AUTHORITY TO ISSUE CITATIONS

- A.** A law enforcement officer in the field acting without a warrant who has reasonable cause to believe that a person has committed any misdemeanor may issue a citation in lieu of arrest or continued custody.
- B.** When a person is arrested for any misdemeanor, the ranking officer on duty at the place of detention to which the arrested person is taken may issue a citation in lieu of continued custody.
- C.** Upon the recommendation of a prosecuting attorney, the ranking officer on duty at the place of detention to which the arrested person is taken may issue a citation in lieu of continued custody when the person has been arrested for a felony.
- D.** In determining whether to continue custody or issue a citation under (a) or (b) above, the officer shall inquire into and consider facts about the accused, including but not limited to:
 1. place and length of residence;
 2. family relationships;
 3. references;
 4. present and past employment;
 5. criminal record; and

6. other relevant facts such as:
 - a. whether an accused fails to identify himself satisfactorily;
 - b. whether an accused refuses to sign a promise to appear pursuant to citation;
 - c. whether detention is necessary to prevent imminent bodily harm to the accused or to another;
 - d. whether the accused has ties to the jurisdiction reasonably sufficient to assure his appearance and there is a substantial likelihood that he will respond to a citation;
 - e. whether the accused previously has failed to appear in response to a citation.