

## Appearance Ticket

### 411.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Kalamazoo Department of Public Safety with guidance on when to release adults who are suspected offenders on an appearance ticket for a criminal offense, rather than having the person held in custody for a court appearance or released on bail.

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Domestic Violence Policy.

### 411.2 POLICY

The Kalamazoo Department of Public Safety will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on an appearance ticket, when authorized to do so.

### 411.3 RELEASE

A suspected offender may be released on issuance of a notice to appear in court for a misdemeanor with a maximum penalty of 93 days (MCL 764.9c).

### 411.4 PROHIBITIONS

The release of a suspected offender on an appearance ticket is not permitted when the person is arrested on a felony charge (MCL 764.9c; MCL 764.13).

See the Domestic Violence Policy for release restrictions related to those investigations.

### 411.5 CONSIDERATIONS

In determining whether to issue an appearance ticket to a person when discretion is permitted, public safety officers should consider:

- (a) The type of offense committed.
- (b) The known criminal history of the suspected offender.
- (c) The ability to identify the suspected offender with reasonable certainty.
- (d) Whether there is any record of the individual failing to appear in previous cases or other articulable indications that the individual may not appear in court for this offense.
- (e) The individual's ties to the area, such as residence, employment or family.
- (f) Whether there is reasonable likelihood that criminal conduct by the individual will continue.