
	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>209.00 PROCEDURAL GUIDELINES REGARDING INVESTIGATIVE PRISONERS</b>
	<b>Effective Date: August, 2011</b>
	<b>Approved:</b> _____ <div style="text-align: center;">   Chief of Police </div>

#### I. Policy

Prisoners confined in the Mesquite City Jail shall be the subject of a Probable Cause Affidavit and a Warrant of Arrest and Detention, signed by a magistrate, or of a written complaint filed with the City of Mesquite Municipal Court, or other competent court within two business days. If within two business days such affidavit and warrant have not been executed, or such complaint has not been filed, the prisoner shall be released.

#### II. Provisions

- A. Saturdays, Sundays, and City Holidays will not be counted. (For example: A person arrested Monday afternoon must be filed on, or have a warrant issued, no later than Wednesday afternoon. A person arrested Friday afternoon must be filed on, or have a warrant issued, by Tuesday afternoon. A designated city holiday would extend the deadline.)
- B. The criminal complaint requirement may be satisfied by filing a Class "C" Misdemeanor complaint in Municipal Court.
- C. The fact that a warrant has been issued or a criminal complaint has been filed does not mean that the defendant must be physically transferred to another facility within two days. Good and sufficient reason may exist to detain the defendant in the Mesquite City Jail after a case has been filed. (For example: Investigators may be working on other cases with the subject, and the need for continuing interviews may exist. Such interviews may be conducted more efficiently at this facility than elsewhere.)  
Therefore, in controlled instances Investigations Bureau supervisory personnel may give approval for an Investigator to retain a prisoner beyond the normal two-day limit. The supervisor will ensure that such approval is noted in the Arrest Report/Jail Record which records his authorization of that action. The supervisor is accountable for such action, and must follow-up by ensuring the prisoner is not kept longer than is reasonable and necessary.
- D. The first-line supervisor shall ensure the arresting officer submits all required case reports before the end of the tour of duty during which an arrest is made. The charging officer shall ensure that all required case reports are submitted before the end of the tour of duty during which investigative charges are added to a prisoner's Arrest Report/Jail Record.
- E. The Station Sergeant must ensure that all prisoners arrested during his tour of duty, and all persons held in jail whose arrests have not been previously evaluated, are held in accordance with the law and acceptable police procedure. The fact that probable cause may have existed for an arrest does not mean that a person can be held indefinitely. If the supervisor detects any cause for concern about whether a person is being properly held, he must immediately relay that concern to a lieutenant or above. During regular business hours, he should report the concern to the Bureau Commander with authority over jail operations. At other times, he should report such concern to the on-duty Watch Commander; or if no Watch Commander is on duty, to a lieutenant or above.
- F. To facilitate the transfer of prisoners to the County Jail, the Investigations Bureau Clerk will provide the day-shift Information Desk Assistant (by approximately 10:00 a.m.) the names of persons tentatively scheduled for transfer. Should a prisoner on the list sign an application for bond, the Information Desk Assistant shall notify the Investigations Bureau clerk, who may reprioritize the paperwork process on that individual.

G. All levels in all bureaus should be kept informed of activities between bureaus in order to maximize the efficiency and effectiveness of the Department.  
EFFECTIVE: May, 1984; REVISED: September, 1990; FORMERLY: C/84-44, 80-44; REVISED: January, 1992; FORMERLY: 210.00; REVISED: January, 1996; REVISED: August, 2011