



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



523.03

MISDEMEANOR AND INFRACTION OFFENSES

03-19-2026

PURPOSE

The purpose of this order is to establish procedures for handling misdemeanor reports and persons arrested or cited for misdemeanor and infraction violations.

POLICY

It shall be the policy of the Sacramento Police Department (SPD) to investigate circumstances relating to misdemeanor and infraction offenses.

PROCEDURE

A. GENERAL

1. Officers shall confirm whether subjects have outstanding warrants and verify the subject's identity prior to issuing a citation or booking at jail.
2. Officers shall release subjects arrested for misdemeanors in accordance with Penal Code (PC) § 853.6.
 - a. In situations where a release is required in accordance with PC § 853.6, the person shall be released at the original scene, except in the following situations:
 - (1) There is a significant safety concern in leaving the person on scene.
 - (2) The arrest is a part of a multiple arrest procedure, and arrests are to be processed at an off-site facility in accordance with General Order (GO) 523.10 (Multiple Arrest Procedures).
 - b. If it is appropriate to transport a person to a service provider, relative, or responsible party, officers shall:
 - (1) Cite the individual at the original scene.
 - (2) Obtain the person's voluntary cooperation and consent to be transported.
 - (3) Ensure there is a responsible person at the desired destination (unless the destination is a service provider which allows for drop-off services).
 - (4) Conduct transportation in accordance with other applicable general orders.
 - c. Officers shall document a person's consent to be transported in an appropriate report or with remarks on a computer-aided dispatch (CAD) call and ensure it is captured on in-car or body-worn camera recordings.
 - d. If a person is transported to be cited and released, they shall be transported to the nearest SPD police facility (PC § 853.6[g]).
 - (1) Prior to transporting a person from the original scene, the transporting officer shall notify their supervisor.
 - (2) This section does not apply to persons under arrest and being transported to a medical facility in accordance with PC § 853.6 (i)(2).
 - e. Juveniles shall be cited and released, or arrested and booked, in accordance with GO 540.05 (Arresting / Booking / Releasing Juveniles) and GO 540.07 (Truancy and Curfew Violations).
 - f. The district patrol supervisor or watch commander may approve exceptions to this section. Such exceptions shall be documented in an appropriate report or remarks on a CAD call.
3. Misdemeanor DUI arrests and citations shall be handled in accordance with GO 537.01 (Driving Under the Influence Procedures).
4. Misdemeanor Domestic Violence shall be handled in accordance with GO 533.04 (Domestic Violence).

B. MISDEMEANOR OFFENSE BOOKING

1. When booking a person for a misdemeanor offense, officers shall:
 - a. List all applicable PC § 853.6 criteria on the Booking/Probable Cause form and, if appropriate, advise a designated booking officer of the listed criteria.
 - b. Document the applicable PC § 853.6 booking criteria in an appropriate report.
 - c. Consult and provide case details to the district patrol sergeant when booking for a standalone PC § 148.
 - (1) If the arrest is part of an operation outside of the city, the officer shall notify their immediate



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



supervisor or closest district patrol sergeant.

(2) District patrol sergeants and other supervisors shall notify the watch commander.

C. COMPLETING A CITATION

1. When issuing a non-traffic misdemeanor citation, officers shall:

- a. Identify and write the scheduled court appearance date in the appropriate location of the electronic citation.
- b. Mark the "Booking Required" section if the offender does not have local arrest history and advise arrestee of the scheduled court appearance date.
- c. Advise of the potential consequences for failing to appear (e.g., issuance of a bench warrant).
- d. Document the associated report number and subject's Sacramento Sheriff's Office Known Persons Finder X-reference number on the citation.

(1) If the arrestee does not have an X-reference number, officers shall contact the Records Division and obtain one.

