



Minneapolis Police Department Policy and Procedure Manual

Number:
9-200

Volume Nine – Enforcement Policies

Adult Citations and Arrests

9-205 Private Person Making an Arrest (Citizen's Arrest) (05/29/02) (xx/xx/xx)

I. Purpose

Arrests by a private person can present significant risks, particularly in cases involving gross misdemeanor and felony level offenses.

The purpose of this policy is to explain the requirements for members in evaluating and processing arrests by a private person.

I. Procedures/Regulations

- A. Minnesota law allows a private person to detain someone they believe has committed a crime. Per MN Statute 629.37, a private person can arrest another in one of the following situations:
 - 1. For a public offense committed or attempted in the arresting person's presence.
 - 2. When the person arrested has committed a felony, although not in the arresting person's presence.
 - 3. When a felony has in fact been committed, and the arresting person has reasonable cause for believing the person arrested to have committed it.
- B. A private person making an arrest must complete a Private Person's Arrest Form (MP-3406) which shall be provided by members at the scene. The completed form shall be scanned to Property and Evidence and placed in the appropriate precinct evidence locker.
- C. Members shall determine whether the circumstances justify taking the accused person into custody (P&P 9-201).

- 1. Members shall explain their determination to all involved parties.
 - 2. If the accused person is to be taken into custody, members shall verify the identity of the person making the arrest and assist them in completing the Private Person's Arrest Form.
 - 3. The private person making the arrest should be advised that the appropriate prosecuting authority will notify them if a formal complaint is needed.

See P&P 7-606 regarding arrests by a private person for traffic violations.

Glossary

Arrest: Taking a person into custody, which may be imposed by force or may result from a person submitting to a member. An arrest is a restraint of greater scope or duration than an investigative stop or detention. An arrest requires probable cause that a crime was committed or is being committed. This includes booking, citing in lieu of booking, and releasing pending charges.