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CHAPTER 23 – ARRESTS

Section 23.00 – Arrests

Raymore officers may arrest for the following within the city limits:

- A. Outstanding municipal warrant from Raymore or other local jurisdiction to which extradition may occur.
- B. Outstanding felony warrant from any State or Federal jurisdiction.
- C. Probable cause to believe the person being arrested has committed or is committing a crime.
- D. Any ordinance violation of the City of Raymore committed in the officer's presence, or the officer has probable cause to believe the violation occurred.

Section 23.01 – Protective Custody

In certain instances, officers may place a person in protective custody without pending charges. Protective custody may be used on individuals meeting the following criteria:

- A. The person is in a public place and intoxicated to the point of being a danger to himself or others if left alone.
 - 1. Officers will complete the appropriate report(s) relative to the detainment and will photograph and fingerprint the subject if applicable.
 - 2. The person taken into custody may be held no longer than 12 Hours and may be released prior if a responsible individual can respond and take custody of the person.
- B. The person exhibits signs of mental distress, to the point of threatening or carrying out harmful acts to themselves or others.
 - 1. Officers will complete the appropriate report(s) relative to the situation and will photograph and fingerprint the subject if applicable.
 - 2. Following booking procedures, the subject will be transported to a mental health facility for evaluation. See Crisis Intervention Policy.

Section 23.02 – Handcuffing Of Arrested Persons

Any time an officer makes an arrest and the arrestee is to be transported in a patrol car, the prisoner will be searched and handcuffed. Arrests will be handcuffed behind their back with the cuffs "double locked" to prevent injury to the prisoner's wrists. Consideration should be

given to individuals with injuries or physical limitations that would prohibit standard handcuffing.

Section 23.03 – Officer Sidearm To Be Secured

[REDACTED]

Section 23.04 – Personal Property

All personal property will be removed from an arrest as soon as they arrive. The property will be logged on a property report and secured in a bag. The arrest and the receiving officer will sign the report upon completion of the form and again when the property is returned to the arrest upon their release. Officers will ensure that belts, shoe laces, jewelry and any other items which might be used by the arrest to inflict injury are removed prior to the individual being placed in a holding cell. The property will be stored in an unused property locker (not secured) until the individual is released or transferred. If the person is being transferred to another agency, the receiving agency must sign for receipt of the property.

Section 23.05 – Arrest Reports

An arrest report will be completed listing all vital information pertaining to the arrest, as well as a complete description of the individual.

[REDACTED]

***Section 23.06 – Processing/Booking Arrests**

As stated in the Revised Statutes of Missouri 43.503, “all law enforcement agencies making misdemeanor and felony arrests as determined by section 43.506 shall furnish without undue delay, to the central repository, fingerprints, photograph, and if available, any other unique biometric identification collected, charges, appropriate charge codes, and descriptions of all persons who are arrested.”

The photographic images will be uploaded into the computerized reporting system by the arresting/booking officer as soon as possible.

Section 23.07 – Fingerprinting

The arresting officer will complete a set of fingerprint cards on for any person arrested on the following offenses:

- A. Homicide
- B. Assault
- C. Robbery
- D. Burglary
- E. Stealing (including shoplifting offenses)
- F. All Sex Offenses

- G. Arson
- H. All Narcotics Offenses
- I. Offenses requiring fingerprints listed in the Missouri Charge Code Manual.

The arresting officer must complete the applicable fingerprint cards. The completion of fingerprint cards will ensure that the criminal history of the prisoner is properly recorded.

Section 23.08 – Condition of Arrest

[REDACTED]

Section 23.09 – Holding Cells – Time Limit

[REDACTED]

Section 23.10 – Phone Calls

Arrests will only be allowed to make or receive phone calls to arrange for bond or to speak with counsel.

Section 23.11 – Searches of Holding Cells

The arresting officer will search the holding cell for weapons or contraband prior to the arrest being placed inside. The cell will be searched again upon release of the arrest. This information will be documented in the arrest report.

Section 23.12 – Searches – Definitions

Definitions:

- A. Custodial Search: The thorough examination with the hands of the person's clothing, including the inside of pockets or other compartments.
- B. Strip Search: The removal or rearrangement of some or all of the clothing of a person so as to allow a visual or manual inspection of the genitals, buttocks, anus, breasts, or undergarments of such person, but not including the interior of any body cavity.
- C. Body Cavity Search: Inspection of the interior of a person's anus or genitals.

Section 23.13 – Custodial Searches

Officers are required to conduct custodial searches of persons, at the time of arrest, to insure their own safety and recover any illegal substances which may be in the possession of the arrestee. Outer clothing and accessories (coats, hats, shoes, etc.) which are too bulky or restrictive to allow a thorough search shall be removed and carefully searched.

