

## BERKELEY POLICE DEPARTMENT

DATE ISSUED: February 28, 2005

GENERAL ORDER A-52

SUBJECT: ALAMEDA COUNTY CONSOLIDATED ARREST REPORT

### PURPOSE

- 1 - The purpose of this Order is to describe Departmental policy and procedures in preparing, processing and completing the Alameda County Consolidated Arrest Report (CAR).

### POLICY

- 2 - Berkeley Police Department employees and **agencies that book prisoners into the Berkeley City Jail** shall adhere to the procedures set forth in this Order.

### PROCEDURES

- 3 - An Alameda County Consolidated Arrest Report ("CAR"), shall be completed upon the arrest of any adult, with the following exceptions:
  - (a) When the person is arrested and released in the field upon issuance of a citation, as per General Order C-10.
  - (b) When the person is arrested, and the arrest is subsequently deemed a detention only, as defined by Section 849 P.C., and the release occurs prior to booking.
- 4 - An Alameda County CAR will be completed for every adult incarcerated.
  - (a) Jail staff shall assist the arresting officer/agent in completing and routing the CAR, and insure that the arrest is entered in the jail arrest log.

### COMPLETION AND ROUTING

- 5 - The CORPUS system, officers shall pay particular attention to the following:
  - (a) The form shall be typed, or printed in black ink in the approved style.
  - (b) Each category relating to the arrestee shall be completed as thoroughly as possible. Required abbreviation codes for descriptive characteristics are listed on the reverse of the form, and must be used. Identifying numbers, including driver's license and social security numbers, shall be entered, if available.
  - (c) Each charge shall be listed separately, using sub-sections as applicable, exactly as shown in the California Bureau of Criminal Identification Manual, "English Language Equivalents for Offense Codes." For example, Brandishing a Firearm is 417 (a) (2) P.C., not 417 P.C. Each charge shall have the designation misdemeanor or felony, the court of jurisdiction code number, the arrest circumstance code, and if a warrant,

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the warrant and Public Information Network (PIN) number.

- (1) **If a** sub-section is not provided on a warrant abstract, the officer shall write, "No sub-section available."
  - (2) If additional space is needed to list charges, the narrative portion of the form may be used, with required information presented in the same format.
  - (d) Non-Release - if a person arrested for a misdemeanor is not released on a citation, the arresting officer shall enter the reason for non-release in the appropriate box, using code designations listed on the reverse of the form.
  - (e) Co-defendants shall be named in the space provided, to insure that all defendants in a case are scheduled to appear in court on the same date.
  - (f) Officers/Jailers Identification - shall use their badge numbers with their last names in the appropriate CAR box.
    - (1) Jailers assigned corpus operator duties will adjust the badge number(s) to five digits by inserting zeros in front (i.e., Badge Number 152 will become 00152 or Badge Number S36 will become 00S36, etc.).
- 6 - A 1991 United States Supreme Court decision, County of Riverside versus McLaughlin, mandates that a judicial review of the probable cause of all arrests made without a warrant be conducted within 48 hours of the arrest. The arresting officer shall provided Statements Of Probable Cause on all CAR's. This statement shall include:
- (a) **A detailed** statement of facts supporting the probable cause to arrest written **in** the bottom portion of the CAR. **The following** information is to be listed:
    - (1) The names of victims/ witnesses (i.e., "The victim, Jane Doe, identified the suspect.").

Description of the probable cause of all crimes charged. For example, felony drunk driving, indicate the symptoms of the driver and the injuries of the victim(s).
  - (3) Description of the reason for the contact (i.e., "I stopped the vehicle because it ran a red light" or "I responded to a domestic dispute reported by John Doe.")
  - (4) If the arrest involves narcotics, valtox the drugs and list the results (mandatory).

