



# ERIE POLICE DEPARTMENT



## Written Directives

Number: 230.000

<b>Title: Arrest Standards &amp; Municipal Warrants</b>		<b>Pages: 2</b>
<b>Effective Date: 01/23/14</b>	<b>Review Date: 06/01/20</b>	<b>Amended Date: 07/18/19</b>

### POLICY:

#### CACP STANDARD 230.5

The Erie Police Department recognizes reasonable and appropriate police action varies with the facts and circumstances of each situation. Members will be called on to make discretionary judgments regarding arrests of suspects with the intent of ensuring fairness, safety and security of the community. Members are provided guidance in the use of discretionary judgment to establish a framework for decision-making and to protect the public from discriminatory or unfair enforcement of the law.

### DEFINITIONS:

ARREST: A seizure or forcible restraint to deprive a person of his/her liberty in response to an appropriate traffic or criminal offense.

DETAIN: To keep in custody and potentially require the posting of a bond prior to release.

### PROCEDURES:

#### I. ARREST AND DETAIN STANDARDS

Unless otherwise prohibited by law or department written directives, sworn officers are allowed to arrest based on probable cause to believe an individual violated a municipal ordinance, state statute, or federal law, or on the basis of an arrest warrant. When making the decision to arrest and detain a suspect, officers should consider the seriousness of the offense and danger to the community. The following are questions to be taken into consideration:

1. Is the crime a felony? Felonies require an arrest in most situations.
2. Is it a violent crime? Violent crimes against persons require an arrest in most situations.
3. Is it domestic violence? When Probable Cause exists, an arrest is required in all situations.
4. What is the likelihood the suspect will re-offend without arrest intervention?
5. Does the suspect poses a risk of failing to appear in court?
6. Is the subject under the influence of drugs or alcohol?
7. Has the suspect been adequately identified?
8. Is there a safe alternative to arrest and detainment?
9. What are the bond requirements?

#### II. SUMMONS AND RELEASE

##### CACP STANDARD 230.1

- A. For less serious offenses and most traffic offenses, it is appropriate for officers to issue a summons and release offenders at the scene.
- B. Offenders refusing to sign a promise to appear may be arrested only when authorized by statute or municipal ordinance.
- C. An officer may arrest a suspect and then summons and release the suspect if the situation merits such action.

### **III. MUNICIPAL WARRANTS**

#### **CACP STANDARD 230.2 & 230.6**

The Erie Police Department, in conjunction with Erie Municipal Court, maintains a procedure for handling, processing, and tracking municipal warrants, writs of execution and bonding.

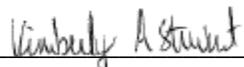
1. The Municipal Court Clerk issues active warrants and provides the Police Department with a copy of the original warrant from Erie Municipal Court.
2. The Municipal Court Clerk enters the warrant into the C.C.I.C. computer network, indicating the extradition boundaries.
3. The Municipal Court Clerk files the warrant at the police department for off-hour confirmation purposes.
4. The Erie Police Department Records section or an on-duty officer may confirm the warrant is still active when notified of an arrest for an outstanding Erie municipal warrant.
5. After an arrest is made, the warrant is removed from the warrant file and sent back to the court with the cancellation notice.
6. If a subject provides a cash bond on any warrant arrest, the bond shall be placed into an evidence locker for safe keeping and the officer shall write a receipt from the Erie Municipal Receipt book kept in the Patrol cabinet for the warrant.
7. The arresting officer is responsible for notifying an evidence custodian the locker number which contains the bond money.
8. The evidence custodian will ensure the bond is delivered to Records and Records will ensure the bond is properly handled through the Finance Department.

#### **RULES:**

NONE

#### **REFERENCES:**

NONE

  
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