

**230.0 ARREST PROCEDURE****230.10 WHEN A PERSON CAN BE ARRESTED**

In accordance with the existing Oklahoma State Statutes and Municipal Ordinances, a police officer may arrest persons when:

- A. A felony has been committed and he reasonably believes that the person to be arrested has committed a felony or is committing a felony.
- B. He reasonably believes that a felony has been or is being committed and reasonably believes that the person to be arrested has committed or is committing it.
- C. He has a warrant commanding that such person be arrested.
- D. He has probable cause to believe that a warrant for the person's arrest has been issued in the state or in another jurisdiction for a felony committed therein;
- E. A warrant for the arrest has been issued and is held by another peace officer for execution.
- F. On a misdemeanor not committed in his presence when the misdemeanor is specified by Statute to be one where the officer may arrest on probable cause, and probable cause for the arrest is known to the officer at the time of arrest.
- G. For a misdemeanor or City ordinance violation committed in his presence.

230.20 HOLD FOR STATE CHARGES**230.21 FELONY OFFENSES**

When an officer reasonably believes that the person arrested has committed a felony crime, he will contact his supervisor prior to booking the person in jail and request that a "Hold For State Charges" be placed on that person. It is preferable that the supervisor meets the officer at the scene of the arrest or prior to arriving at the jail. A supervisor will not sign a Hold For State form until after he has reviewed the elements of the arrest.

230.22 MISDEMEANOR OFFENSES

When an officer believes that the person arrested has committed a misdemeanor crime for which there is a State or Municipal MCR / Jury Division charge the person will be processed for the MCR / Jury Division charge unless the State charge is more appropriate. A supervisor's authorization will be required for the Hold For State Charges for a State misdemeanor offense.

230.40 NCIC HITS AND COUNTY WARRANTS (Revised 07/07)

A person arrested on County warrants or NCIC hits will be placed in the appropriate county jail after the officer obtains the necessary confirmation.

The Exceptions to this is:

- A. The person arrested has another jailable offense for which he/she can be arrested along with the warrant.

Written confirmation of the hit or warrant must be obtained. And submitted with booking sheet.



230.45 ENTERING A RESIDENCE BASED UPON AN ARREST WARRANT (Adopted 06/08)

In order for an officer to enter a residence to search for a person for whom they have a valid arrest warrant, the officer executing an arrest warrant must have:

- A. A reasonable belief the suspect resides at the place to be entered; and
- B. A reasonable belief the suspect is present at the time the warrant is executed.

If the above two conditions are not met, then the officer must:

- A. Obtain a search warrant (See Execution of a Search Warrant Procedure 190.0-190.70), or
- B. Receive consent (oral or written), or
- C. Have exigent circumstances present.

230.50 OFFICER IDENTIFICATION

When it becomes necessary for an officer to arrest a person:

- A. He will identify himself as a police officer, recognizing that some circumstances may exist that may make identification prior to the actual arrest impossible.
- B. Identification will not be necessary if the officer is clearly visible to the person to be arrested and is in full uniform.
- C. All plain-clothes officers will be required to make their identity known.

230.60 MIRANDA WARNING

In all cases when an arrest has been effected, the defendant shall be afforded all Constitutional and statutory rights.

When advising a defendant of his Miranda rights, the Miranda warning should be read from a Miranda card, not recited from the officer's memory.

In cases where immediate interrogation is not necessary, or when it is likely that other investigators will need to interview an arrested person, routine Miranda Warnings should not be given. In all situations, the officer's arrest report should reflect whether or not Miranda Warnings were given and careful notes taken to record the suspect's response. Any voluntary statements should be carefully recorded.

230.70 MASS ARREST SITUATIONS

A mass arrest situation exists when, in the judgment of the supervisor, the number of persons to be arrested in a single incident exceeds the ability to perform normal arrest, booking and reporting procedures.

Sufficient police manpower is to be gathered before any enforcement action is taken at the scene of mass arrests, if possible.

Police officers at the scene should remain together as much as possible. No police officer will leave the group to pursue a subject into or through a crowd.

Persons under arrest will be immediately removed from the arrest scene and taken to a designated location. Arresting officers will return to crowd control duties as quickly as possible. The standard procedures for transporting prisoners in police vehicles apply during mass arrest situations.



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Persons who are not going to be taken into custody will be left a route by which they can peacefully leave the area, either on foot or by vehicle. Police vehicles will not be parked in a manner to block streets unnecessarily.

Only one police officer or supervisor will give instructions to the crowd at a given time if possible. The instructions given and the name of the person giving the instructions shall be documented in written reports.

The on-scene supervisor will account for all police personnel and equipment before leaving the mass arrest site.

230.75 FIELD PROCESSING - MASS ARRESTS

Police personnel will be assigned as needed to maintain order in a field processing area.

The HFSC authorization form will be filled out on scene, prior to prisoners being transported to Jail and this form will be for information only, and is not to be used in these situations for State charges exclusively.

One Polaroid photograph will be taken of the prisoner with the arresting officer(s), if cameras are available. The photo will be attached to the HFSC authorization form and sent with the transporting officer. The photograph will be placed in the property room as evidence.

If cameras are not available, the officer's commission number will be written on the suspect's arm with an indelible ink marker. A number will be added to the commission number and this same number will be added to the HFSC authorization form. Each prisoner of an arresting officer will have a unique number.