

BOND REVIEW

POLICY:

It is the policy of the Omaha Police Department (OPD) to book a person for “Bond Review” when that person is arrested for a serious misdemeanor or any felony criminal charge and is found to be “Bound Over” on a felony charge in the Douglas County District Court.

PROCEDURE:

I. Bond Review

- A. On occasion, individuals who have been arrested for a felony charge, brought to a preliminary hearing, and “Bound Over” to the District Court are later arrested on another criminal charge.
- B. District Court jurisdiction of bonds is deemed to start after the preliminary hearing. The suspect shall not be charged with “Bond Review” unless the Douglas County Computer file for this person indicates they are “Bound Over.”
- C. The Presiding Judge of the Douglas County District Court (Fourth Judicial District of the State of Nebraska) has indicated that any person arrested by OPD officers for a serious misdemeanor or any felony criminal charges and is found to be currently “Bound Over” to the District Court, Fourth Judicial District, will be held under the authority of Nebraska Revised Statute (NRS) [§29-901](#).
- D. The suspect in these situations will be physically arrested and taken to Douglas County Corrections (DCDC). Officers will:
 1. Complete the proper reports on the new incident, obtain a new RB Number for the new charge(s), and book the suspect on all new charges.
 2. Add the additional charge of “Bond Review” to the Booking/Arrest Report ([OPD Form 277](#)).
 - a. Officers will select the “Edit RB Number” box and enter the RB Number from the original incident that the suspect is being bound over on.
 3. Officers will complete a packet for the City Prosecutor and give the packet to DCDC intake staff if the new charges include misdemeanor charges.

NOTE: The authority to detain a person subject to Bond Review is with the Douglas County District Court, not the Douglas County Court, therefore, a Felony Warrantless Arrest Affidavit ([OPD Form 156A](#)) is not required for a Bond Review booking.
- E. Minor criminal or traffic charges will not be used to arrest the suspect for “Bond Review.” However, while a party would not normally be booked for “Bond Review” on a serious traffic charge when they had been “Bound Over” on a burglary, this would be appropriate when the suspect had been “Bound Over” to District Court for a felony traffic violation.
- F. Suspects will not be booked or held in cases where the party’s District Court bond is a result of an appeal from a misdemeanor violation of the County Court. It applies only to felony cases.

REFERENCES:

I. Nebraska Revised Statutes

A. Referenced NRS [§29-901](#).

II. Previous OPD Orders

A. Previous General Orders: #21-91, 6-14, 19-15, 74-17, and 39-24.