

DEPARTMENTAL GENERAL ORDER 20-097

ST. LOUIS COUNTY POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE

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ARREST REPORTS AND BOOKING OF PRISONERS

I. PURPOSE

The purpose of this General Order is to establish policy and procedure for booking prisoners. This Order also provides guidance on accurate completion of Arrest Reports (F-287).

II. DEFINITIONS

- A. **Arrest** – The restraining and seizure of a person, whether or not by physical force, based on a warrant issued by a court, for an apparent crime committed in the presence of the arresting officer, or upon probable cause to believe a crime has been committed by that person.
- B. **Arrest Report (F-287)** – Also known as a booking sheet, a record completed at the time of arrest of a suspect used to document the subject's pedigree, charge(s), warrant/wanted information, personal property, etc.
- C. **Consular Official** – An official of a foreign government accredited by the U.S. Department of State and authorized to provide assistance on behalf of that government to that government's citizens in another country.
- D. **Custody** – A custodial situation exists when an officer tells a suspect that they are under arrest. A functionally equivalent situation exists when a "reasonable person" in the suspect's position would feel that their freedom of action has been restricted to the same degree as a formal arrest.
- E. **Department Criminal Number (DCN)** – Is the number assigned to the fingerprints of an individual upon submission of the first set of fingerprints to the St. Louis County Police Department. A DCN does not constitute a criminal record. Every person fingerprinted in St. Louis County, whether for employment or arrest will have an assigned DCN. The DCN number for an individual will never change.
- F. **Employee** – All commissioned and professional staff members, reserve police employees, chaplains, and any other individual operationally attached to the Department, to include contractors and task force members. This definition is solely used for convenience of reading this policy and is not meant to establish an employment relationship with any individual(s) where such a relationship does not otherwise exist.
- G. **Federal Bureau of Investigation (FBI) Number** – Is the number assigned to the fingerprints of an individual upon submission of the first set of fingerprints to the FBI. An FBI number does not constitute a criminal record. The FBI issues an identification number to anyone whose fingerprints have been submitted to the agency for any reason (arrest, employment, etc.). The FBI number for an individual will never change.

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- H. **Foreign National** – Also known as “alien”, or a person who is a citizen of any country other than the United States.
- I. **Gender Nonconforming** – Denoting or relating to a person whose behavior or appearance does not conform to prevailing cultural and social expectations about what is appropriate to the person’s gender or biological sex.
- J. **Intake** – Located at the St. Louis County Justice Services Center, where arrested subjects are taken for processing and temporary confinement.
- K. **Intersex** – A general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy that does not seem to fit the typical definitions of female or male. Variations may occur in chromosomes, gonads, sex hormones, or genitals.
- L. **Offense Cycle Number (OCN)** – Is a unique number assigned by Livescan (or pre-printed at the top of a fingerprint card) that enables an arrest to be tracked from Law Enforcement to the final disposition. A fingerprint generated OCN is assigned each time an individual is arrested and fingerprinted.
- M. **State Identification Number (SID)** – Is the number assigned to the fingerprints of an individual upon submission of the first set of fingerprints to the Missouri Central Repository. A SID number does not constitute a criminal record. Every person fingerprinted in Missouri, whether for employment or arrest will have an assigned SID. The SID number for Missouri will never change.
- N. **Transgender** – An umbrella term that describes a person whose gender identity or gender expression differs from the biological sex the person was assigned at birth.
- O. **Wanted** – Also known as an Arrest Order or Person of Interest (POI). It is a record that can be entered into REJIS and/or MULES and/or NCIC. Documenting a person as wanted shall be based on probable cause that an individual has committed a felony crime.
- P. **Warrant** – A record that is entered into REJIS, and/or MULES, and/or NCIC, issued by a judge on behalf of the United States, a state, county, or city, which authorizes the arrest and detention of an individual.

III. TRANSGENDER, INTERSEX, AND GENDER NONCONFORMING (TIGN) INDIVIDUALS

- A. Employees shall document an arrestee’s name and gender as it appears on the individual’s government-issued identification card on Department forms, to include arrest reports and police reports.
- B. Employees shall document an arrestee’s preferred name as the arrestee’s alias name on Department forms.
- C. Employees shall address the arrestee by the name the arrestee has used to identify themselves. The employee shall use the pronouns consistent with that name in addressing the arrestee or referring to the arrestee.

