

	SECTION:	OPERATIONS	OPR-212
	CHAPTER:	ARREST-SEARCH AND SEIZURE	
	DIRECTIVE:	PROBABLE CAUSE TO ARREST FILE	

212.01 SUMMARY

The Department maintains a Probable Cause to Arrest (PCA) file in order to facilitate the arrest of persons Officers have developed probable cause to arrest, but not have been able to locate and/or arrest.

212.02 PROCEDURE FOR PREPARING A PCA FILE

When an Officer who has probable cause to arrest a person (either a physical arrest or an arrest and release on Summons) cannot immediately make the arrest because the person cannot be located, the Officer prepares a PCA file as follows:

- Prepare a Probable Cause Affidavit in the Spillman system for the arrest of the subject.
- Prepare a Summons, if applicable.
- Place a copy of any applicable report and the Summons in the PCA file.
- Post the suspect information on the PCA board located in the Patrol Briefing Room.

212.03 MAKING THE ARREST OR ISSUING SUMMONS

DUTY TO REMOVE – If an arrest is made, the arresting Officer will give a copy of the arrest report, including a copy of the Affidavit or Summons, to the original assigned Officer. The arresting Officer will remove the suspect information from the PCA board. The arresting and/or assigned Officer must ensure that the case has been cleared. Any Summons shall not be voided unless or until a warrant, if applied for, has been issued.

212.04 INVALIDATING PCA AFFIDAVIT OR SUMMONS

DUTY TO INVALIDATE – If any Officer is or becomes aware of facts that he/she reasonably believes invalidates an Affidavit or Summons in the PCA File, the Officer will remove the Affidavit or Summons from the PCA File and inform the assigned Officer. The assigned Officer will report the invalidation to his/her Supervisor and immediately complete a supplemental report.

212.05 EXPIRATION OF AFFIDAVIT OR SUMMONS

10 DAY TIME PERIOD – An Affidavit or Summons will remain active in the PCA file for a maximum of ten (10) days. If the suspect has not been arrested in that period and the Affidavit or Summons has not been invalidated or served, the assigned Officer will:

EXPIRATION OF AFFIDAVIT OR SUMMONS (con't)

- Immediately Prepare an Affidavit in Support of an Arrest Warrant.
- **Exception Note:** For domestic violence, restraining order violations, school place violence, work place violence, and other cases with potential for on-going violence, the assigned Officer will prepare an Affidavit in support of an Arrest Warrant **within twenty four (24) hours**. Pending issuance of the warrant, Officers will continue to actively investigate the case and attempt to apprehend the suspect(s).
- Affidavits in support of arrest warrants pertaining to cases involving violence, as noted under the exception above, shall be “hand-carried” to the Filing Deputy District Attorney for review. After confirming that the District Attorney’s Office has approved the Affidavit in support of the Arrest Warrant and that a Judge has signed the Warrant, the assigned Officer will ensure the Summons or Affidavit in the Spillman system has been voided and that the Arrest Warrant is entered into CCIC.

212.06 SUPERVISORY RESPONSIBILITY

SUPERVISORY RESPONSIBILITY

The Officer’s Sergeant shall be responsible for ensuring that any case assigned to the Officer, and subsequently placed on the PCA Board, is handled appropriately and is removed from the PCA board within ten (10) days (upon arrest or other disposition of the suspect/defendant).

Disposition/removal from the PCA Board will be by means of:

- Personal service of the pending summons.
- Arrest of the suspect.
- Entry of an arrest Warrant into NCIC/CCIC.
- PC for the arrest is no longer valid, which shall be appropriately documented in a supplemental report, changing the case status.

Sergeants are responsible to ensure that cases involving violence, as noted under the exception above, are actively investigated and that the affidavit is completed **within twenty four (24) hours**. Patrol Supervisors may consider assigning such cases to the Investigations Section for resolution, when necessary.

On weekends or holidays, the on-duty Supervisor has the discretion to contact the on-call District Attorney directly, or depending on the circumstances, delay presentation of an Affidavit in support of an arrest warrant, until the following business day.

**212.07 PCA FILE
MAINTENANCE**

PCA LOCATION – The PCA File is kept in the Patrol Briefing Room, where it is accessible to all Officers. Each Sergeant has a daily responsibility to monitor the PCA file to ensure full compliance with this Directive and all applicable law.

