

PROCEDURE MANUAL

05-02



MICHIGAN STATE POLICE

Arrest Recording Procedures

Purpose: This manual establishes procedures on the documentation that is required following an arrest.

Effective Date: April 19,2022

Table of Contents

Arrest Recording Procedures

Section 1: Arrest Recording Procedures	1
1.1 Arrest Reporting	1
1.2 Fingerprinting	2
1.3 Arrest Without a Warrant by Enforcement Members at the Originating Post, Unit, or Department	2
1.4 Arrest with a Warrant (Non-Fugitive) Originated by the Home Post, Unit, or Department	3
1.5 Fugitive Arrests	3

Definitions:

None

Section 1: Arrest Recording Procedures

1.1 Arrest Reporting

- a. All persons arrested or apprehended shall be entered into the department's electronic incident reporting system.
- b. One Arrest Per Person, Per Incident Report
 - i. For purposes of recording arrests, a subject may only be arrested once on each incident investigated.
 - ii. Each subject arrested on an incident may be charged with one or more violations of law (counts), according to the guidelines provided in this Order.
 - iii. One Juvenile Apprehension Report form, UD-023, shall be completed on each juvenile apprehended on an incident.
- c. Uniform Law Citation for Non-Traffic Misdemeanor and Felony Arrests
 - i. Members are not required to complete the Uniform Law Citation, UD-008 for non-traffic misdemeanor and felony arrests where neither the suspect nor court requires a copy of the ticket.
 - ii. At a minimum, the names of arrested persons shall be entered into the department's electronic incident reporting system so that they may be later retrieved through a computer search.
- d. When an enforcement member assists another post, unit, or department where an arrest is made by the other post, unit, or department, the assisting enforcement member shall complete an incident report in the electronic incident reporting system and close the report TOT other agency.
- e. Incident Report

- i. When a person is arrested for a non-traffic offense by a member, an incident report shall be completed in the electronic incident reporting system.
- f. Arrest Record and Daily Report
 - i. The name of each subject arrested or apprehended shall be recorded in the electronic incident reporting system and on the appropriate daily report.
- g. Traffic Arrest
 - i. Policy and procedures for recording traffic arrests made according to the Michigan Vehicle Code are consistent with those addressing Uniform Law Citations.
- h. Injunctive Order Arrest
 - i. When an enforcement member enforces an injunctive order violation, the proper charge is “Criminal Contempt of Court-Injunctive Order” and shall be treated as a misdemeanor arrest.
- i. Bond Conditional Release Order
 - i. When an enforcement member enforces a Bond Conditional Release Order, it shall be treated as a misdemeanor arrest.

1.2 Fingerprinting

- a. When a subject is arrested for a felony or misdemeanor, the subject shall be fingerprinted. For specific instances, reference official orders and procedures regarding fingerprinting and records.

1.3 Arrest Without a Warrant by Enforcement Members at the Originating Post, Unit, or Department

- a. When a subject is arrested without a warrant, they may initially be charged with only one count in each of the following crime classifications, regardless of the number of incidents investigated.
 - i. Crimes Against State (File Class: 0100 - 0300)
 - ii. Crimes Against Persons (File Class: 0900 - 1400)
 - iii. Crimes Against Property (Part I) (File Class: 2000 - 2400)
 - iv. Crimes Against Property (Part II) (File Class: 2500 - 2900)
 - v. Violation of Controlled Substance Article (File Class: 3500)
 - vi. Crimes Against Morals and Decency (File Class: 3600 - 4200)
 - vii. Crimes Against Public Order (File Class: 4800 - 8900, Except 5200)
 - viii. Weapons Offenses (File Class: 5200)
- b. The policy charging a subject with only one count per classification shall not prohibit enforcement members from seeking additional counts from the prosecutor.
- c. When an enforcement member at the post or unit wanting the subject, makes an arrest without a warrant, the following procedure shall be used:

- i. The post or unit shall be contacted to advise that an arrest has been made and to report the enforcement member's location and the name of the subject in custody.
 - ii. A Juvenile Apprehension Report form, UD-023, shall be completed on each juvenile apprehended on an incident.
- d. Complete an arrest report as instructed in Section 1.1 if a prior arrest report has not been completed.

1.4 Arrest with a Warrant (Non-Fugitive) Originated by the Home Post, Unit, or Department

- a. When an enforcement member apprehends a subject wanted on a non-fugitive warrant originated by the home post or unit, the following procedure shall be used:
 - i. The post or unit, or their warrant holder, shall be contacted to ensure that the warrant is still valid, to inform them that the subject is in custody, and to report the enforcement member's location.
 - ii. One Juvenile Apprehension Report form, UD-023, shall be completed on each juvenile apprehended on an incident.
 - iii. The warrant shall be canceled in LEIN and returned to the issuing court.
 - iv. Complete an arrest report as instructed in Section 1.1 if the subject, arrested as a result of a bench warrant, is turned over to the post or unit holding the warrant.
 - v. See [MICR Bulletin](#) for proper arrest reporting.

1.5 Fugitive Arrests

- a. A fugitive arrest is defined as:
 - i. An arrest with a warrant held by another post, unit, or department.
 - ii. An arrest without a warrant for another post, unit, or department.
- b. To satisfy a fugitive warrant, one of the following criteria shall be met:
 - i. The subject is brought before the court issuing the warrant.
 - ii. Bond is accepted for the offense.
 - iii. The subject is turned over to the jurisdiction holding the warrant or the department requesting the person's arrest.
 - 1. A person cannot be turned over to more than one department. Therefore, only those charges that are satisfied as outlined above and those warrants held by the department that the subject is turned over to may be carried as counts and reported in the electronic incident reporting system.
- c. When an enforcement member apprehends a subject for another post, unit, or department, this procedure shall be followed:

- i. The originating post, unit, or department shall be contacted by LEIN or telephone in all cases to ensure the warrant/want is still valid, to determine if they will extradite or call, and to advise the subject is in custody.
- ii. No one shall be lodged on a LEIN hit/response until the validity of the LEIN record has been verified; except for court entered warrants that are valid on their face (LEIN caveat reads "CONFIRMED AND VALID"). Questions regarding the validity of the warrant must be clarified by the originating jurisdiction, preferably after contact has been made with the issuing court.
 - 1. When the originating department has been contacted by telephone, the arresting post or unit shall follow up by sending a LEIN Hit Confirmation Request message asking the agency to confirm the warrant and specify whether they will call for the subject or extradite them. The message should also include the location where the person is being held, if they are charged locally, and any additional related information.
 - 2. If the post, unit, or department wanting the subject indicates that it will not call, or the distance exceeds the mileage specified on the warrant's pickup range, the subject shall be released, and no further action taken.
 - 3. If the post, unit, or department wanting the subject indicates that it will call, or specifically requests that the subject be released on interim bond or personal recognizance, the arresting post or unit shall submit an arrest or apprehension report and carry a fugitive arrest. The arresting post or unit shall then immediately notify the originating department by LEIN or telephone that the warrant has been served and must be canceled in LEIN, and the status of the arrested subject (i.e., lodged, held at post, released on bond or personal recognizance, amount of bond).
- d. Picking Up a Fugitive Arrested by Another Agency
 - i. When an enforcement member apprehends a subject that has been arrested by another law enforcement agency on an outstanding warrant from the originating post or unit, this procedure shall be followed:
 - 1. The post or unit shall be contacted to ensure the warrant is still valid, to advise the subject is in custody, and to report the enforcement member's location.
 - 2. The warrant shall be canceled in LEIN and returned to the court.