

GREELEY POLICE DEPARTMENT

General Order 504.00

Reviewed: 03/19

504.00 POWERS OF ARREST

- In compliance with C.R.S. 16-3-102, a peace officer may arrest a person when:
 - He has a warrant commanding that the person be arrested;
 - Any crime has been or is being committed in his presence; or
 - He has probable cause to believe that an offense was committed and has probable cause to believe that the offense was committed by the person being arrested.
- C.R.S. 16-3-101 allows for arrests on any day and at any time, day or night.
- All arrests for violations of the Municipal Ordinances of the City of Greeley will be in compliance with Municipal Ordinance 1.24.010:
 - An arrest may be made with or without a warrant for violations committed in the officer's presence.
 - Any officer may issue a summons and complaint or penalty assessment for ordinance violations which did not occur in his presence based upon probable cause.
- All arrests for violations of federal law by a local officer will be in compliance with Title 18 or US Code S 3041 being either situations of a dual sovereignty, or a warrantless arrest based upon probable cause.
 - Offenses involving dual sovereignty are those crimes which are violations of both state and federal statutes. In such cases, the officer will arrest under the state statute.
 - Title 18 of the U.S. Code S 3042 allows the officer to swear out a state warrant charging the federal offense.
 - An officer is also empowered to conduct a warrantless arrest for exclusively federal violations if probable cause exists or the crime was committed in the officer's presence.

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Authorized by Mark Jones, Police Chief		
Effective Date: March <u>25</u> , 2019		
<u>Mark Jones</u>	Date:	<u>March 25, 2019</u>
Signature		