

Peoria Police Department Policy and Procedure Manual

Policy 4.20 Career Habitual Offenders (Repeat Offender Program)



**“Our Community...
Our Commitment”**

I. POLICY

It is the policy of this Department to identify the individuals who are high rate recidivists and violent predators who adversely affect our community. Once these criminal elements are identified, the Department shall work in conjunction with the appropriate Prosecutor in a concentrated post-arrest case enhancement effort. The coordination of the Police/Prosecutor team will help ensure appropriate follow up and corrective action within the justice system. (42.1.5.c)

A. General Provisions (Definitions)

1. Repeat Offender Program (ROP): A program utilized by the Maricopa County Attorney’s Office for the identification/prosecution of the Career Habitual Offender through a concentrated team effort approach between the prosecutor and the police to ensure greater protection of the community.

2. Repeat Offender Program (ROP) Target: A defendant in a criminal case who has been identified as a Career Habitual Offender by use of the criteria outlined in Section C of this policy.

B. Procedure

1. The Peoria Police Department will participate in ROP when officers make arrests on targeted ROP suspects who are identified through Arizona Criminal Justice Information System (ACJIS) on wants or 10-29 checks.

2. ROP targets are identified by running a suspect through the Arizona Crime Information Center (ACIC). A ROP target who is listed in ACIC shall be arrested providing there is sufficient probable cause to arrest him/her on the offense currently being investigated. ROP targets receive zero tolerance reference their involvement in criminal activity.

3. Communications personnel shall advise officers that a subject has a hit, or is listed as ROP in ACIC, just as they would advise officers of the existence of an outstanding warrant.

a. Officers shall notify their supervisor when they arrest ROP targets. The supervisor will notify the Property Crimes Unit (PCU) sergeant, who will inform the designated ROP detective of the arrest.

b. The arresting officer shall also contact the detective from the law enforcement agency that listed the ROP offender in ACIC, and notify that our agency has arrested the individual.

4. Peoria Police Officers may also refer individuals to the designated ROP detective for consideration to enter into ROP. The submitting officer must complete the following prior to submitting the individual to the detective:

a. Document all criteria as outlined in the **Phoenix Police Department Drug Enforcement Bureau Repeat Offender Program Targeting Criteria** attached to this policy in a memorandum directed to the PCU sergeant. (42.1.5.b)

b. The memorandum shall be submitted at the same time the IN CUSTODY paperwork is submitted to the Records Section.

5. The PCU sergeant will then review the memorandum and attachment checking for all required criteria. If the criteria are met the PCU sergeant will then assign the incident to the designated ROP Detective for submission to the ROP committee. If the committee approves the ROP, the submitting officer will be notified of this by the designated ROP detective.

6. If an individual that has been arrested by our agency ultimately is entered into the ROP, the designated ROP detective will ensure that the individual is indexed in the Peoria Police Department Automated Records/CAD, with the designation of ROP. This will notify police department employees that the individual has been entered into the ROP by our agency.

C. Target Criteria (42.1.5.a):

1. The Peoria Police Department has adopted the nine (9) target criteria developed by the Phoenix Police Department ROP Investigators and the Maricopa County Attorney's Office ROP Gang Detail. For details, see the **Phoenix Police Department Drug Enforcement Bureau Repeat Offender Program Targeting Criteria** form (Attached).

2. Use of these criteria and current intelligence information on criminal activity shall enable the Department to identify a high rate of recidivism.

**Peoria Police Department
Policy 4.20 Career Habitual Offenders (Repeat Offender Program)**

Original Issue Date: 01/01/03

Last Revision Date: 02/10/06

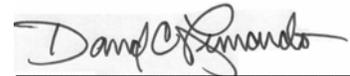
Next Review Date: 06/30/07

Office of Primary Responsibility: CIB

Editor: J. Ellison

Reviewed By: R. Smith

APPROVED:



**David C. Leonardo
Chief of Police**

DRUG ENFORCEMENT BUREAU
REPEAT OFFENDER PROGRAM (ROP) TARGETING CRITERIA

The purpose of the ROP Program is to target, for enhanced prosecution, those offenders committing a high rate of felony property crimes, including Robbery & Aggravated Assault. ROP does not take Drug Only Violations, Sex Offenders, Homicide Suspects, Domestic Violence Cases or Misdemeanor Arrests. The only exception is a Shoplifter (About \$100.00 or more taken) that has two or more verified misdemeanor shoplifting convictions can be charged with Felony Shoplifting, a Class 4 Felony. ROP attorneys require that the charges be at least one Class 4 Felony when initially nominating a suspect into the Program. Class 5 & 6 Felonies can be reduced by the court, so ROP attorneys do not accept Class 5 or 6 Felonies unless they also have at least one Class 4 as an open charge. Once a suspect is entered into the ROP Program, the ROP detective will put a PACE file stop & ACIC flash on the suspect. If the suspect is released from jail and commits additional felonies, the arresting officer is requested to call the ROP detective to have all additional felonies transferred to the ROP attorney regardless of the felony class. If a suspect meets most criteria, but lacks the one Class 4 Felony charge, the ROP detective can track the suspect and put a similar file stop into the system. ROP detectives' voice mail and pager numbers are posted in the booking area of all Patrol Precincts, and can be called 24 hours a day, 7 days a week. When possible, officers should leave their cell phone number so that the ROP detective can respond to their message immediately. The following is a list of the nine criteria that ROP detectives consider:

1. **Current Activity** – These are recent felony arrests, misdemeanor convictions if it is a shoplifter, and intelligence that the suspect is involved in current on-going felony activity.
2. **Substance Abuse** – Credible information that the suspect is a drug addict established by suspect interviews, personal family, friend or informant information, and prior drug arrests.
3. **Lifestyle** – The suspect has a high dollar daily drug addiction, is usually unemployed or underemployed, and it can be established that the only way the suspect could pay for the daily drugs is to commit property crimes to make money to buy the drugs.
4. **Failed Probation or Parole** – This is where the suspect has had prior probation or parole revocations, has a felony warrant for a revocation, or is currently on probation or parole when arrested for a felony. We also consider if the suspect has recently been released from prison or a substantial jail sentence when they were arrested for a felony.
5. **Felony Convictions** – Verified felony convictions in Arizona and other states in the last decade, which can be verified on the computer through the Superior Court, Arizona Criminal History or Triple I.
6. **Prior Juvenile Record** – The juvenile record is considered when the suspect is in the 18-20 year old range, and has not had enough years to establish a long adult record. A suspect that has been committing these crimes since 13 years old and continues the felony activity after turning 18 is seriously considered. The juvenile record of a 30-40 year old suspect is not taken into consideration because it is too old.
7. **Past Informant Activity** – This would be a suspect with numerous felony arrests and no convictions for various reasons. The lack of convictions could be because of weak cases that the County Attorney's office dismissed. However, many times the suspects attempt to give a lot of information on the criminal activity of a worse criminal than them or a group of criminals. Sometimes they are successful in convincing a detective to ask that charges be dropped in their behalf. Many are unreliable, and are successful in talking their way out of many charges.
8. **Family Background** – ROP detectives consider if there are other criminals in the suspect's family, or if the suspect commits crimes against their family members.
9. **Method of Operation (Modus Operandi)** – ROP detectives consider if the suspect is a violent predator such as a Robbery, Car Jacking, Armed Burglary or Cat Burglary suspect, whose crimes are so brazen and are willing to confront their victims. They usually carry weapons.