NOTE: If employees are uncertain by which gender the individual wishes to be addressed, employees shall respectfully ask the individual for clarification. (e.g., “What pronouns do you prefer?”).

- D. If, during the booking process, an arrestee does not offer self-identification of gender, and does not respond to the employee’s inquiry as to the individual’s gender identity, Intake staff shall make the gender determination for booking documentation.

IV. ARREST REPORT PROCEDURES (ADULT)

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A. General

1. For all adult arrests where the prisoner is conveyed to Intake or released to another police agency, the Arrest Report (F-287) shall be used, **except for employees who have been trained on the LEWeb Arrest Entry System. Such employees should utilize the LEWeb Arrest Entry System as described in section IV.B. The Arrest Report is attached to this order and located in PowerDMS.**
2. Employees shall not use more than one report number for one arrest. When a subject is arrested, one Arrest Report is to be completed with one report number. This number shall be documented in the Complaint Number section of the Arrest Report.
 - a. Typically, if a suspect is arrested for a new offense and there are also warrants for the suspect's arrest, the Arrest Report will be assigned the complaint number for the new offense.

EXAMPLE: A subject arrested for Assault 2nd Degree is later found to have a warrant for DWI; one report number is used at the top of the Arrest Report (the assault report) and the warrant for DWI is reflected as a charge on the Arrest Report after the assault charge.

- b. If a subject is arrested for more than one new offense, the most serious offense shall be listed first
3. In a circumstance where multiple subjects are arrested simultaneously but for different offenses, those individuals arrested for the same offense shall be booked under the same complaint number. (e.g. John Smith, Joe Davis, and Bob Rich are stopped in a vehicle. John Smith and Joe Davis are arrested for possession of burglar tools. Bob Rich is arrested for being a fugitive from Arkansas. Two complaint numbers will be used for this circumstance; the same complaint number for both subjects arrested for possession of burglar tools and another complaint number for the fugitive arrest.)
4. When a suspect is wanted by another jurisdiction by warrant or **wanted**, the arresting officer shall check "Yes" in the box marked "Fugitive Holds."
5. When the arrest is for another agency, a **new** complaint number shall be used.
6. When a "24-hour hold" is placed on a suspect by the arresting officer, the name and DSN of the officer responsible for the hold shall be placed in the box marked "Officer with Hold Responsibility – DSN. "
7. When an arrest is made pursuant to a **wanted** by a St. Louis County police officer or a St. Louis County warrant which bears an original complaint number, **the original complaint number shall be used**, and a supplemental CARE report shall be **completed** by the arresting officer.

To record the report as a supplemental, the letter "S" followed by the original complaint number from the warrant, is written in the "Complaint Number" box of the Arrest Report.

8. All wanted records not supported by a warrant are to be described completely on the Arrest Report, including the name/department of the officer responsible for the wanted record. The officer that releases a suspect to Justice Services is responsible for ensuring that the Intake officer is made aware of any wanted records on the Arrest Report.

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9. If it is determined the suspect is not going to be released from the precinct, the subject shall NOT be fingerprinted at the precinct. The suspect shall be fingerprinted at Intake. For further information about releasing suspects from the precincts, refer to Section VII.

B. Electronic (LEWeb) Arrest Entry

1. Employees that have been trained on the LEWeb Arrest Entry System shall utilize that system for booking prisoners.
2. The Arrest Report form (F-287) should only be used when the LEWeb Arrest Entry System is unavailable.
3. The prisoner is to be booked following the procedures of the LEWeb Arrest Entry System. For further directions, refer to the LEWeb-REJIS Arrest Entry User Guide attached to this Order and located in PowerDMS.
4. When utilizing the LEWeb Arrest Entry System, the Offense Cycle Number (OCN) from the current charges, if present, shall be entered after completion of the fingerprint process.

C. Suspect Provided False Information

1. If it is determined that the suspect has provided false information, the following actions are to be taken:
 - a. Prior to proceeding, the officer shall contact an employee in the Fingerprints Unit at 314-615-5404, to submit the suspect information for confirmation.
 - b. An employee from the Fingerprint Unit will contact the officer via email, to provide a Name Discrepancy Report (F-394), verifying that false information was given by the suspect.
 - c. If the officer receives a Name Discrepancy Report, the suspect should be charged with the appropriate violation in reference to providing the false information.
 - 1) Additional charges shall be added by completing a fingerprint card modification request in Livescan. Refer to the Livescan Certification Elsa PowerPoint attached to this Order.
 - 2) It is the officer's responsibility to investigate the true identity of the suspect.

