

January 24, 2011

**CITY OF FERGUSON  
OFFICE OF THE CHIEF OF POLICE**

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Ordinance Arrests

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**ORDINANCE VIOLATION ARRESTS / MUNICIPAL SUMMONS**

412.00 PURPOSE

The purpose of this General Order is to establish arrest procedures for Ferguson City Ordinance violations and the procedure for the issuance of Non-Traffic Municipal Summons.

412.01 POLICY

When an adult violates any city ordinance, the police officer is given the discretion to:

- A. On-View City Ordinance Violation: Release the violator at the scene after issuing a summons to appear in court, or take the violator to the police station, book him, and then release him on a municipal summons.
- B. Ordinance Violations Not Witnessed by the Officer: Make a physical arrest of the violator, book him at the station, and then release him pending application of warrant with the city prosecutor.

412.02 PROCEDURE

- A. When not to issue a Municipal Summons in lieu of full custody arrest:
  - 1. The violator is a juvenile;
  - 2. When physical force is used in effecting the arrest;
  - 3. If the violator's continued presence poses the possibility of danger to persons or property;
  - 4. If the violator fails or refuses to produce proper identification.
- B. Procedure for issuing a Municipal Summons:

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1. When an officer witnesses a violation of a city ordinance he should complete an Arrest Notification Form (Municipal Summons) and have the suspect sign it.
  - a. Fill out the appropriate pedigree information; and
  - b. Enter the appropriate charge and ordinance number
  - c. Issue the violator a copy of the municipal summons with instructions on court appearance.
2. When the officer is going to be applying for warrants relative to a city ordinance violation, which is generally a violation that he did not witness, he will complete an Arrest Notification Form, attach it to a warrant application supplement form, and forward it (with all copies attached) to the city attorney.
  - a. Write a complete report reflecting the circumstances of the arrest.
  - b. A narrative of the incident should be prepared unless the incident is on view, minor in nature and the City of Ferguson is the victim.

By order of:

A handwritten signature in black ink that reads "Colonel Thomas Jackson". The signature is written in a cursive style with a large, looping initial 'C'.

COLONEL THOMAS JACKSON  
Chief of Police

Distribution  
All Department Personnel