


# **GAINESVILLE POLICE DEPARTMENT**

## **GENERAL ORDER**

	<b>TITLE</b> Arrests		<b>ACCREDITATION</b> CALEA 1.2.3.(a-c); 1.2.5; 1.2.6; 1.2.7; 70.2.1; 71.3.1.d; 74.3.1;
	<b>PROponent UNIT</b> District 1 and District 2 Patrol Operations		<b>PRIOR REVISIONS</b> 06/26/09, 10/05/11, 01/02/14; 10/15/18, 07/08/20  <b>ATTACHMENT:</b>
<b>NUMBER</b> 1.3	<b>ISSUE DATE</b> 07/01/98	<b>REVISION DATE</b> 12/31/2023	<b>TOTAL PAGES</b> 15

**I. PURPOSE:** This Order defines the scope and limits of the Department's law enforcement authority regarding arrests.

**II. POLICY:** The Gainesville Police Department shall develop a set of procedures to ensure its members only make lawful arrests based on probable cause and do not knowingly violate the constitutional rights of any person.

### **III. DEFINITIONS:**

**A. Probable Cause:** Probable cause is the officer's knowledge of facts and circumstances based on reasonable information sufficient to lead a prudent person to believe that a crime has been or is being committed and that the suspects identified either did commit or is committing the offense.

**B. Arrest:** To take a person into lawful custody for the commission of a misdemeanor or a felony violation of Florida State Statute, a municipal ordinance, a criminal traffic violation or a warrant

### **IV. PROCEDURE**

**A. Arrest Authority:** Only sworn members of the Department will make physical (full custody) arrests.

**B. Arrest Discretion:** Reasonable and appropriate police action varies with each situation, so different facts or circumstances may justify an investigation, a search, an arrest, or no action at all. Thus, sworn members may exercise discretionary judgment in a reasonable manner and within the limits of their authority, judicial interpretation, and Department policy. [CALEA 1.2.7]

**1. Enforcement** actions shall be commensurate with applicable laws, and shall take into account the degree and severity of the violation committed or alleged to have been committed.

**2. Sworn** members shall exercise sound judgment when deciding enforcement action, and shall:

- i. Limit their decisions to those allowable within the scope of their discretion and authority, and;
- ii. Base their decisions on applicable laws, written Department policies and procedures, training, and experience.
- iii. Consult a supervisor when questions arise or when information is discovered that indicates an alternative action may be warranted.

3. When an investigation or surrounding circumstances indicate an arrest should be commuted to a lesser charge (e.g. felony to misdemeanor) or rescinded, the member shall immediately contact and brief a supervisor (if the supervisor was not the one to discover the situation). In any case, the supervisor will assist the officer and ensure the proper course of action and appropriate documentation are completed. For example, if the new information:

- i. Refutes the original probable cause; the person shall be released and provided with an explanation for the decision.

If the person arrested was removed from the location of arrest (i.e., transported to the station or the jail), the officer should offer to return the person to the original location.

The supervisor shall contact the on-call SAO. The on-call SAO will contact the judge for direction on how to proceed.

- ii. Indicates the charge was a misdemeanor rather than a felony (and the incident did not occur in the officer's presence), and no other circumstances of the investigation indicate other charges are warranted;

The charging document appropriate to the offense shall be completed and the person released;

The supervisor shall contact the on-call SAO. The on-call SAO will contact the judge for direction on how to proceed.

- iii. Results in any other situation where alternative action is indicated, the supervisor shall ensure proper legal review and follow-up action occur.

**C. Interviews:** Suspect interviews (including field interviews and interrogations) shall be conducted in accordance with established constitutional requirements and Florida and Federal law. [CALEA 1.2.3.a.b.c]

**1. Prohibitions:** Members shall not attempt to obtain confessions or statements by force, coercion, threat, or promise, or subject a person to:

- i. Unusually long interview periods;
- ii. An inhumane atmosphere;

iii. Actual or threatened physical abuse;

iv. Denial of basic necessities, such as food, water and toilet facilities.

