



Minneapolis Police Department Policy and Procedure Manual

Number:
9-100

Volume Nine – Enforcement Policies

Adult Citations and Arrests

9-101 Adult Citations and Arrests Policy

(xx/xx/24)

I. Purpose

This policy sets forth the procedures for exercising arrests and citation powers, that are in compliance with federal, state, and local laws, by Minneapolis Police Department (MPD) sworn members.

II. Adult Arrest and Citation Guiding Principles

MPD guiding principles for arrests and citations are:

- [A] Constitutional arrests and citations
- [B] Non-discriminatory policing
- [C] Procedural justice and professional policing
- [D] Duty to de-escalate

A. Constitutional Arrests and Citations

MPD members shall conduct arrests and citations only in accordance with MPD policies and all the rights given to people under the United States Constitution, Minnesota State Constitution, and the MN Human Rights Act.

B. Non-Discriminatory Policing

Members are prohibited from using any of the protected class statuses in P&P 5-104 to any degree when establishing reasonable suspicion or probable cause (PC), except that:

Members may consider the protected class statuses in P&P 5-104 of a specific suspect or suspects in an ongoing criminal investigation when such information is part of a specific and detailed suspect description tied to a time and place. This consideration must be based on credible, reliable, and recent locally based information that links specific unlawful or suspicious activity to the person or group. The suspect description should also include other appropriate non-demographic identifying factors, such as clothing or an associated vehicle.

C. Procedural Justice and Professional Policing

Members shall use procedural justice and professional policing principles in accordance with P&P 5-109 during all contacts, including during arrests or the issuing of citations. Members shall apply the four pillars of procedural justice during all interactions, which are:

- **Voice:** Providing people the opportunity to explain their actions and ask questions before making a final decision.
- **Neutrality:** Making transparent, neutral decisions based only on relevant information.
- **Respect:** Being professional and courteous throughout the interaction and treat people with dignity and concern for their rights.
- **Trustworthiness:** Conveying trustworthiness throughout interactions by acting with professionalism, understanding, and transparency.

Such conduct fosters community trust, increases confidence in the police, and encourages greater cooperation to achieve shared public safety goals.

All members shall introduce or identify themselves by rank, last name, and agency, as soon as reasonable and practical.

D. Duty to De-escalate

In accordance with P&P 7-802, sworn members have a clear affirmative duty to de-escalate and use de-escalation techniques and tactics whenever feasible, to minimize the need to use force, resolve incidents without the use of force when possible, and to increase the likelihood of voluntary compliance with legitimate and lawful orders. Members' duty to de-escalate continues throughout the entire encounter.

III. General Arrest and Citation Procedures

A. Probable Cause Required

Probable cause (PC) that a person has committed or is committing a criminal or citable offense is required for members to issue a citation or make an arrest.

Members shall not rely on information they know to be materially false or incorrect.

B. Prebook Process

For all arrests to be booked at the Hennepin County Jail (HCJ), the arresting member is required to complete the Hennepin County (HC) Prebook process online. In the event that the Prebook system is down, a paper form shall be completed at HCJ and provided to HCJ personnel.

IV. Definitions

Probable Cause: Where facts and circumstances taken as a whole, known to the member at the time of the arrest, would lead a reasonable officer to believe that a particular person has committed or is committing a crime. Probable cause is based upon an objective assessment of the facts and circumstances presented to or known by the member.

Arrest: Taking a person into custody, which may be imposed by force or may result from the person submitting to a member. An arrest is a restraint of greater scope or duration than an investigatory stop or detention. An arrest requires probable cause that a crime was committed or is being committed.

Arrestee: A person that has been taken into custody, and the restraint and duration is greater than an investigatory stop or detention.

Detainee: A person who has been stopped, temporarily held/detained and not free to leave.

Citee: A person who has been issued a citation for non-arrestable offenses (i.e. petty misdemeanors).