

Requiring local policies for warrantless arrests for Class C misdemeanors

SB 1597 by Hinojosa (Thompson)

DIGEST:	SB 1597 would have required a law enforcement agency to adopt a written policy on warrantless arrests for Class C misdemeanors, including traffic offenses. The policy would have had to describe the circumstances in which such arrests were authorized and to provide for the review of each arrest by the arresting officer's immediate supervisor.
GOVERNOR'S REASON FOR VETO:	"Senate Bill No. 1597 would require a supervisor's review of a Class C misdemeanor arrest, impeding an officer's ability to make arrests. I have consistently opposed any effort to restrict a peace officer's discretionary arrest powers. Arrests for Class C misdemeanor offenses have been supported by the Supreme Court of the United States."
RESPONSE:	<p>Sen. Juan Hinojosa, the bill's author, said: "This legislation stemmed from an incident where a mother on her way to her child's soccer game was stopped for not wearing a seatbelt. The officer arrested her for the offense and put her in jail. SB 1597 would have allowed a police supervisor to set policies on arrests for Class C misdemeanors to curb these kinds of abuses."</p> <p>Rep. Senfronia Thompson, the House sponsor, was unavailable for comment.</p>
NOTES:	HB 1597 was analyzed in Part Three of the May 26 <i>Daily Floor Report</i> .