



# SACRAMENTO POLICE DEPARTMENT

## OFFICE OF INVESTIGATIONS



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### 523.06 ARREST PACKAGES 09-16-91

#### **PURPOSE**

To establish procedures for submitting felony arrest packages to the District Attorney's (DA) Office.

#### **POLICY**

To provide the DA's Office with a felony arrest package to facilitate the arraignment of a suspect, in a timely manner.

#### **PROCEDURE**

##### A. DEFINITION

Penal Code Section 825 mandates that an arrested person be taken before a magistrate within two (2) days after the arrest, excluding Saturdays, Sundays, holidays. Arrests made before 2400 hours on a weekday must be filed and on the court calendar by 0900 on the second day after the arrest.

##### B. PREPARATION OF ARREST PACKAGES

1. The Office of Investigations (OOI) shall:
  - a. prepare all felony arrest packages and have them at the Office of the DA.
  - b. see that a prima-facia case is filed with the DA within the prescribed time limits.
2. The arrest package shall contain:
  - a. sufficient detail to establish the elements of the crime.
  - b. a DA Cover Sheet DA8 9/80).
  - c. a copy of the offense report.
  - d. an arrest report copy with JUS 8715 attached.
  - e. where appropriate, a clear-up report, supplements, and property record form (SPD 866).
  - f. a rap sheet or evidence of no record.
3. Additional investigative supplements, rap sheets and other data shall be routed as expeditiously as possible as they become available.

##### C. ARREST PACKAGE CONTENTS

1. DA Cover Sheet (DA 8 9/80)
  - a. A multi-purpose form to assist both the DA and the Department in processing felony arrests.
  - b. Complete the form with all information available at the time. The top portion of the form is self-explanatory, fill in the blanks down to the RAP INFO. section.
    - (1) RAP INFO: The investigator shall not order the rap sheet. Check one (1) of the three (3) options on the DA cover sheet: Enc., Ordered, or No Record. The Department Identification (ID) Section shall automatically order an up-to-date rap on each arrest. If the investigator has received this rap from ID before the package is submitted, then check the box for Enc. If ID sends a copy of a Department of Justice (DOJ) teletype with "NO RECORD" stamped on it, then this becomes an official document to be forwarded to the DA and the "NO RECORD" box should be checked. Investigators shall not make requests either to DOJ or the Department ID Section as this only delays their response. If no rap sheet is available at the time the package is transmitted to the DA, check the box "ORDERED."
    - (2) CASE SUMMARY: Briefly establish the factual basis of the offense and defendant's guilt, including dates, times and identity of principal witnesses.
    - (3) Complete the lower portion of the form and separate it; route the WHITE copy with the DA Package (cover sheet), PINK copy to the Department Records, and the YELLOW copy is for the working copy of the package. If

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the arrest was for an adult and juvenile, then make a xerox copy for the Juvenile Hall DA.

2. **ARREST REPORTS**

A copy of the arrest report with the form JUS 8715 attached will be sent to the OOI. These documents shall be included with the In Custody packages submitted to the DA or the Juvenile Probation.

3. **CRIME REPORTS**

A complete copy of the Crime Report shall be submitted with the DA or Juvenile Probation packages.

D. **PREPARATION OF WARRANT REQUEST PACKAGES**

1. There are basically three differences between the In Custody arrest package and the Warrant Request package.

- a. The subject is not in custody.
- b. The investigator must order a rap sheet.
- c. The rules for a package apply to both a felony and/or misdemeanor warrant request.

2. Both packages shall contain sufficient detail to establish the elements of the crime and support the request for a warrant.

3. In the comments section add additional information about the suspect. Make certain you have marked the second line of the form identifying it as a warrant request.

4. Rap Sheet Ordering

- a. Investigators shall not call DOJ or the ID Section for rap sheets.
- b. Rap sheet request for either an AB, warrant request, or for an investigation, shall be ordered by completing the REQUEST FOR CRIMINAL RECORD INFORMATION BY TELETYPE form (SPD 144).

(1) Request for criminal record information by teletype (SPD 144).

- (a) The top section shall be completed by the investigator.
- (b) This information shall be checked for criminal investigation and summary of record (QHY).
- (c) The lower section requests as much information as possible so DOJ will be able to identify the subject. This part of the form also directs the teletype operator to send DOJ an administrative message if the criminal information is not automated.
- (d) In the PUR (purpose for which information is needed) section, check the criminal investigation section.
- (e) In the Reference section, check criminal investigation and add your name.

c. Investigators cannot submit the warrant request without the rap sheet response being attached.

d. There may be a delay of up to 3 days in receiving rap sheets. The investigator shall complete a routing slip, forward the rap sheet to the DA, and make their own file copy.

E. **ROUTING ADDITIONAL INFORMATION TO THE DISTRICT ATTORNEY**

1. Before routing any information to the DA, the investigator shall complete the form DISTRICT ATTORNEY ROUTING SLIP (DA9 9/80). NOTE: The DA's Office files information under the name of the defendant and not the victim or agency offense number.

2. Identify the Department as the submitting agency and direct the information to the appropriate section, ATTENTION the DA handling the case if known.

3. Complete our report number and the information boxes as they apply to the supplemental information.

4. Sign your name; enter phone number, date and time routed.

5. Attach the form to the information and place in the DA routing tray.