

3.04-3

**DAYTON POLICE DEPARTMENT
GENERAL ORDER
ORDER - IN**



RICHARD S. BIEHL – DIRECTOR AND CHIEF OF POLICE

REV. 03/20

POLICY STATEMENT

The purpose of this policy is to standardize reasonable times to order in complainants or witnesses. It has been developed with full consideration being given to the various hours of agencies, types of complaints, court rules, and extant laws.

Crimes against Persons: Homicide, Assault, Menacing, Kidnapping, Sex Crimes, Etc.

Property Crimes: Arson, Breaking and Entering, Criminal Trespass, Criminal Mischief, Burglary, Robbery, Vandalism, Aggravated Arson, Aggravated Robbery, Aggravated Burglary, Etc.

I. ADULT FELONY ARRESTS (INCLUDING FELONY DOMESTIC VIOLENCE)

- A. Crimes against Persons - Order-in to the main Detective Section, 335 W. Third Street at the next 0900 Hours (except on Saturdays).
- B. Property Crimes – Do not order in unless they have no contact number or address where to reach them. The assigned case detective will contact the complainant for an order-in time after receipt and review of the incident report (do not advise the complainant that the assigned detective will contact them the next day).

II. FELONY WITH NAMED ADULT SUSPECT - NO ARREST

- A. Crimes against Persons - Order-in to Detective Section at 0900 Hours on next business day (Monday-Friday).
- B. Property Crimes – Do not order in, the assigned case detective will contact the complainant for an order-in time after receipt and review of the incident report (do not advise the complainant that the assigned detective will contact them the next day). Do not order in Forgery complainants, they will be contacted by their assigned detective after receipt and review of the incident report.

III. FELONY COMPLAINT WITH DESCRIBED SUSPECT

- A. Crimes against Persons - Order-in to Detective Section at 0900 Hours on next business day (Monday-Friday), only if complainant or witness can identify the suspect.
- B. Property Crimes – Do not order in, the assigned case detective will contact the complainant for an order-in time after receipt and review of the incident report (do not advise the complainant that the assigned detective will contact them the next day). Do not order in Forgery complainants, they will be contacted by their assigned detective after receipt and review of the incident report.

IV. INCIDENTS INVOLVING JUVENILES

- A. **Confined at FCC:** 0800-0000 hours order-in parents to FCC at 1330 the next day (including weekends and holidays)

0000-0800 hours order-in parents to FCC at 1330 Hours that day (including weekends and holidays)
- B. If juvenile is not confined; parents and juvenile are to appear at the Detective Section as in Section III.



- C. Felony complaint with named juvenile suspect-----Order-in same as in Section III.
- D. Felony complaint with described juvenile suspect----No order-in
- E. Misdemeanor arrest----No complainant Order-in
- F. Misdemeanor complaint with juvenile suspect and complainant----Do not order-in, detectives will contact the complainant.

V. MISDEMEANOR INCIDENTS INVOLVING ADULTS

- A. Misdemeanor Adult Arrest/Request for Summons and Domestic Violence/Violation of Protection Orders Arrest/Summons (Monday through Friday)
 - 1. **For all arrested suspects:** Complainant(s) ordered in to the City Prosecutor's Office at 0800 hours the next business day following the incident.
 - 2. **Request for Summons (suspect not arrested):** Complainant(s) ordered in to the City Prosecutor's Office at 0930 hours the third business day after the incident. All pertinent information about suspect must be known (i.e., name, address, DOB, SSN, etc.).
 - a. If necessary to order-in both complainant and suspect (cross complaints only), order-in one at 0930 hours, and one at 1330 hours.
 - b. **EXCEPTIONS:** When aggravated circumstances make three days potentially dangerous for someone, the order-in of the complainant/witness may be scheduled one or two days after the report is made at 0930 hours.
 - 3. **Domestic Violence/Violation of Protection Orders arrested and request for summons:** Complainant(s) ordered in at 0800 hours to the City Prosecutor's Office the next business day following the incident.

- B. **Misdemeanor Adult Arrest/ Request for Summons Domestic Violence Arrest – Summons (Sundays and Holidays)**

The weekend and holiday schedule for the Prosecutor's Office is for the processing of charges for arrested suspects and domestic violence charges only. All other charges that occur on the weekend or holiday should be ordered- in, in accordance with the schedule stated in Section A above.

The business hours of the Prosecutors Office are Monday through Friday 0800 – 1700, Saturday – Closed, Sunday, 0800 – 1200, Holidays as announced 0800 – 1200.

- C. **Misdemeanor Complaint with No Suspect - No ORDER-IN**
- D. **Assault, Aggravated Menacing, Menacing Complaint Where Investigation Is Necessary**

Order in the next working day (except weekends) to the respective Patrol Operations Division detectives at 0900 hours.

VI. SEXUAL ASSUALTS/CARE HOUSE

- A. Inform the victim to appear in the Detective Section at 0900 hours the next business day, and if not possible, call the **Special Victims Unit at 333-1232.**



- B. Should the officer's investigation conclude after 0000 hours, the complainant will be ordered in the NEXT business day instead of 0900 hours that morning. Anti-pregnancy and STD drugs do not allow for a comprehensive interview of the complainant.
- C. The only other exception to this Order-In Procedure occurs on weekends where no arrest of the suspect has been made. The victim should be ordered in the following Monday morning at 0900 hours in these cases. Advise the victim that the Victim-Witness volunteer will be available to them during this time.
- D. See General Order 2.05-2, Section IV for CARE House guidelines.
- E. If a suspect order-in is necessary, the order in is always to the Detective Section. [REDACTED]

VII. DOMESTIC VIOLENCE – VIOLATION OF PROTECTION ORDERS

- A. If accused is arrested and a motion for a Protection Order is going to be filed, or has violated a previously issued Protection Order, order-in is according to the following:
 - 1. If offense has occurred between 0700 hours and 1200 hours, Monday through Friday, order-in victim/complainant IMMEDIATELY to the Prosecutor's office.
 - 2. At all other times, complainant(s) ordered in at 0800 hours to the City Prosecutor's Office the next business day following the incident.
- B. If accused is not arrested, but prosecution is desired, order-in to Prosecutor's office at 0800 hours the next business day following the incident.
- C. The business hours of the Prosecutors Office are Monday through Friday 0800 – 1700, Saturday – Closed, Sunday, 0800 – 1200, Holidays as announced 0800 – 1200.

VIII. CONTACTING COMPLAINANTS

Officers taking complaints should obtain sufficient phone numbers that detectives can contact the complainant upon receipt and review of the complaint. If a complainant does not have a readily available phone number, inquire if a number is available for a relative, family friend, friend neighbor etc. This information can be listed in a supplemental report with the exception of domestic violence and protection order cases which must be listed as noted in General Order 2.01-2 Section III. A. 5. C.