

June 13, 2003

**PATROL BUREAU MEMORANDUM NO. 03-6**

**SUBJECT:** Housing Court Bench Warrants

The following is information received from the Housing Court in regard to ill or disabled suspects who have Housing Court Bench Warrants. If an officer encounters a suspect(s) who has a Housing Court Bench Warrant, they **may** refrain from taking the suspect(s) into custody if one of the following applies:

1. The suspect is currently residing in a hospital, a skilled nursing facility, a nursing home, an assisted-living facility, or similar institutional place.
2. The suspect has an acute or chronic health condition such that they might be hospitalized if they did not get a doctor-prescribed treatment within eight days. For example, an officer need not take into custody a defendant with an outstanding housing warrant, if the defendant is undergoing weekly dialysis treatments, or
3. The suspect exhibits any of the following conditions: dementia or mental illness that obviously impairs the defendant's ability to function: a communication disorder (i.e., inability to communicate as a result of a stroke, cerebral palsy, etc.); or significant mental retardation.

In the event the officer makes contact with a suspect described in one of the above three categories that he/she chooses not to take into custody, the officer should report the following information to the Housing Court Judge and the Housing Court Prosecutor:

1. The suspect's name and General Ordinance Summons case number,
2. The current address of the suspect, and if the suspect currently resides in a hospital or other institution, the name of the institution,
3. The suspect's medical condition, and
4. The date the officer interviewed the suspect or medical attendant.

The information should be directly transmitted to the Housing Court Judge by mail to 1101 Locust, Kansas City, Missouri, 64106, or by e-mail to [Beth.Murano@kcmo.org](mailto:Beth.Murano@kcmo.org).

Officers are reminded that the decision as to whether to make any arrest is strictly within their discretion.

Deputy Chief James D. Corwin  
Commander  
Patrol Bureau

**DISTRIBUTION:** All Patrol Bureau Personnel  
All Department Elements  
Post on bulletin boards for two weeks.