**2. Miranda Warning:** Members conducting a custodial interview will advise the interviewee of their Miranda Warning/Rights.

i. If possible, sworn members will read the rights waiver card to the suspect or complete a written waiver.

ii. Exceptions to Miranda Warnings (public safety exception, etc.) shall be handled on a case-by-case basis.

**3. Inform:** Members conducting interviews shall advise the suspect of the names and authority of the interviewing officers and the nature of the matter in question.

**4. Access to Counsel:** Sworn members conducting a custodial interview will not prevent, deny, nor impede the suspect's access to legal counsel.

After a suspect invokes the right to counsel or silence, the interview into that particular offense will cease.

Only when a suspect voluntarily reinitiates an interview may an officer recommence questioning.

**5. Volunteered Statements:** Volunteered and spontaneous statements by suspects may be admissible as evidence and need not be preceded by a Miranda warning.

Any follow-up initiated by the Department member will be preceded by the proper warning.

**D. Warrantless Arrests:**[CALEA 1.2.5]

**1. Felony:** Upon developing probable cause, a sworn member may make an arrest without a warrant.

**Restriction:** Members may not make a warrantless, non-consensual entry into a suspect's or a third party's home to make a routine arrest, unless exigent circumstances exist (see General Order 1.4).

**2. Misdemeanor:** Upon developing probable cause, a sworn member may make an arrest without a warrant if the offense occurred in the member's presence and the arrest is made immediately or subsequent to fresh pursuit.

There are exceptions which permit a member to arrest a suspect for a misdemeanor that does not occur in the member's presence. (Review

Florida State Statute 901.15– “When arrest by officer without warrant is lawful”; link to Misdemeanor Exceptions can be found on the Intranet).

**E. Warrant Arrests:** The existence of a current arrest warrant for the person in question must be verified prior to any arrest being made pursuant to the warrant.[CALEA 1.2.5 & 74.3.1]

**1. Public Place:** Sworn members may make a warrant arrest if the person is in a public place.

**2. Lawfully Present:** Sworn members may make a warrant arrest at any location the officer comes in contact with the named person, AND at which location the officer has been invited or otherwise has a lawful right to be.

**3. Not Lawfully Present:** Sworn members with probable cause to believe a person named in an arrest warrant is at a third-party residence, and the residence is secure or the occupant refuses to allow officers entry, must obtain a search warrant, or summon an Alachua County Deputy to execute the warrant.

**4. High-Risk Warrants:**

**i. Notification:** Department members will notify the Special Weapons and Tactics (SWAT) Commander when aware of the need to execute a high-risk arrest warrant.

To allow time to assemble, personnel will contact the SWAT Commander as soon as they become aware of the need to execute a warrant, preferably before the warrant is obtained.

**ii. Determination:** The SWAT Commander will make the determination, based upon the facts supplied by the Department member requesting a warrant, as to whether the SWAT team will be used to execute the warrant.

**F. Use of Force:** Sworn members of the Department will not use more force than necessary to make an arrest for a criminal violation (see General Order 1.5. Use of Force).

**G. Restraints:**

**1.** Persons taken into custody shall, for the safety of the officers, the subject and others, be restrained with approved restraining devices. The arresting member shall have discretion to use any approved restraining device deemed appropriate which does not pose a risk to the safety of the member and the person in custody. Approved restraining devices are:

**i.** Standard handcuffs,

**ii.** Flex-cuffs

iii. Ripp-Hobble restraint.

iv. Leg-cuffs issued to supervisors only.

**2. Usual Restraining Method:** Unless exigent circumstances exist (e.g. handicapped or disabled), suspects taken into custody shall be handcuffed behind their back and then searched (See General Order 71.1)

i. **Leg-cuffs:** Leg-cuffs- shall be issued to supervisors only. Leg-cuffs shall be used sparingly and only in situations where the detainee poses a flight risk and cannot be adequately restrained by handcuffs to prohibit flight. Examples may include the detainee receiving medical treatment and/or detectives are escorting a detainee to various locations related to an investigation.

