



KANSAS CITY, MO. POLICE DEPARTMENT

**PROCEDURAL INSTRUCTION**

DATE OF ISSUE

11-23-2004

EFFECTIVE DATE

12-8-2004

NO.

03-09A

SUBJECT

Arrest Guidelines

AMENDS

Procedural Instruction 03-09

REFERENCE

Section 84.710, RSMO 1978

RESCINDS

Procedural Instructions 98-2 and 98-2A

**I. PURPOSE**

To amend Procedural Instruction 03-09 entitled, "Arrest Guidelines."

**II. PROCEDURE**

- A. Page 2 of Procedural Instruction 03-09 entitled, "Arrest Guidelines" will be removed and replaced.
- B. Remove and replace Annex A pages 1 and 2.
- C. Remove and replace Annex D pages 1 and 2.
- D. Add Annex K to Procedural Instruction 03-09 entitled, "Arrest Guidelines."

- F. **Warrant Verification** – Process of contacting, by telephone or teletype message, the agency issuing the warrant to determine:
1. If the warrant is valid (outstanding).
  2. If the person in custody is the same person named/described in the warrant.
  3. If the originating agency will extradite.
- G. **Writs of Attachment** – Issued by the Jackson County Circuit Court, 16<sup>th</sup> Judicial Circuit of Missouri, Kansas City Municipal Division, for victims/witnesses who fail to appear in court as directed by subpoena.

### III. PROCEDURE

This directive is arranged in annexes for easy reference.

- Annex A - General Ordinance Summons
- Annex B - City Pick-Up
- Annex C - Municipal Court Subpoena
- Annex D - Cancellation of GOS and UTT
- Annex E - Twenty-Hour Rule/Twenty-four Hour Rule
- Annex F - State Statute Arrests
- Annex G - State Warrant Arrests
- Annex H - State Parole Warrant Arrests
- Annex I - Missouri Division of Corrections Arrests
- Annex J - Bookem System
- \*Annex K - Uniform Traffic Ticket

James D. Corwin  
Chief of Police

Adopted by the Board of Police Commissioners this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

Javier M. Perez, Jr.  
President

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Department Element Manuals  
Post on all bulletin boards for two weeks

## GENERAL ORDINANCE SUMMONS

### A. General Ordinance Summons

1. The four-part General Ordinance Summons (GOS) is furnished by the Jackson County Circuit Court, 16th Judicial Circuit of Missouri, Kansas City Municipal Division. The GOS is used when a person, other than a juvenile, is charged with a violation of any city ordinance, with the exception of a traffic ordinance. The distribution for each copy of the GOS is printed in the upper-right corner.
  - a. Information Copy (white) - Court (original)
  - b. Summons Copy (pink) - Defendant
  - c. Police Record Copy (white) - Records Unit
  - d. Station Copy (buff card) - Arresting Officer
  
2. The GOS number is a six-digit number preceded by a number and the letter "G." In the upper-right corner of the Information Copy, the GOS number is followed by a single-digit number (example GOS number: 1 G051957 9). This single digit is not part of the GOS number, but is a self-check digit used only to improve accuracy. Do not use the self-check digit when referring to a GOS number in a report.
  
3. A ballpoint pen (black ink) or a typewriter must be used when completing all forms. All information (except signatures) must be legible on all copies. A separate GOS must be completed for each charge against a person.
  
- \*4. Officers will set **all** GOS cases for the division and session assigned to them by the Municipal Court Liaison Officer. Officers will use the 0900 or 1100 setting for all GOS cases. Officers may check their court group availability and capacity by running a "CTDT" computer test. This test will contain the most accurate information available and is updated daily. The CTDT format for available court dates is as follows: CTDT.OFFICER'S SERIAL NUMBER. OFFICER'S SERIAL NUMBER (Enter). When an officer has relevant testimony, the GOS will be scheduled for the 0900 session. When an officer does not have relevant testimony, the GOS will be scheduled for the 1100 session.
  