Note: In Livescan, the original name provided by the suspect and identifier shall not be modified and no additional names shall be added.

- d. A record check shall be conducted on the additional names/identifiers (i.e. DOB's, SSN's) by the officer or by contacting the Bureau of Central Police Records.
- e. It is not necessary to prepare a new Arrest Report. The Arrest entry will be updated in the system by the Bureau of Central Police Records, to reflect the factual information.

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- f. The officer shall then enter the additional charge in Livescan, however, the officer shall not enter the alias name into Livescan. The alias name shall be included in the CARE report.
- g. The prisoner shall then be booked and released to the Desk Officer for transport to Justice Services.

Note: For adult arrests conveyed directly to Intake, the Fingerprint Unit will first notify Intake staff in the event false information is provided. Upon receiving a Name Discrepancy Report from the Fingerprint Unit, officers may request Intake staff complete a fingerprint card modification in Livescan to add additional charges reference the false information.

2. If the officer booked the suspect at Intake, an employee from Intake will notify the officer of the false information provided.
3. If it is determined that the prisoner has provided factual information and has been arrested for an original charge that is not related to domestic violence, then the case shall be processed as directed in General Order 037, *Case Management*.
4. If it is determined that the prisoner has provided factual information and has been arrested for an original charge that is related to domestic violence, then the case shall be processed as directed in General Order 065, *Adult Abuse Procedures*.

D. Charge Codes

1. Every charge **shall be** identified on the Arrest Report. **That charge shall correspond with the appropriate charge code.**
2. Each charge shall have the appropriate State charge code and modifier placed in the box labeled "Charge Code". The following steps should be taken to **locate** the charge code:
 - a. **The 8-digit charge code shall be located using the "Charge Code Inquiry" or Arrest Entry Screen in LEWeb.**
 - b. Fugitive arrests require that the Missouri charge code and text of the original offense be included on the Arrest Report. **Fugitive charge codes end in "4."**

Example: Fugitive-Petty Larceny in Maplewood is 71090994.

E. Complaint Number/Reference/Missouri Uniform Citation (MUC)

1. This box shall contain the complaint number, warrant number or reference number from the REJIS (i.e. W9876543), MULES (**i.e. SHP9876543**), or NCIC (**i.e. W9876543**) entry in the box marked "Complaint/Reference/MUC".
2. **When** a suspect is charged with an offense for which the suspect has been issued a Missouri Uniform Citation (**MUC**), the citation number shall be **included** on the Arrest Report in the appropriate space.

F. Charge Dispositions

1. Every charge identified on the Arrest Report shall be given a disposition.

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2. If a charge is disposed of by issuing a citation or summons, the appropriate court designator (i.e., N, W, S, AC or municipal **court** name) shall be included.
3. When the charge is a result of a **wanted or** warrant, the name and DSN of the person who verified that the warrant was active shall be included.
4. When a prisoner is held at the precinct station prior to conveyance, the desk officer shall ensure completeness of the report and **sign** the report in the appropriate space.
5. When the prisoner is subsequently released from the precinct station for conveyance to the Intake Center, the conveying officer shall initial the report prior to conveyance.

G. Arrest Reports

1. The top copy of the Arrest Report shall be forwarded to the Bureau of Central Police Records after review and signature by the arresting officer's supervisor.
2. The second copy of the Arrest Report shall be submitted to the Intake Center with the prisoner.
3. The third copy of the Arrest Report is the precinct/bureau copy.
4. The fourth copy shall be placed inside a sealed plastic prisoner property bag, if needed. Any copy that is not needed may be destroyed.
5. The Department of Justice Services is responsible for fingerprinting arrestees booked through Intake for a Missouri State Statute reportable offense. An Offense Cycle Number (OCN) is **assigned each time an individual is arrested and fingerprinted** and is required for warrant applications.
6. The Fingerprint Unit will be responsible for distributing all OCNs and will forward the OCN to the CARE Unit. The OCN will be included on the suspect page or in the narrative of the **CARE** report reflecting the arrest of the suspect.