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- (b) The booking officer shall insure a complete "Declaration In Support Of Arrest Form" to accompany the CAR. This is mandatory for arrests made without a warrant.
    - (1) **When arrests are** made based on probable cause and the individual also has warrants, **the officer must** fill out the probable cause statement.
    - (2) The only time officers are not required to make a probable cause declaration is if the arrest is solely on warrants.
  - (c) On **weekends** and holidays, **a patrol officer is dispatched to the location where the on-duty Oakland Superior Court Duty Judge is to** review the CAR forms and Declarations. Based on the information provided, the judge determines if there is sufficient probable cause to detain the arrestee.
    - (1) Patrol team supervisors should assist the judges. If the judge asks to see the entire police report, every effort should be made to comply with the request.
    - (2) If a magistrate determines that there is not sufficient cause to hold the individual, the defendant(s) is to be released from custody at the earliest opportunity. A copy of the negative Declaration shall be routed back to the officer, via their **Supervisor or** Watch Commander.
  - (d) A judicial review also takes place for those arrested in which the detentions may hold the prisoner in excess of 48 hrs.
- 7 - ROUTING - The CAR is in triplicate. The CAR is routed as follows:
- (a) White (original) and pink copy to the jail.
    - (1) Jail staff shall route the duplicate (yellow) copy of the CAR to the Warrant Detail.
- 8 - FINGERPRINTING - The jailer shall roll the right and left thumbprint of the prisoner in the fingerprint box on all three copies of the **CAR**.
- 9 - PHOTOGRAPHING - Prisoners will be photographed **in MUGS/CABS** in accordance with CORPUS regulations.
- 10 - SIGNATURE OF PRISONER AND BOOKING JAILER - The prisoner signs the arrest form or the jailer shall write "refused" if the prisoner refuses to sign. The booking jailer shall sign their name and the date and time the fingerprints were taken.

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- 11 - CORPUS ENTRY INFORMATION - The jail staff shall confirm and enter the arrestee's Personal File Number (PFN) Criminal Intelligence Information (CII) and FBI numbers on the **CAR**.
- (a) A prisoner released or transferred to Court, jail staff shall insure all dispositions are updated on the **CAR**. Jail staff shall route the photocopy of the arrest report to Data Entry for extraction of statistical information.
- (1) In cases where the arrested person has been released without criminal charges being filed, the notation "N/C" shall be written on the photocopy next to the applicable charge(s), before the form is routed to Data Entry.
- 12 - RELEASE INFORMATION - The jail staff is responsible for determining that all necessary processing has been completed before the arrestee may be released.
- (a) Upon release, the jail staff shall enter the following information on the CAR:
- (1) Bail Bond Broker, Surety agency and Bail Bond Number,
- (2) Cash Receipt number,
- (3) Citation number, Court jurisdiction, Court date and time,
- (4) Today's Date and time,
- (5) Reason for release,
- (6) Releasing jail staff signature on the form.
- 13 - DETAINERS - if any, shall be listed by the jail staff in box 51, as "holds." Appropriate teletypes or PIN verifications shall be attached to the white copy of the arrest form. In addition, the jail staff shall photocopy the detainers and attach the copies to the yellow copy of the form. The photocopied detainers will provide information which would otherwise not be available when the original detainers are sent to court with the arrestee.

### FIELD ARREST PROCEDURES

- 14 - CORPUS provides for a Mass Arrest Contingency Plan, which permits an alternative means for processing large numbers of prisoners when normal means are not feasible.
- 15 - Processing of the **CAR** will be the responsibility of the Support Services Division. The Commander of the Support Services Division shall institute a plan.

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- (a) CIB **510-208-9880** shall be notified as soon a possible and told of the expected number of arrests and the time the arrests are expected to begin.
  - (b) **Mass Arrests may require the assistance of mutual aid. Upon approval of the proper authority the Alameda County Sheriff's Department Mass Arrest Booking Team may be called for assistance at the ACSO Office of Emergency Services (925) 803-7800 during business hours. After business hours, the ACSO Dispatch Center, (510) 272-6900 will be called.**
- 16 - The **CAR** shall be used for field arrests. **The CAR will be filled out/routed in the manner described in this Order under Completion and Routing.**
- 17 - A photograph of the subject and the arresting officer shall be taken, using a field arrest number which shall be displayed prominently in the photograph.
- (a) The field arrest number shall be entered in the upper right margin of the **CAR.**
- 18 - **Prisoners will be brought into the pre-booking room where the transporting officers will be met and the filled out CAR is given to the jailors.**
- 19 - **Prisoners will be searched by the jailors and any property found placed in a bag, with the prisoner's name, date, and time. The prisoner will then be escorted to the prisoner holding cells. The prisoner's property will be left in the hallway across from their cell.**
- 20 - **After the mass arrests have subsided, prisoners will be processed in the order in which they were received. Prisoners refusing to provide their name will be processed as time permits.**

References: General Order C-10 and J-1  
Penal Code Sections 502, 849 and 853.6  
CORPUS Procedure #3.03b  
Special Order 91-26271  
County of Riverside v. McLaughlin