2. When issuing a traffic citation, officers shall:

- a. Identify and write the scheduled court appearance date in the appropriate location of the electronic citation.
- b. Advise the cited subject of the following:
 - (1) The date of the scheduled court appearance date.
 - (2) If applicable, identify correctable infractions and the scheduled due date to remedy.
 - (3) Advise of the potential consequences for failing to appear (e.g., issuance of a bench warrant).

D. IDENTIFICATION FOR ENFORCEMENT ACTION

1. An officer intending to arrest a person for a misdemeanor or infraction and release them on a citation:

- a. Shall photograph the person using department issued equipment per GO 525.04, and document the circumstances in an appropriate report, if the person does not have satisfactory identification.
- b. Utilize facial recognition technology or biometric identification devices, if they have been trained and are authorized, to identify a detained or arrested person.

2. Officers shall not use force to obtain photos or fingerprints to facilitate the identification of a person with facial recognition technology or biometric identification devices.

E. DOCUMENTATION

1. When completing reports, officers shall include the:

- a. Procedure used to identify the offender.
- b. Justification for non-release (if applicable).
- c. A probable cause declaration for non-custodial (cite and release) arrests.

2. An SPD Form 108 (Private Person's Arrest) shall be completed for each adult field released originating from a private person's arrest.

3. Juvenile offenders shall be released in accordance with GO 540.05.

4. Adult DUI drivers injured and transported to a medical facility for treatment shall be released in accordance with GO 537.01.

F. POSSESSION OF CANNABIS

1. Officers that issue a citation for misdemeanor or infraction cannabis offenses shall:

- a. Complete a general offense report.
- b. Issue a citation for the applicable Health and Safety or Vehicle Code offense.
- c. Seize and book the cannabis as evidence.

G. RECEIVING MISDEMEANOR OFFENSE COMPLAINTS

1. Officers shall conduct a preliminary investigation to determine if a crime has occurred.

2. When crime reports are taken, officers shall advise the victim that they will be contacted by detectives if further information is needed.

3. Officers shall advise the victim to contact the Office of Investigations if they develop additional information to their report, such as suspect information or new investigative leads.

4. Officers shall advise the victim to submit a supplement to the original report online only if it is associated with additional information related to property (e.g., serial numbers, property description, etc.).

5. In accordance with GO 210.04 (General and Professional Conduct), officers shall provide the victim or reporting party the general offense number for reference on an SPD Form 558 (Information Card).



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



H. ARRESTS BY PRIVATE PERSONS

1. If probable cause exists to believe a criminal offense has occurred, officers shall:
 - a. Accept custody of the arrestee and obtain a signed SPD Form 108 from the private person making the arrest.
 - b. Process the arrestee by citation or booking in accordance with this order and applicable law.
 - c. Advise the arresting party that the report and citation will be forwarded to the District Attorney's Office or City Attorney's Office (for violations of the city code).
 - d. Advise the arresting party they will be contacted by detectives if any additional information is needed.
2. Other than domestic violence offenses, victims may seek civil remedies or outside mediation in lieu of criminal prosecution.
3. When investigating incidents that lack probable cause to effect an arrest, officers shall explain the situation to the person seeking a private person's arrest.
 - a. If the private person insists on making the arrest, the officer shall refuse to accept custody of the arrestee and notify their supervisor.
 - b. Officers shall complete an incident report that details all the facts, circumstances, and evidence bearing on the officer's determination to refuse to accept custody.
4. A private person's arrest is not required when handling juveniles.

I. ARRESTS AND INTERVIEWS AT BUSINESSES OR SCHOOLS

1. When possible, officers shall contact the person in charge of the business or school before making an arrest or conducting an interview.
2. Officers shall have discretion to disclose the nature of the interview or arrest with the person in charge of the business or school.
3. Officers should attempt to safely isolate a potential arrestee or interviewee from the common areas of the business or school by requesting the subject be brought to the officer. Officers shall notify the district sergeant when conducting interviews or arrests on school grounds during regular business hours or during after-hours school functions.
 - a. Not applicable to School Resource Officers (SRO's) working within their respective schools.