5. Officers will schedule GOS cases at least 28 days, but not more than 97 days, after the date of issuance.
  
6. Officers may check their court group capacity by running a "CTDT" computer test for available dates. This test will contain the most accurate information available and is updated daily. The CTDT format for available court dates is as follows: CTDT.OFFICER'S SERIAL NUMBER. OFFICER'S SERIAL NUMBER (Enter).

7. If an officer determines that no court dates are available, the officer will immediately complete and forward an Interdepartment Communication, Form 191 P.D., through their chain of command, to the Municipal Court Liaison Officer. The Interdepartment Communication, Form 191 P.D., will state that the officer's assigned court date is full and an additional court date is requested. Also, include the "full" court date selected for general ordinance violations to be issued during the tour of duty.
- \*8. When a GOS is issued in conjunction with a Uniform Traffic Ticket (UTT), both the GOS and UTT will be set for the officer's 0900 appropriate GOS court session.
9. Subjects arrested for traffic or general ordinance violations by separate officers, in connection with the same incident, will be handled as companion cases. All traffic or general ordinance violations will be set in accordance with one of the officer's court dates. A subpoena will be issued to the officer whose court date is not used.
10. Officers will set all domestic violence cases in accordance with the current written directive entitled, "Domestic Violence, Orders of Protection, Custody Violation and Child Abuse."
11. The required phraseology when completing a GOS for a frequently used violation is provided in the booklet entitled, "Pocket Reference Book," Form 321 P.D. When a GOS is issued for a violation not listed in the pocket reference book, the officer will contact the desk sergeant or Detention Unit supervisor to ascertain the specific city ordinance number and proper wording for the GOS.

B. General Ordinance Summons, Registration Form and Certificate of Completion

1. Members will complete the Registration Form attached to the front of the GOS book. The completed Registration Form will be forwarded to the Data Entry Section by using the Uniform Traffic Ticket collection box marked "P.D.," which is located at each patrol division. Members who do not have access to a collection box will forward the completed Registration Form to the Data Entry Section by interdepartment mail.
2. The **Certificate of Completion** is maintained by the department to account for each GOS book requisitioned by an officer.
  - a. Following the issuance of each GOS, the issuing officer will note the name and date of issuance in the boxes on the Certificate of Completion.
  - b. After all summonses in the book have been issued, the officer will sign the Certificate of Completion, enter their serial number, element of assignment and give the Certificate of Completion to their immediate supervisor.

**CANCELLATION OF GOS AND UTT**

A. Cancellation of GOS and UTT

1. In the event a GOS or UTT is lost, destroyed, partially written on; or if the issuing member desires to request cancellation of a completed summons, for any reason, a Request To Void, Form 210 P.D., will be completed.
2. In the event a warrant is satisfied at the Jackson County Circuit Court, 16th Judicial Circuit of Missouri, Kansas City Municipal Division, while an arrestee is in custody awaiting bond or the warrant has been satisfied prior to the arrest, the arrestee will be released if a proper receipt of payment is produced.
3. All copies of the GOS or UTT will be stapled to the Request To Void, Form 210 P.D., and submitted to the issuing member's immediate supervisor.
4. The immediate supervisor will sign and forward the completed packet to the Assistant Division Commander.
- \*5. The issuing member's Assistant Division Commander will sign and forward the completed packet to the Division Commander.
- \*6. The Division Commander will write "VOID" across the GOS or UTT. The voided GOS will be forwarded to the Records Unit Commander. The original of the voided UTT will be forwarded to the Records Unit Commander and a copy will be forwarded to the Special Operations Division.

B. Hospital Escapees/Admittances

1. Detention Unit Transfers
  - a. When the arrestee is transferred to the hospital from the Detention Unit for treatment of an illness or injury and walks away, escapes or is admitted, Detention Unit personnel will write a brief Interdepartment Communication, Form 191 P.D., requesting the applicable GOS's/UTT's be voided. The word "VOID" will not be written on the GOS's/UTT's.
  - b. All copies of the GOS's/UTT's will be stapled to the Interdepartment Communication, Form 191 P.D., and forwarded through the regular channels to the Records Unit Commander.