**3. Detainee Safety:** [CALEA 70.2.1] The restraints or handcuffs shall be applied securely enough to protect the member but not cause injury to the suspect. The handcuffs shall be double locked to prevent constriction.

i. In certain circumstances (e.g., a suspect has an injury), the handcuffing and searching procedures used by a member may require deviating from policy. Any deviations must be fully explained in the related report.

ii. To prevent positional asphyxiation (i.e., suffocation due to physical position or pressure on the respiratory system), sworn members shall not place or leave persons in custody in a prone position for an extended period of time.

iii. If CPR needs to be conducted, handcuffs should be applied towards the front of a person. Handcuffs should be removed, if requested by EMS to render aid.

iv. Sworn members shall not control persons in custody by connecting their wrists and ankles together behind their back with restraints (commonly termed 'hog-tie').

**v. Restrictions:**

a. **Fixed Objects:** Unless exigent circumstances exist, Department sworn members will not handcuff a prisoner to a fixed object (e.g., post, vehicle, building). [CALEA 71.3.1.d]

**b. Wheeled Stretcher (Gurney):**

1). If a detainee is receiving medical attention and a Sworn member handcuffs the detainee to a wheeled stretcher (gurney), the Member shall maintain visual contact with the detainee at **ALL** times he/she is handcuffed to the wheeled stretcher (gurney).

**2).** The Member must document in a report detailed justifications for handcuffing the detainee to the wheeled stretcher (gurney).

**b. People:** Prisoners may be handcuffed to other prisoners, if necessary, but prisoners shall never be handcuffed to any Department member.

**H. Physical Arrests:**

**1. Security:** Members will take precautions to prevent an escape, injury to themselves and others, or damage to property (see also General Order 71.1 regarding prisoner transport).

When making an arrest, members will carefully search suspects to take immediate possession of weapons and evidence.

If, for any reason, suspects cannot be thoroughly searched before being transferred to another Department member, the arresting member will make this fact known to the members receiving the prisoner.

**2. Property:** Generally, personal inmate property that does not pose a hazard or threat to the Department of the Jail will be accepted and stored.

**i. Large Items:** Detention facilities will not accept prisoner property in excess of an “average” sized suitcase or bag (i.e., military duffle bag; one or more suitcases).

Large items (i.e., anything larger than a normal size suitcase) should be submitted to the Department’s Property and Evidence Unit.

Prior to leaving the jail the Department member shall have the prisoner sign a GPD Prisoner Property Notification Form. If a prisoner refuses to sign or is unable (intoxicated, combative, etc.) the Department Member shall document “refused to sign”. The Department Member shall leave a copy of the form with the Prisoner’s Property at the jail. The property shall also be documented on a *Property and Evidence Voucher* and the related *Incident/Investigation Report*.

**ii. Small Items:** Small items may be left with the detainee/jail staff.

**Documentation:** Members delivering persons in custody to the jail shall identify, describe, inventory (count), and document, in the *Incident/Investigation Report*, items of value (i.e., over \$200) and/or prescription medications left with the detainee.

**3. Vehicle:** When making an arrest of a person who is in possession of a vehicle, the member shall impound or release the vehicle as follows, and as required by related procedures in General Order 84.2:

**i. Impound:** An arrestee's vehicle shall be impounded if it is:

- a.** Towed as prisoner property.
- b.** Evidence and/or subject to forfeiture (i.e., an instrumentality of a crime) see General Order 40.20 for forfeiture procedures.
- c.** Of questionable or unverifiable ownership or registration.
- d.** Not disposed of by one of the options listed below.

