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**Clarification Regarding Reporting Requirements Under
DGO 5.04 “Arrests by Private Persons”**
(Re-issue DB 16-117)

This Department Bulletin clarifies a member’s duty to prepare an incident report in all instances where a private person’s arrest is requested under DGO 5.04.

In the course of duty, a member may encounter a private person requesting the arrest of an individual. In some instances, the private person may withdraw their request by refusing to cooperate with the member’s investigation and declining to sign a private person’s arrest form (SFPD Form 80). The subsequent refusal and lack of cooperation by the private person does not relieve a member from completing an incident report under DGO 5.04 II. 8.

DGO 5.04 II. 8. provides, “Whenever a private person summons an officer to take custody of an individual that the private person has arrested or *wants to arrest*, an officer shall...in all instances prepare an incident report.”

In those instances where a private person withdraws their request to arrest an individual, a member is still required to prepare an incident report.

Members shall document their investigation in an incident report with any available information and document statements made by the private person indicating a withdrawn private persons arrest request.


WILLIAM SCOTT
Chief of Police

Per DB 17-080, sworn members are required to electronically acknowledge receipt and review of this Department Bulletin in HRMS.