- c. The Records Unit Commander, upon receipt and approval, will ensure that all GOS/UTT copies and the original Interdepartment Communication, Form 191 P.D., are forwarded to the appropriate Bureau Commander for processing.
  - d. The Records Unit Commander will be responsible for forwarding photocopies of the GOS's/UTT's to be voided and the Interdepartment Communication, Form 191 P.D., to the initial arresting officer explaining the action taken.
  - e. Upon receipt of the aforementioned items, the arresting officer will make application for city pick-ups in accordance to procedures outlined in Annex B of this written directive.
2. Division Station Transfers
- a. When the arrestee is transferred to a hospital from a division station for treatment of an illness or injury and subsequently walks away, escapes or is admitted, the desk sergeant will contact the initial arresting officer and instruct the officer to make application for city pick-ups.
  - b. The initial arresting officer will request the original GOS's/UTT's be voided in accordance to procedures outlined in section A of this annex.
3. Patrol Bureau personnel will notify, by mail, any subpoenaed victim/witness when a GOS/UTT is voided.

**\*UNIFORM TRAFFIC TICKET**

## A. General Information

1. A Uniform Traffic Ticket (UTT) will be completed when a person is charged with a violation of a city traffic ordinance. A separate traffic ticket will be completed for each charge placed against the person. The ticket number is a seven-digit number located in the upper right corner. It is followed by a single digit. This digit is not part of the ticket number, but is a self-check digit used only to improve the accuracy of numbers in computerized equipment. Members will not mark out the self-check digit or include it when referring to the UTT number in a report.
2. The UTT is a self-explanatory form that will be completed in its entirety, when possible, with all updated information available. Members will use the proper phraseology to complete UTT's.
3. A ballpoint pen (black ink) will be used to complete all UTT's.
4. All information except signatures will be legibly printed.
5. The violator's signature is required anytime an UTT is issued except on a non-mandatory parking violation or when the subject is injured. Signatures on a non-mandatory parking violation will be obtained if the violator is present and physically able to sign.
6. An officer may release a violator at the scene after the violator signs the UTT, if bond is not required. If the violator refuses to sign the UTT, they will be taken to a division station and required to post bond.
7. The Summons Copy of the UTT will be given to the violator. If the violator is not present for a non-mandatory parking violation, the UTT will be placed on the vehicle's windshield or other noticeable location.
8. Sick, injured, or unconscious violators will be handled in accordance with the current directives covering priority releasing of arrest and municipal warrant application procedures.
9. Officers citing a juvenile will refer to the current directive covering juvenile apprehension procedures.

10. If it appears that the violator does not understand English, the officer will ascertain if the violator understands Spanish. If the violator understands Spanish, the officer will provide the violator with a Spanish Version of UTT Instructions, Form 137 P.D. If the violator does not understand English or Spanish the issuing officer needs to ascertain what language the violator speaks and request a translator.
11. When a witness's testimony is required in the Jackson County Circuit Court, 16th Judicial Circuit of Missouri, Kansas City Municipal Division, a subpoena to testify will be issued.

B. Registration Forms

1. Members receiving UTT books will ensure there are no missing tickets. Each book should contain twenty tickets, numbered consecutively.
2. Members will complete the white registration forms attached to the front of the UTT books. The completed forms will be forwarded to the Data Entry Section by utilizing the collection box marked "P.D." Members who do not have access to a collection box will forward the completed forms to the Data Entry Section by interdepartment mail.

C. Certificates of Completion

1. Certificates of completion are maintained for accountability of each UTT issued by a member.
2. Prior to the issuance of a UTT, the issuing member will ensure that one of the following is available for entry into the appropriate space on the certificate:
  - a. Vehicle license number.
  - b. Violator identifiers, i.e., name, race, sex, D.O.B.
  - c. Vehicle Identification Number.
3. After all UTT's in the book have been issued, the member will:
  - a. Sign the certificate of completion.
  - b. Enter their serial number and unit of assignment in the spaces provided.
  - c. Give the certificate to their immediate supervisor or desk sergeant for approval.
4. After reviewing the certificate of completion, the supervisor will sign their name and serial number on the reverse side and return to the member.

