

5-07/100.00 - Misdemeanor Warrant Arrests - Time Restrictions

Misdemeanor warrant arrests shall not be made between 2200 hours and 0600 hours unless one of the following conditions exists:

- The arrest is made pursuant to a warrant, whether endorsed for nighttime service or not, if the defendant is in a public place. Public place includes those locations currently interpreted for 647(f) PC situations (front yards are included, if open);
 - The arrest is made pursuant to a warrant, whether endorsed for nighttime service or not, and the defendant is in custody pursuant to another lawful arrest. Any hold so placed is binding;
 - The arrest is made pursuant to a warrant at places other than those defined as public places, if the warrant is endorsed for unrestricted day or nighttime service. A warrant endorsed for nighttime service, public place, would not meet this requirement; or
 - You make the arrest for violation of a domestic violence protective order, even though it did not occur in your presence (Penal Code, 836, 840.).
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