**ii. Non-Impound:** When an arrestee's vehicle is not impounded, a Department member may offer the vehicle's owner the following options regarding the disposition of the vehicle:

- a.** The vehicle may remain in its current location if no State or local laws are being violated;  
  
The consent of the property owner/representative must be obtained regarding vehicles left on non-City property.
- b.** The vehicle may be removed by a licensed passenger if the owner grants permission;
- c.** The owner may request someone be contacted to remove the vehicle, but the person must be able to respond within a reasonable time;
- d.** The vehicle may be towed by a wrecker service of the owner's choice.

**4. Transportation:** A sworn member making a physical arrest will transport the arrestee (or cause the arrestee to be transported) to the appropriate facility to be booked without delay, unless the:

- i.** Arrestee is transported to a medical facility for treatment,
- ii.** Arrestee is transported to the station for questioning, or
- iii.** Member is otherwise ordered by a supervisor.

**5. Booking:** The member making the arrest is responsible for having the arrest properly recorded.

- i.** This includes ensuring the arrestee and the mittimus/citation are turned over to the proper authority for the taking of photographs and fingerprints at the Department of the Jail or the Juvenile Assessment Center.

- ii. Members arresting persons on warrants *only* will not complete arrest paperwork (e.g., a mittimus), but shall complete the Jail's Arresting Officer's Report prior to turning the person over to ASO at the Department of the Jail.

**6. Criminal Traffic Charges:** Department members should make a physical arrest if the violation constitutes any of the following, unless extenuating circumstances exist (see also related General Orders in General Order Chapter 61).

- i. Felony (including leaving the scene of an accident with personal injury or death);

Arrests related to a Traffic Homicide investigation are made at a point indicated by the progress of the investigation, and are not often immediate to the incident.

- ii. Refusal to sign a criminal citation;

- iii. Driving under the influence (see General Order 61.3 regarding impaired drivers);

- iv. Fleeing and attempting to elude;

- a. Leaving the scene of an accident with damage to attended property.

**7. Recording Criminal Traffic Arrests/Charges:** In all cases, a Uniform Traffic Citation shall be written, whether or not a mittimus is also completed. A case report number shall be drawn for a criminal traffic citation and **written on the citation.**

- i. **Misdemeanor Criminal Traffic Only:** When a person is arrested *only* for misdemeanor criminal traffic charges, the citations may serve as the arrest documents. The case report number must be written on the citation.

**DUI:** When a person is arrested for Driving Under the Influence, the member shall follow procedures outlined in General Order 61.3.

- ii. **Criminal Traffic with Additional Criminal Charges:** When a person is arrested for criminal traffic charges and for felony or misdemeanor criminal or City Ordinance violations, then all charges shall be listed in the 'charge' sections of the mittimus, with the corresponding statute/ordinance number.

- a. An explanation of all charges shall be included in the prosecutorial summary of the mittimus.



Traffic infractions for which citations were issued should also be explained in the narrative.

### **b. Court Dates**

**1).** Court dates for misdemeanor traffic charges shall be listed, per the current misdemeanor traffic court schedule, on the relevant Uniform Traffic Citation upon its issue.

**2).** Court dates for **felony** traffic charges shall NOT be set by the arresting member.

The arresting member shall write '**TO BE SET**' in the court information section for follow-up by the State Attorney's Office.

### **8. Release:**

**i.** Members may not seek to facilitate the release of an arrestee at First Appearance unless receiving prior approval of a District commander/designee.

**ii.** On rare occasions, facts become known which may dispute previous cause for arrest, and may indicate the charge against the arrestee should be retracted or redirected. In such circumstances, members shall immediately notify a supervisor so a proper course of action can be determined.

Judicial authorization is needed if the person has already been booked.

**I. Alternatives:** [CALEA 1.2.6] Alternatives to arrest, incarceration and pre-arraignment may be utilized when:

1. Referring persons committing offenses while under the influence of alcoholic beverages and/or narcotics, or who are suffering from mental disorders, to the appropriate treatment facility [See General Order 1.7].

i. When the person is not suitable for screening at the jail;

ii. After medical screening has occurred or was not indicated.