5. Upon receipt, the member will forward the completed certificate to the Operations Officer of the Special Operations Division by interdepartment mail.
6. The Operations Officer will ensure certificates are:
  - a. Filed daily.
  - b. Available for review.
  - c. Maintained for a period of two years.

D. UTT Classification

1. Non-Mandatory Court Violations
  - a. On a non-mandatory violation (moving or parking), the member will write "Mail In" in the space for the court date on the UTT. **The member will check the appropriate fine amount on a non-mandatory parking violation. The member will not check a fine amount on a non-mandatory moving violation.** The Municipal Court will send a notice to the citizen informing them of the fine amount along with an envelope for mailing the fine. For the purpose of the court's mailer, it is important that the officer ascertain the person's current mailing address including zip code. The address appearing on the driver's license may not be the current mailing address.
  - b. **Non-mandatory** violations (moving and parking) do not require a court appearance by the violator. A person issued a UTT for one of these non-mandatory violations may satisfy the ticket by mailing the fine amount stated in the Municipal Court notice or by responding to the Traffic Violations Bureau. Officers shall also advise the violator that an online ticket payment option is offered by the City of Kansas City, Missouri on their web site at [WWW.KCMO.ORG](http://WWW.KCMO.ORG).
  - c. The Traffic Violations Bureau, 1101 Locust, is open from 0800 hours to 1700 hours, Monday through Friday, to accommodate those persons who desire to plead guilty.
  - d. On a non-mandatory **parking** violation, the member will advise the citizen that if the plea is not guilty, the citizen must call the Municipal Court **within** fourteen days after the date of issuance to obtain a court trial date.
  - e. When questioned regarding a mail-in fine for a non-mandatory **moving** violation, the member will advise the citizen of the following court procedures:

- (1) The citizen may telephone the Municipal Court for the fine information.
- (2) A personal check or money order should be used when mailing the fine amount.
- (3) If the plea is guilty, the citizen may satisfy the ticket by appearing at the Traffic Violations Bureau or upon receiving a Municipal Court Notice, mailing the enclosed envelope with the fine amount.
- (4) If the plea is not guilty, the citizen must call the court and request a court date. The citizen must call the Municipal Court **after** fourteen days but before thirty days of the date the ticket was issued.

## 2. Mandatory Court Violations

a. The following **mandatory violations** cannot be satisfied by a mail-in fine or by responding to the Traffic Violations Bureau. These violations require a court appearance by the violator. Officers issuing a UTT for one of these violations will set a court date for the UTT.

- (1) All accident-related charges.
- (2) Operation of a motor vehicle while under the influence of intoxicating liquor or drugs, or permitting another to operate a motor vehicle while under such influence.
- (3) Any driver's license charge. *Exception:*
  - (a) Drivers who fail to produce a valid driver's license, but have a valid license status showing through D.O.R., may receive a mail-in fine.
  - (b) Driving with an expired driver's license less than sixty (60) days will require a court date, but drivers may be released at the scene on a signature bond.
- (4) Fleeing or attempting to elude an officer.
- (5) Careless driving.
- (6) Counterfeiting or altering a license.
- (7) Giving false information.

- (8) Miscellaneous violations: 70-72, 70-73, 70-142, 70-171, 70-173, 70-175C, 70-175G, 70-176A, 70-267A, 70-267B, 70-643A, 70-643B, 70-644, 70-645, 70-792, and 70-959.
  - (9) All UTT's issued in conjunction with the above (e.g., driving under the influence of intoxicating liquor and a license plate violation).
  - (10) All UTT's where a witness is subpoenaed.
  - (11) All UTT's where a bond is posted (see current directive covering bonding).
- b. When a UTT is set for a court date, the officer will inform the citizen that a court appearance is required.

