

GENERAL ORDER 1.3.3

Alternatives to Custody

GENERAL ORDER CROSS-REFERENCE: None.

SUMMARY

Establishes a procedure for alternatives to physical custody arrests.

DISCUSSION

In some cases, it is more practical to seek an alternative to physical custody of persons arrested other than lodging them in a jail facility.

POLICY

I

CITATION IN LIEU OF CUSTODY

The Springfield Police Department authorizes the Citation in Lieu of Custody (CLC) with supervisory approval of arrested persons on their own recognizance, dependent upon certain requirements:

1. The arrest is made without an arrest warrant, (unless the warrant specifically authorizes a CLC) and is not an arrest under the Abuse Prevention Act.
2. The crime is a misdemeanor or a felony that may be treated by the Court as a Class C Felony.
3. The suspect does not appear to pose an immediate threat to the victim, community or self.
4. The suspect does not appear to pose a high risk of fleeing the area.

Per ORS 133.060, a person who has been served with a criminal citation shall appear before a magistrate of the county in which the person was cited at the time, date and court specified in the citation, which shall not be later than 30 days after the date the citation was issued.

II

OTHER ALTERNATIVES

1. Release on a referral to another agency.
2. Release due to loss of probable cause. When an officer determines that the probable cause under which a person was arrested no longer exists, the officer shall immediately release the arrested individual and write a police report.

Richard L. Lewis
Chief of Police