2. The defendant/situation meets the criteria for issuance of a civil citation for violations of ordinances or statute in accordance with the policies of the Department.

3. Issuing a *Criminal Uniform Traffic Citation* for a criminal traffic violation.

4. Informal resolution of the problem is indicated.

5. A verbal warning prohibiting the conduct will suffice.

6. Referring a person(s) to a community/public service organization is indicated.
7. Releasing a juvenile to the custody of a parent or legal guardian is indicated.
8. Juvenile who meets the criteria of civil citation or non-criminal citation as detailed in General Orders 44.5 Juvenile Civil Citation Procedures and 44.6 Juvenile Non- Criminal Sexting Violation.
9. Referring persons who have committed applicable misdemeanor criminal offenses to the State Attorney's Office (SAO) Diversion program as detailed in Administrative Memorandum 17-004.
10. A Civil Citation may be used for the following violations:
  - i. **Open Containers:**
    - a. Hours. A person may possess and consume an open container of an alcoholic beverage outside of the licensed premises of an alcoholic beverage establishment, only within the hours of 8:00 a.m. to 12:00 a.m. Extended hours of consumption for special events may be granted pursuant to applicable sections of the Code of Ordinances.
    - b. Glass container prohibition. Open containers of alcoholic beverages possessed or consumed outside within the arts, culture, and entertainment districts must not be made of glass.
    - c. Notice of boundaries. Alcoholic beverage establishments shall post, at all points of egress from the licensed premises, a map of the boundaries of the arts, culture, and entertainment district in which it is located. Alcoholic beverage establishments shall also provide, either in electronic or paper form, a map of the arts, culture, and entertainment district upon request. ([LB-2023-11-Open Container Ordinance Map P.12](#)).
    - d. Enforcement. Any person or alcoholic beverage establishment not in compliance with any provision of this article will be subject to the penalties designated in sections 1-9 or 2-339 of the Code of Ordinances. Each violation will be considered a separate offense, which can be prosecuted separately.
    - e. Possession of Alcohol by persons less than 21 years of age, (If the offender is at least 18 years old).
    - f. Possession of alcohol in a city owned park.
  - ii. **Public Urination**
  - iii. **Certain Noise Violations** (See Legal Bulletins 2022-11, 2022-12, GO 40.26).

11. In general, a Civil Citation should be issued as opposed to a Notice to Appear or physical arrest for violation of the City Ordinances, specifically open container violations. The following is a list of guidelines to issue a civil citation in lieu of a criminal charge/Notice to Appear.

- i. No related Criminal Offense
- ii. No order maintenance or crowd management issues associated with the violation.
- iii. Offender has valid identification, or is verifiable through DAVID.
- iv. Offender does not have a prior history of failure to appear.

12. A Civil Citation will **NOT** be used if:

- i. The offender is aggressive or hostile towards officers or citizens.
- ii. The offender attempts to conceal or destroy evidence of the violation or other criminal act.
- iii. The offender takes flight or attempts to evade detainment.
- iv. Related criminal offenses such as trespass, possession of alcohol by a person under 21, narcotics, etc.
- v. The offender has received an open container citation within the preceding year.
- vi. Refusal to sign a civil citation.

**J. Notice to Appear:** When an **adult** subject is detained for a misdemeanor violation, a *Notice to Appear* may be issued in lieu of incarceration.

1. A *Notice to Appear* will **not** be issued if any one of the following conditions is present:

- a. The accused fails or refuses to sufficiently identify themselves or supply the required information to confirm identity.
- b. The accused refuses to sign the citation or place a fingerprint impression on the citation.
- c. The member has reason to believe the continued liberty of the accused constitutes a reasonable risk of bodily injury to themselves or others.
- d. The member has reasonable suspicion the accused may be wanted or has an active warrant.
- e. The accused has previously failed to respond to a notice or summons or has violated the conditions of any pre-trial release program.
- f. The crime investigated involves a charge of domestic violence.