H. St. Louis County Circuit Court Warrants

1. **Employees** must be aware that a St. Louis County Circuit Court Warrant may be issued for any **Law Enforcement Agency (i.e. MSHP, municipality, railroad)**, as well as this Department. The originating agency name or ORI will be on the warrant.
2. All St. Louis County Circuit Court warrants will identify the original police report number as "RPT NO", "OCA" or "Report No."
3. **Officers shall call the Fugitive Affairs Unit to verify all St. Louis County Circuit Court warrants.**
 - a. **If the warrant is verified, the officer shall document the charge directly from the warrant on the Arrest Report.**
 - b. **If the warrant is not verified, the suspect shall not be booked on the warrant.**
 - c. **The DSN of the warrant clerk who verified and provided the warrant information shall be placed in the space after "Warrant Verified By:".**
4. **Is there a St. Louis County Police Department complaint number on the warrant?**

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- a. If yes, the complaint number is entered on the Arrest Report in the box marked "Complaint/Reference/MUC".
 - b. If no, the REJIS reference number is entered in this box.
5. If a St. Louis County Police Department complaint number is found on any warrant, that number shall be used for the Arrest Report as a supplemental report. A new complaint number shall not be obtained.
 6. If multiple St. Louis County Police Department complaint numbers are listed in the charges, only one shall be used for the Arrest Report.
 7. If no St. Louis County Police Department complaint numbers exist on the warrants, a new complaint number shall be obtained through the Bureau of Communications.

I. Warrants from Municipal Contracts

Warrants issued by municipalities that have an active contract for police services from the St. Louis County Police Department, shall be treated the same as a St. Louis County Circuit Court Warrant (Section IV.H.).

J. Fugitive Charges

1. Warrant arrests for other agencies are to be reflected on the Arrest Report as "Fugitive-Agency Name for Offense".

Example: A warrant from Jefferson County for Robbery 1st Degree would be documented as "Fugitive-Jefferson County for Robbery 1st Degree".

2. Officers shall enter the charge code for the original most serious offense (Robbery 1st Degree in the above example).
3. Officers shall enter the reference number from the REJIS, MULES or NCIC entry in the box marked "Complaint/Reference/MUC."

K. Wanted – No Warrant

1. Any charge that is a result of a wanted entry by a St. Louis County police officer shall be entered as "Wanted-Offense" where "Offense" is the charge identified in the computer entry (e.g. Wanted-Robbery 1st Degree).
2. Officers shall only place a wanted on a suspect for felony crimes after receiving approval from their immediate supervisor. Wanted shall not be utilized for ordinance violations or misdemeanor crimes.
3. Any charge that is a result of a wanted entry by any other agency shall be entered as a fugitive charge. Refer to Section IV. J. and Section V.F. for further.

V. ARRESTS FOR OTHER AGENCIES

- A. Subjects arrested on a warrant where the issuing police agency is located in St. Louis County or an adjacent Missouri county, and within a reasonable distance from where the arrest was made, shall be "field booked," **unless prohibited by the circumstances in Section V. C.**

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- B. The Precinct Watch Commander shall be notified by the **employee, prior to field booking**, that an arrest for another police agency has been made. The Watch Commander shall determine the action and conveyance location.
- C. Arrested subjects shall not be field booked under the following conditions:
1. When the arrestee is a juvenile; **and/or**
 2. When physical force is employed in effecting the arrest or the arrestee attempted to evade arrest; **and/or**
 3. If an original St. Louis County charge that would result in a full custody arrest is initiated as a result of the suspect contact or search; **and/or**
 4. If the arrestee cannot or will not offer satisfactory evidence of identity; **and/or**
 5. If the Watch Commander directs conveyance to the precinct; the arresting officer, upon arrival, **shall** verify the charge and notify the issuing police agency that they may pick up the prisoner at the precinct station within two (2) hours or await prisoner conveyance to intake; or
 6. When the warrant cannot be verified within a reasonable amount of time (i.e. no return verification on a 10-minute hit request).
 - a. When a 10-minute hit request goes unanswered, the officer must convey the prisoner to a precinct station or Intake for further attempts to verify the warrant.
 - b. No arrestee **shall** be released from custody unless the officer personally verifies with the issuing agency that the warrant is not valid.
 - c. If an arrestee is released due to an invalid warrant entry, the procedures found in section **VI. B.** of this Order shall be followed.
- D. Field Booking Procedure
1. Physical arrest procedures shall be followed in the search, handcuffing, and placement of the arrestee in the police vehicle as **enumerated** in General Order 057, *Prisoner Security and Accountability*.
 2. The officer making the arrest shall complete an Arrest Report; however, no property shall be inventoried.
 3. The arresting officer shall request the other agency officer who accepts custody to search the prisoner in **the officer's** presence and sign the Arrest Report in the area marked "Released to Justice Services." The second copy of the Arrest Report will then be given to the other agency officer who shall be responsible for the cancellation of the warrant/wanted. The third and fourth copies shall be destroyed.
 4. The Arrest Report shall then be forwarded to the Bureau of Central Police Records.
- E. In cases where a municipal agency has completed their own booking process and then conveyed the prisoner to a precinct station or turned over the prisoner directly to a county officer, **an Arrest Report (F-287) shall not be completed unless there is no sufficient municipal booking sheet.**
1. In these cases, the county officer should draw a County complaint number and place it on the upper right corner of the municipal booking sheet. **The county officer shall**

