

<i>TYPE OF ORDER</i>	<i>NUMBER/SERIES</i>	<i>EFFECTIVE DATE</i>	<i>ISSUE DATE</i>
General Order	#7 Series 2007	2/12/07	2/12/07
<i>SUBJECT TITLE</i>		<i>PREVIOUSLY ISSUED DATES</i>	
Release to Appear Procedure			
<i>REFERENCE</i>		<i>RE-EVALUATION DATE</i>	
<i>SUBJECT AREA</i>		<i>DISTRIBUTION</i>	
Law Enforcement Operations		All Personnel	

I. PURPOSE:

To establish guidelines for the proper procedure when issuing a Release to Appear for a detainee.

II. POLICY:

An individual in custody may be released to appear as determined necessary or prudent by the officer in charge. When such an occasion arises, the following guidelines shall be followed:

III. PROCEDURE:

- A. Any officer who believes circumstances may exist for a detainee to be released to appear, must notify his supervisor who will in turn notify the officer in charge.
- B. Only the officer in charge or commanding officer may approve a release to appear for an individual in custody.
- C. Prior to a detainee being released to appear, the officer in charge shall:
 - 1. Ensure the arrest package is complete including a signed release to appear form and any citations and/or witness statements.
 - 2. Ensure the detainee has been processed by B.C.I. (fingerprinted and photographed).

- D. Based on the circumstances, the officer in charge may determine that a special arraignment is appropriate and shall inform the detainee of their rights under Rhode Island General Laws 12-7-20. In such a case, procedures will be followed as dictated in the General Order titled "Special Arraignments".

APPROVED:

DEAN M. ESSERMAN
COLONEL
CHIEF OF POLICE