

PALOS VERDES ESTATES POLICE DEPARTMENT

POLICY MANUAL

SECTION 19

ARRESTS

Revised 5/2000

19.0 PURPOSE

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19.0 PURPOSE

The purpose of this order is to standardize methods and procedures used by members of this department in the arrest process.

19.1 ARRESTS

- A. Arrest Discretion
The decision of whether or not to arrest normally rests with the officer involved. An arrest must be made in accordance with the law.
- B. Arrests of Military Personnel
Military personnel encountered by this department shall be handled in the same manner as any other private person with the exception that if the individual is detained for AWOL (Absent Without Leave) or desertion, he shall be released to the Military Police.
- C. Arrests of Illegal Aliens
Illegal aliens shall not be detained for violating immigration laws unless they are involved in the commission of a crime or involved in some other situation, which mandates their detention.

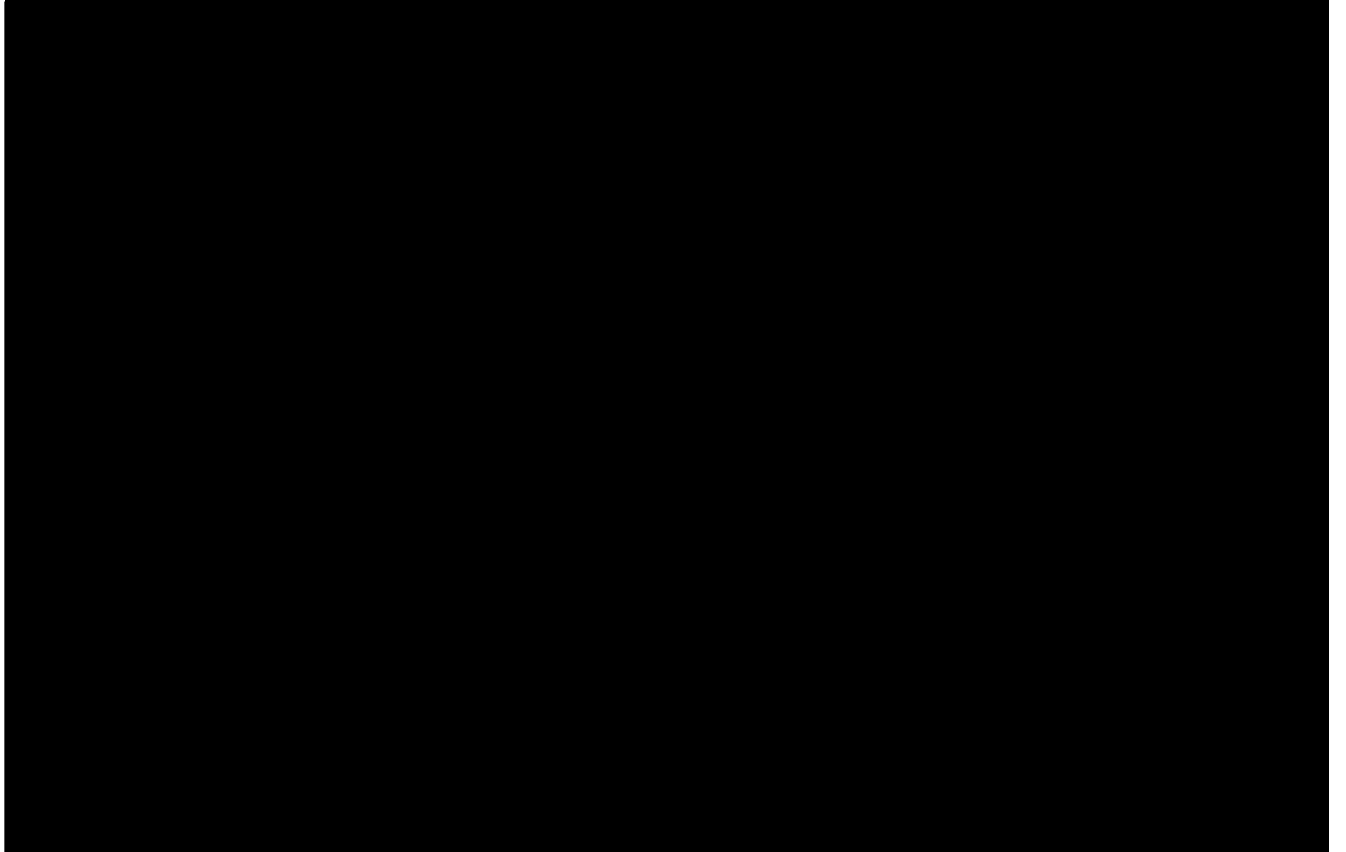
19.2 ARREST REPORTS

- A. An arrest report shall be completed whenever an arrest is made with the following exceptions:
 - 1. Traffic infractions resulting in a citation
 - 2. Traffic citations issued for a first offense of violations of 12500(a) CVC (Unlicensed Driver).
 - 3. Warrant arrests in which the subject is not booked.
- B. The following reports will suffice where applicable:
 - 1. DUI report forms with report
 - 2. Reports for contacts resulting in field citation releases for misdemeanor violations, except as provided in section 19.2 A2.