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sign their name in the designated location on the booking sheet, identifying responsibility for the prisoner.

2. A copy of the municipal booking sheet shall serve as the Department record of arrest and should be forwarded to the Bureau of Central Police Records in the usual manner.

F. Wanted Entries Not Issued by St. Louis County Police

1. **When a subject only has a felony wanted entered from a police agency other than the St. Louis County Police Department, a full custody arrest shall not be conducted unless direct contact has been made with the officer with case responsibility or a supervisor from the officer's police agency.**
2. **The subject shall be detained at the scene for a reasonable amount of time to determine if the wanted is still active. Normal procedures should be followed for officer safety, to include handcuffing.**
3. **If the subject is being arrested for a new offense and/or a warrant has been issued for the suspect's arrest, the suspect shall be taken into custody and the procedures listed in Section V. shall be followed.**

G. Wanted/Warrant Arrests for Agencies Other Than St. Louis County

1. Any police officer that makes an arrest based on an outside agency's warrant or **wanted**, shall ensure that a fugitive locate teletype is sent to the originating agency.
2. **The locate teletype shall include the officer's name and DSN, car number, report number, time of arrest, teletype number, record's clerk initials and DSN.**
3. The teletype number and the **Bureau of Central Police** Records Clerk or CARE Operator's DSN shall be reflected in the appropriate section of the Arrest Report.

VI. CANCELLATION OF WANTED/WARRANT ENTRIES

A. St. Louis County Wanted/Warrant Entries

1. Any police officer that makes an arrest based on a St. Louis County warrant **shall be directly responsible for making a phone call to the Fugitive Affairs Unit to request the warrant be cancelled.**
2. Any police officer that makes an arrest based on a St. Louis County wanted shall be directly responsible for **making** a phone call to **the Bureau of Central Police Records-CARE Unit** to request the **CARE Operator** cancel the wanted.
3. In those cases where a **wanted** was entered by the St. Louis County Police Department, **and a suspect has been arrested based on the wanted, the suspect may be held for no more than 24 hours pursuant to RsMo 544.170, unless they are charged with a criminal offense and a warrant is issued. The 24 hours begins at the original time of arrest.**
 - a. The arresting officer shall notify the officer that entered the original **wanted**, or that officer's on-duty precinct/bureau supervisor, that the suspect is in custody, **to include the time of the arrest.** The date and the time of the notification, **as well as the time of the arrest**, shall be recorded in the appropriate section of the Arrest Report and **documented in a supplemental report.**

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- b. If the officer that issued the original **wanted** cannot be notified, the name and DSN of the supervisor that was notified shall be **documented** in the remarks section **and similarly documented in a supplemental report**.

