



PATROL GUIDE

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|---|-----------------------------|----------------------|-----------------|
| Section: Arrests | | Procedure No: 208-27 | |
| DESK APPEARANCE TICKET - GENERAL PROCEDURE | | | |
| DATE ISSUED: 05/11/20 | DATE EFFECTIVE: 05/11/20 | REVISION NUMBER: | PAGE: 1 of 4 |

PURPOSE

To issue a Desk Appearance Ticket (DAT) in lieu of detention.

DEFINITION

DESK APPEARANCE TICKET - An appearance ticket issued in lieu of detention for class E felonies, misdemeanors and violations that requires a defendant to appear in court at a later date.

PROCEDURE

When issuing a DAT to a prisoner charged with a class E felony, misdemeanor or violation:

ARRESTING OFFICER

1. Comply with appropriate arrest processing guidelines, remove prisoner to precinct of arrest/designated arrest facility, and advise desk officer of facts.
2. Inform prisoner they will be issued a DAT, if qualified.
 - a. Refer to *P.G. 208-81, "Desk Appearance Tickets - Disqualifying Factors"* for disqualifying factors.
3. Ascertain defendant's identity in accordance with *P.G. 208-28, "Desk Appearance Ticket - Identification Standards."*
4. Conduct warrant checks as per *P.G. 208-22, "Performing Local, State and Federal Warrant Checks."*
 - a. Comply with *P.G. 208-23, "Computerized Investigation Card System,"* if individual has an **INVESTIGATION CARD (PD373-163)**.

NOTE

The presence of an Investigation Card against a defendant does not preclude the issuance of a DAT.

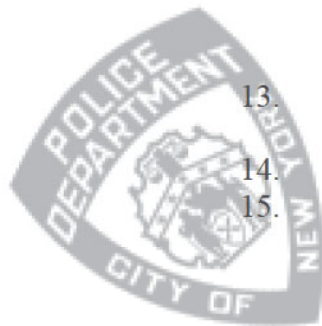
5. Attempt to obtain contact information (i.e., residence address, preferred mailing address, cell phone/home/work number, e-mail address, etc.) from prisoner.
 - a. Notify desk officer, if prisoner refuses to provide contact information.
 - b. Record contact information on appropriate Department forms.
6. Enter arrest data into OMNIFORM System
 - a. Utilize arrest processing type "Desk Appearance Ticket", except for those DAT(S) returnable to Community Court (Midtown or Red Hook), in which case arrest processing type "Community Court Desk Appearance Ticket."
 - (1) If there are multiple reasons for potential DAT ineligibility, check all fields that apply.
7. Fingerprint prisoner and generate a Prisoner Movement Slip.
8. Confer with Identification Section to determine if prisoner has a previous conviction, which would raise the current charge to a class D felony:
 - a. The current charge entered on the **ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)** will not be changed solely from information received via telephone.

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ARRESTING OFFICER (continued)

9. Request uniformed member of the service from precinct detective squad or other appropriate investigative unit to debrief prisoner.
 - a. Inform desk officer if uniformed member of the service from precinct detective squad or other appropriate investigative unit is unavailable, or cannot respond in a reasonable amount of time and DAT processing is complete.
10. Complete all DAT arrest related paperwork while awaiting results of fingerprint check.
11. Monitor "DAT Processing" within OMNIFORM system to determine if DAT has been approved:
 - a. If response reads "NO," a DAT must not be issued and prisoner must be processed online.
 - (1) Inform prisoner of ineligibility for DAT.
 - b. If response reads, "WAIT," check back at reasonable intervals not to exceed thirty minutes.
 - (1) Contact borough Court Section to ascertain the status of the fingerprint check after two hours from the time the prisoner was fingerprinted, and request the Division of Criminal Justice System to expedite the fingerprint search.
 - c. If response dictates that DNA is owed:
 - (1) Notify Desk Officer,
 - (2) Attempt to collect DNA from prisoner as per *P.G. 208-72*, "*Obtaining Prisoner DNA Sample*," and
 - (3) Continue processing DAT, as owing DNA is not a disqualifying factor.
 - d. If response reads "YES," DAT has been approved.
 - (1) Print DAT.
12. Email borough Court Section all arrest related paperwork.
 - a. Ensure the email subject heading consists of:
 - (1) Arrest number, and
 - (2) Last name of prisoner.
13. Call Borough Court section, confirm receipt of email and obtain DAT serial number, return date, time, arraignment part and court.
14. Record information received from borough Court Section on DAT.
15. Use snap-out version of **DESK APPEARANCE TICKET (PD260-121)**, if command computer system becomes non-operational or at the direction of borough Court Section supervisor.
 - a. Notify borough Court Section supervisor prior to issuing snap-out version of DAT.
16. Make DAT returnable to arraignment part of Criminal Court except if:
 - a. Returnable to Family Court,
 - b. Necessary to permit arraignment of all prisoners in same Court Part, or
 - c. Returnable to Community Court.
17. Sign DAT.



