

4th Judicial District Standing Order

Pre-Appearance Release Procedures and Bail
Effective February 23, 2016

Payable offense

- * Can be a misdemeanor or petty misdemeanor.
- * The Statewide Payables list sets forth those offenses for which an individual can choose to pay the listed fine amount in lieu of appearing in court.
- * The list is authorized by Minnesota Statute Section 609.101, subdivision 4, and is approved annually by the Judicial Council after consultation with affected state and local agencies.
- * There is a separate list for criminal offenses, traffic offenses and parking offenses as well as separate lists for MN statute violations and local ordinance violations.

Court Required Offense

- * Are Misdemeanor level offenses only.
- * Requires an individual to appear in court in order to resolve the offense
- * Can be an offense under State Statute or Minneapolis Ordinance.

Booking is Limited to Court Required Offenses

- * An officer may charge a person with a court required offense by issuing a citation, by referring the case for a complaint, or by tab charging at the jail.
- * When an officer arrests a person , the officer must state a valid Rule 6 reason in order to have the person held in jail.
 - * Person must be detained to prevent bodily injury to them or another;
 - * Person will continue their criminal conduct; or
 - * A substantial likelihood exists that the person will not respond to a citation.
- * If no Rule 6 reason is stated, the person will be released without bail being required.

Booking is Limited to Court Required Offenses

- * If an officer wants to charge a person with a payable misdemeanor offense, the officer must either issue a citation or refer the case for a complaint.
- * Officers will no longer be able to book a person in jail and tab charge them with a payable misdemeanor offense.

Payable Offense Under City Ordinance

- * Noisy Assembly (Ord. 389.65 (a)(1))
- * Consuming in Public (Ord. 364.40)
- * Loiter w/ Open Bottle (Ord. 364.45)

(this is not the full list)

Payable Offense Under State Statute

- * Careless Driving (§ 169.13 subd. 2)
- * Disability Parking (§ 169.346, subd. 1)
- * No Insurance (§ 169.797, subd 2 and 3- owner/driver)
- * Open Bottle in MV (§ 169A.35, subd. 2)
- * No DL (§ 171.02)
- * No DL in Possession (§ 171.08)
- * DAS/DAR/DAC (§ 171.24)
 - * does not apply to DAC-IPS
- * Marijuana in MV (§ 152.027, subd. 3)
- * Minor Consumption (§ 340A.503, subd. 1(a)(2))
- * Unlawful Assembly (§609.705 (1) –(3))

* (This is not the full list)

Examples of Court Required Offenses

- * Assault and Domestic Assault (§ 609.2242 & 609.224)
- * Obstruct Legal Process (§ 609.50)
- * Flee on Foot (§ 609.487.6)
- * Disorderly Conduct (§ 609.72)
- * Trespassing (§ 609.605)
- * Public Nuisance (§ 609.74)
- * Failure to Obey a Police Order (§ 169.02)

* (This is not the full list)

Questions

- * Please contact:

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