B. Procedures for Wanted/Warrant Entry Errors

1. **If a police officer makes an arrest and** develops information that a computer entry is in error, is not justified, is no longer valid, or cannot be verified, that **officer** shall immediately notify **their** immediate supervisor.
2. The supervisor notified of the incorrect, unjustified, or invalid computer entry shall immediately:
 - a. Ensure the correction or cancellation of the information, if an employee of the St. Louis County Police Department entered it.
 - b. Prepare and submit through the chain of command to the Fugitive Affairs Unit supervisor a memorandum reflecting the action taken and the justification.
3. **If the arrest was made based on an outside agency's warrant or wanted, the officer shall do the following:**
 - a. Prepare an Arrest Report using an original complaint number.
 - b. Ensure that the officer of the outside agency that was contacted concerning the entered wanted/warrant information is notified that the suspect will be released without verification.
 - c. **Record** the name and DSN of the person who was contacted from the outside agency in the remarks section of the Arrest Report, as well as the reason that the warrant/wanted could not be executed.
 - d. The top copy of the Arrest report shall be forwarded to the Bureau of Central Police Records after review and signature by the arresting officer's supervisor.
 - e. The second copy of the Arrest Report shall be submitted to the Fugitive Affairs Unit. This copy is to be maintained in a separate file.
 - f. The **remaining copies may be destroyed**.
4. If no additional charges are pending against the suspect, then **the suspect shall** be released **from the precinct/bureau**.

VII. RELEASE OF PRISONERS FROM THE PRECINCT STATION

- A. Under certain circumstances, a prisoner may be released from a precinct station upon completion of the booking process. A prisoner may be released from the station if none of the circumstances in Section VII. B. exist, and only upon approval from the Precinct Watch Commander.
 1. The release of a prisoner from any precinct station is an alternative booking system.
 2. The prisoner may be released from the precinct station once all booking procedures have been completed.

B. Prisoners may not be released from the precinct station under the following circumstances:

- 1. Prisoners who have been booked without using the LEWeb Arrest Entry System; and/or**
- 2. All Felony matters; and/or**
- 3. All incidents that fall under General Order 065, *Adult Abuse Procedures*; and/or**
- 4. All arrests that involve wanteds or warrants from multiple jurisdictions; and/or**
- 5. Arrests involving wanteds or warrants from jurisdictions other than the St. Louis County Municipal Court or the Twenty-First Circuit Court of the State of Missouri.**

C. Procedures for Fingerprinting Using Livescan

- 1. Prisoners who are going to be released from the precinct shall be fingerprinted at the precinct. If the prisoner is going to be transported to Intake, Intake staff shall complete the fingerprint process.**
- 2. Per Section 43.506 RsMo., all adult suspects arrested for a felony, class A misdemeanor, all violations for driving under the influence of drugs or alcohol, any offense that can be enhanced to a class A misdemeanor or higher for subsequent violations, and ordinance violations comparable to class A misdemeanor or statutory felony offenses, shall be fingerprinted.**
- 3. Per Section 43.503.3 RsMo., juvenile suspects arrested for felony offenses only, shall be fingerprinted.**
- 4. To determine if a suspect is to be fingerprinted, the officer shall either refer to the Missouri Charge Code Manual, LEWeb, or Mobile Ticketing System(s). The latest version of the Missouri Charge Code Manual can be located at each booking area and in PowerDMS. When referencing the Missouri Charge Code Manual:**
 - a. The officer shall locate the offense for which the suspect is being charged.**
 - b. Within the Charge Code for the offense, either a "Y" or an "N" will be listed, signifying Yes fingerprints are required or No fingerprints are not required.**
- 5. For misdemeanor offenses which allow an Arrest Notification Summons, the suspect shall be taken into custody and normal arrest procedures followed (i.e. handcuffed, searched, transported to precinct).**
- 6. The prisoner shall be booked in the LEWeb Arrest Entry System prior to Livescan fingerprinting being initiated.**
- 7. Officers should contact an employee in the Fingerprint Unit at 314-615-5404 should they need assistance.**
- 8. The LEWeb tracking number and the Complaint number shall be documented in the "Comments" line on the "Charges" screen in Livescan.**
- 9. Unless otherwise notified by the Fingerprint Unit, after completion of the fingerprinting process, the officer will wait for the return of the Fingerprint Unit**

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Search Result form (F-393) from the Fingerprint Unit verifying the suspect's identity or a Name Discrepancy Report form (F-394) if false information is given.

10. If the prisoner has been fingerprinted at the precinct and the circumstances change requiring the prisoner to be taken to Intake, the officer shall handwrite the OCN and "Fingerprints Completed" in the "Comments" section of the arrest report. This will inform the Intake staff that the suspect has already been fingerprinted.

