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**Clarification Regarding Reporting Requirements Under
DGO 5.04 “Arrests by Private Persons”**

This Department Bulletin clarifies a member’s duty to prepare an incident report in all instances where a private person’s arrest is requested under DGO 5.04.

In the course of duty, a member may encounter a private person requesting the arrest of an individual. In some instances, the private person may withdraw their request by refusing to cooperate with the member’s investigation and declining to sign a private person’s arrest form (SFPD Form 80). The subsequent refusal and lack of cooperation by the private person does not relieve a member from completing an incident report under DGO 5.04 II. 8.

DGO 5.04 II. 8. provides, “Whenever a private person summons an officer to take custody of an individual that the private person has arrested or *wants to arrest*, an officer shall...in all instances prepare an incident report.” (*emphasis added*).

In those instances where a private person withdraws their request to arrest an individual, a member is required to prepare an incident report.

Members shall document their investigation in an incident report with any available information and document statements made by the private person indicating a withdrawn private persons arrest request.



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Per DB 15-141, sworn members are required to electronically acknowledge this Department Bulletin in HRMS.