Section 23.14 – Strip Searches

A strip search may be conducted only if all of the following provisions are met:

- A. There is compelling probable cause to believe the person to be searched is concealing evidence, contraband, or a weapon.
- B. When the Chief of Police has given approval.
- C. When an officer of the same sex as the arrestee conducts the search.
- D. Under sanitary conditions, in a place where the search cannot be viewed by persons other than those necessary for the safety and security of the prisoner and officers.

Section 23.15 – Body Cavity Searches

Body cavity searches may be conducted in a medical facility only after a search warrant has been obtained, and all of the following provisions have been met:

- A. There is probable cause to believe the person to be searched is concealing evidence, contraband, or a weapon within a body cavity.
- B. The Chief of Police has given written approval.
- C. The search must be conducted in the presence of an officer of the same sex as the person to be searched. The officer will be present for the security and safety of the prisoner and medical staff.
- D. The search must be conducted in a medical facility, in an area that cannot be viewed by persons other than those necessary.
- E. The search must be conducted by a physician or other registered medical personnel.

Section 23.16 – Delays in Searches

If it becomes necessary to delay a strip or body cavity search awaiting the issuance of a warrant, the arrival of medical personnel, or an officer of the same sex, the prisoner must be kept isolated and under surveillance. Refusal of a warrant, expiration of twenty-four (24) hours without a warrant being issued, or posting bond requires the immediate release of the prisoner, regardless of the status of the pending search.

Section 23.17 – Evidence Found during Search

Whenever evidence is seized as a result of a prisoner search, the officer who discovers the evidence shall be responsible for the seizure, as well as the packaging, marking, and placement of the evidence into the evidence locker.

***Section 23.18 – Searches of Opposite Sex**

When searching individuals of the opposite sex, officers should use extra care to minimize the potential of allegations that there was improper or unnecessary touching. Officers should always endeavor to have a second officer present when an individual of the opposite sex is placed under arrest and searched prior to being transported to jail.

“Pat down” searches or frisks of individuals of the opposite sex are often necessary for safety reasons or if a department member of the same sex is not available. As with searches incident to arrest, officers should use extra care when frisking to minimize the potential of allegations of improper conduct.

The probable cause and extent of a search should be carefully documented in the arrest report of the person being searched.

***Section 23.19 – Recording of Custodial Interrogations**

A. Per 590.700, RSMo., custodial interrogations of persons suspected of committing or attempting to commit the following crimes will be recorded, when feasible, through use of audio or video tape, or digital recordings.

1. Murder in the first degree.
2. Murder in the second degree.
3. Assault in the first degree.
4. Assault of a police officer in the first degree.
5. Domestic Assault in the first degree.
6. Elder abuse in the first degree.
7. Robbery in the first degree.
8. Arson in the first degree.
9. Forcible rape.
10. Forcible Sodomy.
11. Kidnapping.
12. Statutory rape in the first degree.
13. Child abuse.
14. Child kidnapping.

B. Recording custodial interrogations is not required in the following instances:

1. A person agrees to voluntarily meet with a member.
2. Detention that has not risen to the level of an arrest.
3. Routine arrest-processing questions.

4. Questioning pursuant to the completion of an Alcohol Influence Report.
5. Questioning during the transport of a suspect.
6. When the suspect requests the interrogation not be recorded.
7. Interrogation occurring outside the state.
8. During exigent public safety circumstances that prevent recording.
9. When a suspect makes spontaneous utterances.
10. When recording equipment is not available.

C. Recording of interrogations may be conducted with or without the knowledge or consent of the suspect.

D. If the conditions for recording are met, the interrogation will be recorded in its entirety. If the recording equipment is turned off or fails to operate for any reason during the interrogation, officers will document the circumstances and notify their supervisor immediately.

E. Recordings will be recovered as evidence in accordance with current department recovered property procedures.

Section 23.20 – Collection of Bonds

Officers will be responsible for the collection of bond money from persons under arrest. The bond schedule set by the Raymore Municipal Court shall be adhered to as much as possible. Any deviation from the bond schedule must be approved by a supervisor.

Section 23.21 – Bonding of Arrests

Officers collecting cash bonds or accepting money from a bondsman approved by the Circuit Court shall complete a bond sheet for each jurisdiction that has outstanding warrants for the arrest. After completing the bond sheet, a copy will be provided to the individual and one will be included in the subject's arrest report. Tickets or complaints need to be placed in the ticket box next to the bond box, outside the Records Unit.