11. For further directions on Livescan and assistance with troubleshooting, refer to the attached documents.

VIII. ARREST NOTIFICATION SUMMONS PROCEDURES

A. Not related to Domestic or Family Violence

Missouri Supreme Court Rule 37 and RsMo 544.216 provide the authority by which a police officer may issue an Arrest Notification Summons. For matters concerning the use of an Arrest Notification in incidents involving domestic or family violence, refer to **General Order 065, Adult Abuse Procedures**.

1. The Arrest Notification Summons shall be issued for violations of St. Louis County ordinances either in lieu of effecting a full custody arrest or following a full custody arrest.
2. An officer may release a violator at the precinct station or following booking on an Arrest Notification Summons instead of applying for a summons.
3. If the violator is removed from the scene of the offense, the officer must obtain supervisory approval prior to releasing the violator on a summons.
4. Police officers are permitted discretion, consistent with the guidelines contained herein, in determining whether to issue an Arrest Notification Summons.
5. The Arrest Notification Summons shall not be used in the following instances:
 - a. Traffic Code Violations (utilize Missouri Uniform Citation); or
 - b. Violators who do not reside in Missouri or adjoining Illinois counties of Madison, Monroe and St. Clair; or
 - c. When the violator is a juvenile; or
 - d. When the violator cannot or will not offer satisfactory evidence of his or her identity.

B. Arrest Notification Summons Procedures – Mobile Ticketing

1. **Mobile Ticketing shall be the primary application used to issue Arrest Notification Summons.**
2. **In the event the Mobile Ticketing application is out of service, officers shall use paper Arrest Notification Summons Form (F-41U) for Unincorporated St. Louis County or Form (F-41M) for contract municipalities. Officers assigned to the Bureau of Transit Police shall follow Bureau procedure regarding Arrest Notification Summons.**

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3. Once the Mobile Ticketing application is back in service, the officer shall enter the written summons information into the Mobile Ticketing application, using the same complaint number that is on the original summons.
4. Supervisors shall approve each completed Mobile Ticket Summons.
5. If an Arrest Notification Summons is issued in a case where there are additional felony charges, the **employee shall** note in the remarks section of the Summons that the felony charges will be sought in the Office of the Prosecuting Attorney. **For further on Warrant Application Procedures refer to GO 037, Case Management.**
6. The written Arrest Notification Summons shall be completed in the following manner:
 - a. A defendant may be charged with multiple violations on one summons, however, there must be adequate space in the narrative portion to describe each violation separately. In addition, no more than one violation **shall** be written in the "Other to Wit" section.
 - b. The officer **shall** check the appropriate box next to the pre-printed violation for which the defendant is charged. If the defendant's violation is not listed, the officer should check the "Other to Wit" box and write out the ordinance violation, including the ordinance number and the penalty section in the appropriate spaces. For multiple violations, the officer shall place a number in the box next to the violation identifying separate counts (i.e., 1, 2, 3, etc.). **No more than three (3) violations may be listed on a paper summons.**
 - c. A brief description of each specific violation **shall** be written on the summons.

Example of a description for a defendant charged with Possession of Marijuana and Drug Paraphernalia: "During a consent to search of John Doe, (1) a clear plastic bag containing a green vegetative substance resembling marijuana was found in his front left pants pocket; (2) a small yellow metal pipe commonly used for smoking marijuana, which contained residue of same, was found in his right front pants pocket."
 - d. The summons shall be set in the appropriate court. The appropriate court designator (N, W, S) shall be written in the space following "division" and its address shall be checked.
 - e. County Municipal Court dates should be set at least 45 days from the date the violation occurred.
 - f. Upon completion of the summons, the defendant shall be given their copy. The issuing officer shall submit the remaining three parts of the summons intact for a supervisor's review and approval.
 - g. After a supervisor has approved the summons, it shall be submitted to the Bureau of Central Police Records.
 - h. A CARE report **shall** be completed any time a summons is written and **shall** include a complete narrative of the incident. Only one report is necessary for multiple violations and/or multiple defendants if they are part of the same incident.