2. For out of state residents, the preferred method will be to give a Notice to Appear, if the other factors above are not present.

3. Under normal circumstances, a defendant issued an NTA, **without custodial arrest**, may not be searched incident to arrest when there is no issue of officer safety or reason to believe additional evidence of the offense charged will be found on the defendant.

4. **Custodial Arrest:** The physical arrest of a defendant (i.e., placing a defendant in handcuffs and/or securing the defendant in the rear passenger compartment of a police vehicle) constitutes a custodial arrest. Pursuant to custodial arrest:

i. The defendant may be searched

ii. The defendant shall be clearly informed they are under arrest.

iii. The defendant may be transported to the jail or juvenile detention center to be photographed and fingerprinted **prior** to release.

5. While the defendant may be issued an NTA rather than being incarcerated, the process should not be used as a means to search the defendant when search is not otherwise lawful, if an NTA is issued.

6. The right thumb impression shall be affixed to the original copy of the *Notice to Appear*.

If the right thumb is not available, the left thumb impression should be obtained.

If neither digit is available, the progression is as follows: the right index impression, then the left index impression and continuing in that order, until a suitable digit is identified.

**K. Adult Diversion Program:** Any Sworn member wishing to refer an adult who has committed a misdemeanor offense to the diversion program may do so by completing a sworn complaint or NTA. If an NTA is used, the words "to be notified," shall be added to the court date section in lieu of a court date.

Diversion Requests shall not be used for the following:

1. Domestic/dating violence charges
2. Violation of domestic/dating violence injunctions
3. Violation of pre-trial release conditions
4. Loitering and prowling
5. Animal abuse
6. DUI
7. Stalking
8. Exposure of sexual organs.

**L. Criminal Traffic Citation:** Members may issue a *Criminal Uniform Traffic Citation* to subjects in lieu of a physical arrest for some violations. A case report number shall be drawn and written on the *Criminal Traffic Citation* (See General Order 61.1).

1. The right thumb impression shall be affixed on the reverse of the original copy of the *Criminal Traffic Citation as well as the officer's (pink) copy*.
2. The defendant may be searched incidental to an arrest and then issued the citation.

The defendant must be clearly informed they are under arrest; and that they will be released on their signature to appear in court.

**M. Sworn Complaint:**

1. When probable cause exists, members may complete a sworn complaint, such as when:
  - i. The suspect cannot be located,
  - ii. Speedy trial is an issue,
  - iii. The State Attorney's Office should review probable cause and prosecutorial merit,
  - iv. The crime is a misdemeanor, which did not occur in the officer's presence and is not one of the exceptions.
  - v. The misdemeanor did take place in the officer's presence, but the suspect eluded arrest, and there is enough information available to identify them.

**2. Speedy Trial:** Department Members shall follow the suggested procedure in Legal Bulletin 2014-03- The Fallacy of the “ Unarrest” and Speedy Trial Implications.

**3. Sworn complaint processing:**

**i. Non-Traffic:** The completed sworn complaint with arresting member and jurat's signature is submitted directly to Records Section personnel for entry into the log prior to the end of the member's workday, unless otherwise authorized by a supervisor.

**ii. Traffic:** Includes information about the co-submission of related criminal and non-criminal traffic citations and their citation numbers.

**a.** All related citations are to be attached to the sworn complaint and submitted to the Records Section.

**b.** The member will write in the 'Notes' section of each traffic citation written that a sworn complaint was filed, and also write 'TO BE SERVED' in the court date information section.

**iii.** After being submitted, sworn complaints will be forwarded and reviewed by the State Attorney's Office, which if probable cause and prosecutorial merit exists, may result in the issuance of an arrest warrant or a summons.

Citations for traffic charges will be forwarded to the Clerk of the Court to be processed.

**N. Criminal Justice Agency Employees:** When a Department member arrests an employee of another criminal justice agency, the member shall notify their supervisor, who shall then notify the relevant agency of the arrest. The member making the notification shall note the name of the person to whom the notification was made and how they were contacted (phone, fax, etc.), and shall make a general entry regarding the incident on the Shift Status Report.

