

MESA POLICE Department Policy Manual	Cite & Release Protocols	DPM 2.4.10 Effective 04/02/2012 Revised 07/02/2020
Approved by: Chief of Police	Chapter: Arrests & Prisoners	Page: 1 of 3

1. PURPOSE

This order establishes guidelines and procedures for cite and release of persons arrested by the Mesa Police Department (MPD).

2. AUTHORITY

Arizona Revised Statute (ARS) 13-3903 states that any person arrested for a misdemeanor or petty offense may be allowed immediate release upon a written promise to appear in court (cite and release). However, this procedure is not available for:

- Domestic violence offenses involving the infliction of physical injury pursuant to **ARS 13-3601.B**; or
- When PC exists for Order of Protection violations, [DPM 3.1.45 Order of Protection/Injunctions Against Harassment](#).

3. PROCEDURES

- A. Eligible persons arrested for a misdemeanor offense, may be cited and released consistent with **ARS 13-3883.A4** and **ARS 13-3903**, only after the following conditions have been considered:
 1. The suspect has acceptable identification as defined in this policy.
 2. The suspect has been cooperative and signs the citation.
 3. The suspect is a resident of the State of Arizona, as well as Maricopa or Pinal County.
 4. The suspect does not have a record of Failure to Appear (FTA) or Failure to Pay (FTP).
 5. There are no outstanding arrest warrants for the suspect.
 6. There are no previous convictions for similar crimes.
 7. The suspect has not been arrested for similar crimes within the previous 24-hour period.
- B. An ink print from the subject's right index finger will be affixed to the original copy of the citation near the signature.
- C. All cite and release misdemeanor **sex-related offenses, DUI, and DV** (except offenses involving the infliction of physical injury which pertain to mandatory DV bookings) must follow the **Mandatory Fingerprinting Procedures** outlined in [DPM 2.4.15 Arrest Procedures – General, Mandatory](#)

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[Fingerprinting](#) to fulfill the statutory requirements of ARS 41-1750, pertaining to ten prints.

- D. An arrestee shall **not** be released under certain conditions, which include inability to establish identity. In addition, if in the opinion of the supervising lieutenant it is unsafe to release the person, they shall remain in custody.
- E. Officers shall document all relevant information in a report supporting their belief to release or not to release the suspect, as well as the use of the mobile fingerprint scan device.

4. IDENTIFICATION

- A. Acceptable identification includes:
 - 1. Possession of a driver license or identification card issued by any state of the United States.
 - a. Driver license and identification cards shall be confirmed through a records/Motor Vehicle Division (MVD) check by MPD Communications or other member.
 - b. If the suspect is being charged with a criminal offense subject to cite and release, the identification of the suspect will be further confirmed using the mobile fingerprint scan device, if a device is available. See [DPM 3.4.22 Mobile Fingerprint Scan Device](#) for further information.
- B. If there is any doubt as to the identity of the arrestee, you shall, at minimum, transport the arrestee for a mugshot and prints prior to release.
- C. If a mugshot and prints is not feasible due to staffing, call volume or other justifiable circumstances, the member shall attempt to confirm the identity of the arrestee using at least one of the following methods, listed in order of preference:
 - 1. Requesting a CSS to respond and complete a set of ten print inked cards.
 - 2. Online MVD photo **used in conjunction with:**
 - a. Mobile fingerprint scan device, if available; OR
 - b. Other reliable identifying investigative means, such as verification of tattoos with intelligence databases such as LEWEB, COPLINK, RMS; OR
 - c. Investigative assistance from intelligence centers such as Fusion Centers.
- D. Once identity has been verified, the suspect may be considered for release consistent with the mandates of this policy.

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- E. In all cases, the arresting officer is responsible for properly identifying the suspect before release and to sufficiently document the steps taken in a report narrative or supplement.

REFERENCES

- ARS [13-3601B](#), [13-3903](#) and [13-3883.A4](#)
- [DPM 2.4.15 Arrest Procedures – General, Mandatory Fingerprinting](#)
- [DPM 2.4.15F5 Mandatory Fingerprint Compliance](#)
- [DPM 2.7.90 DUI – General Guidelines](#)
- [DPM 3.1.35 Domestic Violence Protocols](#)
- [DPM 3.4.22 Mobile Fingerprint Scan Device](#)