C. Arrest Notification Summons Via Contract Municipalities

Departmental General Order 20-097, "Arrest Reports and Booking of Prisoners"

1. **When** a suspect has violated an ordinance of a contract municipality, officers shall follow summons application procedures established by the prosecuting attorney of that particular municipality or use the appropriate Arrest Notification Summons.
2. Officers are to use Arrest Notification Summons F-41M. (F-41U is to be used in unincorporated St. Louis County, **on county arterial roads, or in county-owned facilities**).
3. The court name and address shall be written in the space following "Municipal Court of" or a pre-printed sticker containing this information may be applied in this space on the defendant's copy.
4. The summons shall be set in the appropriate court for the corresponding Municipality.
5. Officers assigned to contract municipalities may issue an Arrest Notification Summons for any municipal domestic violence charge, with the approval of their municipal prosecuting attorney and notification to the Domestic Violence Unit.

IX. DIPLOMATIC IMMUNITY

- A. **International law extends certain privileges and immunities to members of foreign diplomatic missions and consular posts. However, most of these privileges and immunities are not absolute. To determine immunities and privileges of diplomatic personnel, refer to; "Diplomatic and Consular Immunity: Guidance for Law Enforcement and Judicial Authorities," attached to this order and located in PowerDMS.**
- B. State and United States Legislators, while attending sessions or committees and while traveling to and from sessions or committees, are **typically** immune to **physical** arrest, except in cases of a felony or treason.

X. NOTIFICATION OF ARRESTS OF FOREIGN NATIONALS

- A. Whenever a person who is not a U.S. citizen is arrested, detained, or issued a citation or summons, the officer must follow certain notification procedures.
 1. The U.S. Department of State must be notified of the issuance of citation or summons involving foreign diplomats, consular officials, and international organizations staff.
 2. When foreign nationals are arrested or detained, they must be advised of the right to have their consular officials notified. In some cases, officers must notify the foreign national's consular officials, regardless of the national's wishes. A list of mandatory notification countries and jurisdictions **are included** in the attached **document, "Consular Notification Process Flow Chart", and is also located in PowerDMS.**
 3. Consular officials are entitled to **have** access to their nationals in detention and are entitled to provide consular assistance.
 4. The Bureau of Communications maintains a list of phone numbers for the U.S. Department of State and foreign embassies.
- B. The immigration status of arrested subjects **shall be verified when the arresting officer has probable cause to believe the arrested subject is not lawfully present in the United States.** Verification will be accomplished through an Immigration and Customs Enforcement (ICE) computer **inquiry** conducted by the Bureau of Central Police Records. **Evidence that may be used to indicate lawful presence includes:**

Departmental General Order 20-097, "Arrest Reports and Booking of Prisoners"

1. A valid **United States** passport; **or**
2. A valid Missouri Driver's License issued after June 30, 2005; **or**
3. The officer has personal knowledge of the subject's immigration status.

C. Ethnic group or race is not an indicator of lawful presence.

D. Verification shall be conducted during the arrest process.

1. Information required to conduct the ICE computer background check includes:
 - a. The subject's name; and
 - b. Date of birth; and
 - c. Sex; and
 - d. Place of birth; and
 - e. Offense and NCIC Offense Code.
2. The Bureau of Central Police Records will conduct the computer check **and will notify the officer of the results upon completion.**
3. If it is determined that the prisoner is in the United States unlawfully, the arresting officer shall notify the Department of Homeland Security Law Enforcement Support Center **1-866-347-2423** for further instructions.
4. Enforcement contacts should not be extended solely to verify the status of any person.

Departmental General Order 20-097, "Arrest Reports and Booking of Prisoners"

Attachments:

[Arrest Notification \(F-41M\)](#)

[Arrest Notification \(F-41U\)](#)

[Arrest Report \(F-287\)](#)

[Charge Codes](#)

[Consular Notification Process Flow Chart](#)

[Consular Notification and Access Manual](#)

[ELSA Training St. Louis County](#)

[Livescan cheat sheet \(adult\)](#)

[Livescan cheat sheet \(juvenile\)](#)

[REJIS Arrest Entry User Guide](#)

<https://www.mshp.dps.missouri.gov/CJ08Client/Home/ChargeCode>

Adopted by Command Staff

By order of:

COLONEL JON M. BELMAR
Chief of Police

JB:km

Approved at the regular meeting of the Board of Police Commissioners on March 19, 2020

COMMISSIONER
Chairman

COMMISSIONER
Secretary

Distribution
All Department Personnel

CALEA Reference

1.1.4, 1.2.5, 61.1.3, 70.1.6, 70.5.1, **71.3.3**, 74.1.3, 82.2.1, 82.2.2, 82.2.4