19.3 WARRANT ARRESTS

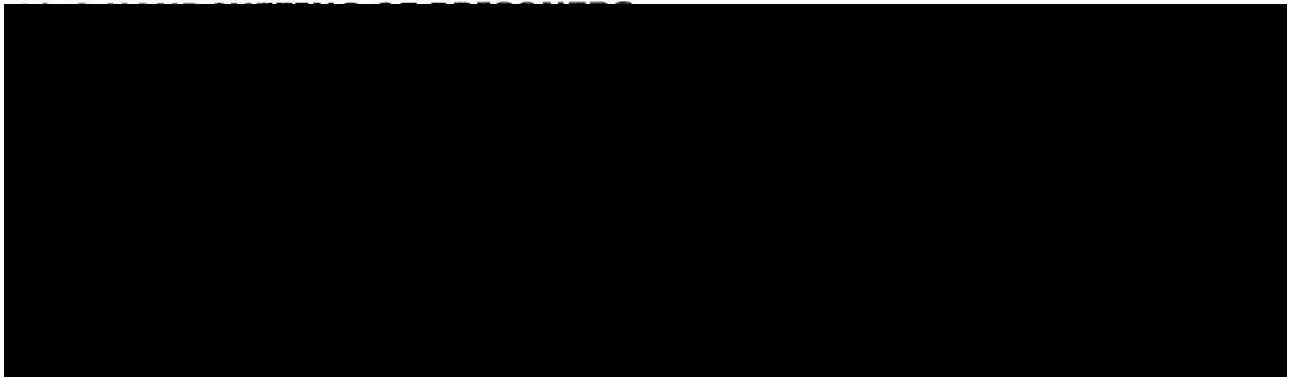
- A. If the arrestee or someone in his company has cash bail on his person, the officer may transport the arrestee to the station. At the station the arrestee will be allowed to post bail and leave without being booked.
- B. If the arrestee is not sure if he can obtain cash bail, he may be arrested and taken to the Palos Verdes Estates Jail. There he will be given the opportunity to arrange bail as described in the Palos Verdes Estates Police Jail Manual.
- C. Under certain circumstances (ie, warrants for traffic infractions, muni code violations, and low-grade misdemeanors in which the

bail is low), the officer may opt to release the arrestee on a field citation per 853.6(i) PC.



19.5 BOOKING PROCESS

Refer to the Palos Verdes Estates Police Jail Manual for specific booking policies.





19.7 OPPOSITE SEX ARRESTS

A. SEARCHES IN THE FIELD

1. Searches of opposite sex arrestees shall not normally take place without the assistance of an officer of the arrestee's sex. However, if the field officer has reasonable grounds to believe that the arrestee is armed, the officer may search the person.
2. Whenever physically contacting the body of an arrestee the officer shall use the back of his/her hands whenever practical. In checking the area between a female's breasts, the officer shall use the outer edge or heel of his hand.
3. When searching a person of the opposite sex, the officer should, if conditions allow, first explain what he is about to do. This should be done only after the person is restrained.
4. Tight clothing does not normally require searching in the field. If a female arrestee has on a dress, a male officer can conduct his search by grasping the lower edges of the dress and drawing it through the legs in a twisting motion causing the dress to lay close to the body revealing any foreign objects. This can be done from both the front and the rear of the arrestee.
5. The hair of arrestees should be checked closely for pins or other weapons.

B. SEARCHES AT THE STATION

1. Under normal circumstances arrestees will be searched by employees of the same sex. If the arrestee is a female and no female employee is available to conduct the search, the arrestee will be taken to another agency who has a female on duty and available to conduct the search.
2. If the search is conducted at the Palos Verdes Estates Police

Jail, the normal booking procedures as described in the jail manual will be followed.

19.8 RELEASES

Release procedures are described in the Palos Verdes Estates Police Jail Manual and shall be followed in all cases.

19.9 FOREIGN NATIONALS

Whenever a known or suspected foreign national is arrested or detained for more than two hours, he shall be advised that he has the right to communicate with a consular official from his country. If the person chooses to exercise the right, a law enforcement official must make the appropriate notifications. The arrestee shall be allowed to communicate with, correspond with, and be visited by a consular officer of his country. Certain countries, listed in Penal Code section 834c, require mandatory notification without regard to the foreign national's wishes.

