



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



## 523.01 ADULT FELONY ARRESTS 04-13-17

### PURPOSE

The purpose of this order is to establish procedures for handling felony reports and individuals arrested for felony violations.

### POLICY

It shall be the policy of the Sacramento Police Department to investigate circumstances relating to felony offenses and to process adults arrested for felonies in a manner consistent with the law.

### PROCEDURE

#### A. GENERAL

1. When necessary, field supervisors shall make notifications to the appropriate personnel pursuant to GO 532.12 (Requesting Detectives).
2. Suspects arrested for a felony shall be taken to the Sacramento County Main Jail for booking.
3. Officers may contact the appropriate investigative unit to see if a detective wishes to interview a prisoner prior to booking pursuant to GO 532.12.
4. If a detective requests an interview of an arrested subject
  - a. The officer shall transport the prisoner to the interview location determined by the detective and complete any appropriate reports (i.e., Prisoner Log, Arrest Report, etc.) prior to returning to service.
  - b. The detective shall be responsible for the security, interview, and booking of the prisoner.  
NOTE: If adequate personnel are not available at the interview facility, the detective may request uniformed officers to transport the prisoner to the Sacramento County Jail.
  - c. If detectives are unable to interview the prisoner (e.g., actively working another case, in a distant location for extradition, etc.), officers shall book the prisoner and not attempt to obtain a Mirandized statement.
5. Prior to placing prisoners into any holding room, officers shall search and remove all property from the subject pursuant to G.O. 523.02 (Prisoner Security).
6. If detectives do not want to interview the prisoner, officers shall attempt to obtain a Mirandized statement. NOTE: Officers may transport prisoners to a police facility to conduct interviews and follow-up investigations if necessary.
7. For prisoners admitted to a hospital or medical facility, refer to G.O. 523.13 (Hospital Prisoner Security).

#### B. PROBABLE CAUSE DECLARATION

1. Arrestees shall not be held more than 48 hours beyond the time of arrest without a judicial finding of probable cause (PC).
2. When making a felony arrest, officers shall complete the Sacramento County Probable Cause Declaration for In Custody Detainee form (PC Form).
3. If a suspect is already booked at the Sacramento County Jail, officers shall complete a separate PC Form for any additional charges (add bookings and re-arrests).
4. If there is a judicial finding of inadequate PC, the Sacramento County Jail personnel will contact the Sacramento Police Department advising of the release procedure and approximate time of release.
5. The district sergeant should take steps to assure another PC Declaration is provided if it is desired that the prisoner not be released.

#### C. BAIL ENHANCEMENTS

1. Officers requesting a bail enhancement shall complete a "Request for Bail Enhancement" form (MJ7421 Form #055) justifying the enhancement.



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2. Bail enhancements shall be filed with the Sacramento County Jail personnel.
3. If a defendant is booked between 1800 and 0800 hours on a regular court day (any day other than Saturday, Sunday, or a holiday), officers shall contact the on-call judge (via the County Operator) and orally request a bail enhancement. The name of the on-call judge (magistrate) shall be documented on the Request for Bail Enhancement form.

## D. DISTRICT ATTORNEY FELONY ARREST PACKAGES

1. The Office of Investigations (OOI) shall orally present homicide arrest cases to the Sacramento County District Attorney's (DA) Office.
2. The Records Division shall forward felony arrest packets that are not homicides to the DA's Office within 48 hours of the time of the arrest.
3. Felony arrests made between 0001 and 2359 hours shall have the report written and approved no later than 2300 hours of the next day.

## 4. ARRESTS/INTERVIEWS AT BUSINESSES/SCHOOLS

1. When possible, officers shall contact the person in charge of a business or school before making an arrest or conducting an interview.
2. Officers should not disclose the nature of the interview/arrest with the respective representative.
3. Officers should attempt to isolate a potential arrestee or interviewee from the common areas of the business or school by requesting the subject be brought to the officer.
4. Officers shall notify the district sergeant or Communications Center when conducting interviews and/or arrests on school grounds during regular business hours or during after-hours school functions. NOTE: Not applicable to School Resource Officers (SRO's) working their respective schools.

## G. ARRESTED SCHOOL EMPLOYEES

1. Officers shall immediately notify the district sergeant if an employee of a school is arrested.
2. The district sergeant shall notify the proper authorities by phone and in writing of school employees arrested for the specified California Health & Safety Code (H&S) violations, as mandated by Sections 11591 and 11591.5 H&S.
3. The Sex Assaults/Child Abuse Unit (SACA) shall immediately notify the proper authorities by phone of school employees arrested for a sex offense enumerated in California Penal Code 290, as mandated in Sections 291, 291.1, and 291.5 of the California Penal Code.