**O. School Board Notifications:** Department members shall, within 48 hours, notify the Alachua County Office of the Superintendent of Schools or other jurisdictional school board whenever a school employee is charged with a felony, a misdemeanor involving the abuse of a minor, or sale or possession of a controlled substance. *[For required notifications related to juveniles, see General Order 44.3]*

**1. Included Educational Institutions:** This statutory provision includes other educational providers, such as the Florida School for the Deaf and Blind, university developmental research schools, and private elementary and secondary schools.

**2. Responsibility:** For qualifying incidents, the indicated members are responsible for the following:

**Investigating Officer:** Shall complete an Employee School Board Notification Form located on the intranet.

**P. University of Florida Students:** Members shall identify, according to the following procedures, University of Florida students who are arrested by the Gainesville Police Department. Members shall include the student's identification number in the documentation, as that number serves as the student identification (ID) number for locating and tracking purposes.

**1. University of Florida, Student Judicial Affairs Report:** When a currently enrolled University of Florida Student is arrested or cited for a listed violation of state statute or city ordinance (*see electronic University of Florida Student Conduct and Conflict Form*) members shall submit a University of Florida Conduct and Conflict Form and follow the listed procedures:

i. Submit a separate report for each student.

ii. In the narrative section of the University of Florida, Student Judicial Affairs Report describes the incident in sufficient detail so it can be determined what the student's responsibility was in the incident.

**Note:** The University of Florida, Student Judicial Affairs Report must be electronically completed by the arresting officer and electronically transmitted by hitting the submit button. The form is located on the Gainesville Police Department intranet.

**2. Drug and Alcohol-Related Arrests:** Members shall identify, in the *Incident/Investigation Report* or Notice to Appear, when the person arrested for a drug or alcohol-related offense is a University of Florida student.

**3. Department's Record Section Responsibility:** Records Section personnel will forward the appropriate documentation as follows:

Copies of reports involving students arrested for drug- and alcohol-related offenses to the University of Florida Police Department.

The University of Florida Police Department will screen the information and forward the public records portions to interested parties within the University, when appropriate.

**Q. Juvenile Offenders:** See General Order 44.3.

**R. Reports:** Members shall complete an *Incident/Investigation Report* and the appropriate arrest document (e.g., mittimus or citations) whenever making a criminal charge or an arrest, including warrant or assist-other-agency arrests.

**1. Report Submission:** Reports shall be completed and submitted prior to the end of the employee's workday, unless otherwise authorized by a supervisor. Supervisors shall not allow reports to be held more than twenty-four (24) hours.

If a supervisor has approved a submission of a report the next day, the member shall submit a "face sheet". The "face sheet" is the initial page of the *Incident/Investigation Report* which includes the case number, incident date and time, as well as the report title. In the narrative portion of the report the member shall type "Face Sheet". The member shall submit it to their supervisor who will deny it with deny notes, indicating it will be turned in the next day.

**2. Report Exceptions:** A report will not be required when the only charging document is a traffic citation or the charged crime is handled via an Notice to Appear and is one of the exceptions for which a report is not required (See General Order 82.2 regarding required reports).

If handcuffs, or other approved physical restraints are used during the arrest the member will document this on the charging document.

**S. Preliminary Court Proceedings/ Mittimus:** Since sworn members complete a mittimus when making an arrest, they are not required to be present at first appearance to testify regarding probable cause unless so directed by the court.

**1. On-Duty:** Department members may appear at proceedings if they so desire to provide pertinent information relating to the case.

**2. Off-Duty:** Members wishing to appear during off-duty hours (and who have not been summoned via subpoena) must first clear the appearances through their supervisors.

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**By Order of**  
*Signed Original on File in the  
Accreditation Unit*

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**Lonnie Scott**  
**Chief of Police**