#### E. UTT Court Date Scheduling

1. Court dates on traffic cases must be set at least twenty-eight days, but not more than ninety-seven days, after the date of issuance.
2. Officers will set traffic cases for the division and session assigned to them by the Municipal Court Liaison Officer. Sworn members with the rank of captain and above are assigned an Administrative Court Group.
3. An officer may check their court group capacity by running a "CTDT" computer test for available dates. This test will contain the most accurate information available and is updated daily. The CTDT format for available court dates is as follows: CTDT.OFFICER'S SERIAL NUMBER.OFFICER'S SERIAL NUMBER (Enter).
4. If an officer determines that no court dates are available, the officer will immediately complete and forward an Interdepartment Communication, Form 191 P.D., through the chain of command, to the Municipal Court Liaison Officer. The Interdepartment Communication, Form 191 P.D., will state that the officer's assigned court dates within the ninety-seven day limit are full and an additional court date is requested. Also include the "full" court date selected for tickets to be issued during the tour of duty.
5. When issuing a General Ordinance Summons in conjunction with a UTT, officers will set the UTT case on their assigned general docket.
6. Officers will not enter a court date for non-mandatory violations, except when the non-mandatory violation UTT is issued in conjunction with a mandatory UTT. In such cases, all UTT's issued will have the same court date.

7. Subjects arrested for traffic or general ordinance violations by separate officers in connection with the same incident will be handled as companion cases. Both violations will be set in the same court session and division in accordance with one of the officers' court groups. The officer whose court group is not used will be subpoenaed by the other officer.

F. Booking at Patrol Division Stations and the Detention Unit

1. If required to post bond for a traffic violation, the arrestee will be transported or escorted to a patrol division station or the Detention Unit (see current directive covering bonding).
2. When a traffic arrest (15½ years of age or older) is required to post bond, the violator's right index fingerprint will be placed on the back of the Information Copy and Police Record Copy of the UTT (refer to Annex A Section C of this written directive) when a violation involves:
  - a. Any driver license charge.
  - b. A valid driver license not being displayed.
  - c. The violator's identity is in doubt.
3. When an officer makes several arrests or cites a violator for several traffic violations, station personnel or Detention Unit personnel may assist in completing the UTT's. However, the arresting officer must sign each UTT.
4. The arresting officer will ensure that UTT's and subpoenas are accurate, complete, and legible. After the UTT has been completed, the violator will be released to patrol division or Detention Unit personnel for bonding or detainment.
5. When the arrestee is released, they will be given the Summons Copy of the UTT.
6. When a violator is released, the desk sergeant will ensure that patrol division personnel completing the bond:
  - a. Place the Information Copy of the UTT (plus attached subpoenas, if any) in the locked collection box marked "Court."
  - b. Place the Police Record Copy in the locked collection box marked "P.D."

G. UTT Routing

1. Officer's Responsibility
  - a. Patrol Bureau

- (1) Place the Information Copy of the UTT (plus attached subpoenas, if any) in the locked collection box marked "Court."
- (2) Place the Police Record Copy of the UTT in the locked collection box marked "P.D."

2. Sergeant's Responsibility

a. The Watch II desk sergeant at each patrol division and the Traffic Division will ensure:

- (1) Both UTT collection boxes are placed in a designated location.
- (2) The two UTT collection boxes are delivered to the following locations prior to 0900 hours daily, except Saturdays, Sundays, and court holidays.
  - (a) The box marked "Court" will be taken to 1101 Locust and exchanged for an empty box.
  - (b) The box marked "P.D." will be taken to the Information Services Division, 4th floor, Communications Building, where it will be emptied and returned to the station by the transporting officer.

b. The Watch I Detention Unit sergeant will ensure:

- (1) Police Record Copies of UTT's are delivered daily to the Data Entry Section by 0700 hours.
- (2) Information Copies of UTT's are delivered to the Municipal Court. Information Copies accompany in-custody arrests to court for processing.
- (3) For in-custody cases, a photocopy of the Information Copy of the UTT is sent to the Data Processing Section of the Municipal Court with the in-custody docket each day.

3. The Special Operations Division Commander may modify the above procedures for personnel under their command in order to accommodate the large volume of UTT's. Strict accountability of each UTT will be maintained.