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- ARRESTING OFFICER (continued)**
18. Activate assigned body-worn camera and request prisoner to sign DAT.
- Comply with *P.G. 212-123, "Use of Body-Worn Cameras."*
 - Indicate "refusal" on DAT if prisoner refuses and document in **ACTIVITY LOG (PD112-145)**.
 - Deliver DAT to desk officer for signature.
- DESK OFFICER**
19. Ensure prisoner is debriefed in accordance with *P.G. 210-18, "Debriefing of Prisoners,"* as appropriate.
- Debrief, or ensure any other available supervisor debriefs prisoner, if DAT processing is complete, and uniformed member of the service from precinct detective squad or other appropriate investigative unit is unavailable or cannot respond in a reasonable amount of time.
20. Check all arrest related paperwork for completeness and accuracy.
- Confirm that contact information for individual (i.e., residence address, preferred mailing address, cell phone/home/work number, e-mail address, etc.) has been provided.
 - If prisoner has refused to provide contact information, explain that providing the information will allow the District Attorney's Office to contact them for possible participation in pre-arraignment diversion programs, and for the Office of Court Administration (OCA) to send reminders of upcoming court dates.
 - Ensure refusal is indicated as appropriate, if prisoner continues to refuse.
 - Ensure all required arrest paperwork is noted on **ARREST CHECKLIST (PD244-041)**.
21. Sign DAT and return to arresting officer.
- ARRESTING OFFICER**
22. Distribute photocopies of DAT:
- Original, for personal file and to be scanned and sent to borough Court Section,
 - Copy to defendant,
 - Copy to complainant, if applicable, and
 - Copy to command file.
23. Enter name, address, and telephone number of civilian complainant, if any, in space marked "Additional Instructions" on copy of DAT that will be scanned and emailed to borough Court Section.
- DESK OFFICER**
24. Issue DAT, if prisoner is eligible, and release prisoner.
- ARRESTING OFFICER**
25. Email all arrest related paperwork (i.e., **DESK APPEARANCE TICKET, ARREST CHECKLIST, COMPLAINT REPORT [PD313-152], ON-LINE BOOKING SYSTEM ARREST WORKSHEET [PD244-159]**, photocopy of warrant check, **ACTIVITY LOG** entries, copies of Prisoner Movement Slip, etc.) to borough Court Section.
- Ensure email subject heading consists of:
 - Arrest number, and
 - Last name of prisoner.

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- ARRESTING OFFICER (continued)**
26. Await phone call from District Attorney's office.
 27. Monitor status of arrest processing through the OMNIFORM System's "Prisoner Arraignment Lookup."
 28. Notify desk officer, immediately, if District Attorney's office is no longer accepting arrest paperwork.
 29. File all hard copies of arrest related paperwork in **ARREST ENVELOPE (PD260-123)**.

- DESK OFFICER**
30. Direct arresting officer to comply with *P.G. 208-82, "Desk Appearance Ticket – Conferral with District Attorney's Office,"* if District Attorney's office is no longer accepting arrest paperwork.
 - a. Assign arrest to another uniformed member of the service, if the arresting officer is unavailable to speak with District Attorney's office within four days.
 - b. Ensure assigned officer re-interviews complainant(s), witness(es) and complies with *P.G. 208-20, "Turnover Arrests,"* if applicable.

RELATED PROCEDURES

"Turnover" Arrests (P.G. 208-20)
Performing Local, State and Federal Warrant Checks (P.G. 208-22)
Computerized Investigation Card System (P.G. 208-23)
Desk Appearance Ticket - Identification Standards (P.G. 208-28)
Family Offenses/Domestic Violence (P.G. 208-36)
Intoxicated or Impaired Driver Arrest (P.G. 208-40)
Desk Appearance Ticket - Disqualifying Factors (P.G. 208-81)
Desk Appearance Ticket - Conferral with District Attorney's Office (P.G. 208-82)
Suspended or Revoked Vehicle Operator's License (P.G. 209-26)
Arrest Processing of Pre-Arraignment Prisoners Designated as "Special Category" (P.G. 210-17)

FORMS AND REPORTS

ARREST CHECKLIST (PD244-041)
ARREST ENVELOPE (PD260-123)
DESK APPEARANCE TICKET (COMPUTER FORM)
DESK APPEARANCE TICKET (PD260-121)
COMPLAINT REPORT (PD313-152)
INVESTIGATION CARD (PD373-163)
ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)