

## Notice to Appear or Summons Releases

### 409.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Urbana Police Department with guidance on when to release adults who are suspected offenders on a summons or notice to appear in court 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.

### 409.2 RELEASE

Whenever a peace officer is authorized to arrest a person without a warrant he/she may be released on issuance of a summons or notice to appear (65 ILCS 5/1-2-9; 725 ILCS 5/107-12).

### 409.3 CONSIDERATIONS

In determining whether to cite and release a person when discretion is permitted, 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.

### 409.4 POLICY

The Urbana Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a summons or notice to appear when authorized to do so.