

JACKSONVILLE POLICE DEPARTMENT

Policy: 10-9
Effective: 01-01-09
Revised: 05-02-19

STOP, ARREST, & SEARCH OF PERSONS

PURPOSE: To direct the employees of this Department on the lawful limits of authority with respect to contacts with persons.

POLICY: The policy of this Department is to protect and serve the constitutional rights of all citizens when stopping, arresting or searching individuals while balancing the needs of law enforcement in solving crime for the protection of the community.

DEFINITIONS:

- I. PROBABLE CAUSE: (search): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that evidence of crime exists and that the evidence exists at the place to be searched.
- II. PROBABLE CAUSE: (arrest): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that a crime has been or is being committed and the person to be arrested is the one who is or has committed the crime.
- III. REASONABLE GROUNDS: As used in this policy, reasonable grounds shall have the same meaning as probable cause.
- IV. REASONABLE SUSPICION (temporarily detain): Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer to believe that criminal activity is afoot.
- V. REASONABLE SUSPICION (frisk): Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer to believe that a person who is lawfully stopped is in possession of a weapon.
- VI. FRISK (weapon): A limited type of search where an officer may only conduct a search for weapons. With respect to a person such a search is limited to a pat-down of the subject's outer-clothing.
- VII. STRIP SEARCH: The removal or rearrangement of clothing that results in the exposure or observation of a portion of the genitals, the buttocks, or the breasts of a female.
- VIII. CONSENSUAL CONTACT: An interaction between an employee of law enforcement and the public that is voluntary in nature. The law enforcement employee has shown no authority that would cause a reasonable person to believe that they had no choice but to respond or comply with the officer's efforts. Under this type of contact an officer has no power to detain an individual who chooses not to participate in the contact.
- IX. ARREST: An arrest is the taking of a person into custody so that he may be held to answer for the alleged commission of a public offense.