

FAX TRANSMISSION

LAW OFFICE OF DAVE JAKE SCHWARTZ
PO Box 5604, SANTA ROSA, CA 95402
PHONE: (707) 480-3383 FAX: (707) 540-6056
RIVERJAKE@COMCAST.NET

TO	Santa Rosa Area CHP Attn: Fricke	DATE	6/22/2018
FAX #	707-588-1404	PAGES	1 (INCLUDING THIS COVER PAGE)
FROM	Dave Jake Schwartz, Attorney at Law		
SUBJECT	HL75768 Fernanda Arrington (DOB: 3/17/1987) Request for Faxed Detention Certificate		

MESSAGE:

Dear Officer Fricke:

Per our conversation, this is to confirm that the undersigned is retained attorney of record for the above-referenced individual who was arrested by your agency on 3/7/18 and for whom charges were never filed by the Sonoma County District Attorney.

Ms. Arrington states that she has not received the requested certificate; would you please fax a copy to the above fax number (707-540-6056), and re-mail to her proper address:

3919 146th Street, SE
Mill Creek, WA 98012

Thank you in advance for your time and effort.

Sincerely,

Jake

Dave Jake Schwartz
Attorney at Law

FAXED
6.22.18

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FULL NAME OF DETAINED PERSON

DATE AND TIME OF DETENTION

RELEASING OFFICER

DATE RELEASED	NAME (Printed)	TITLE
04-02-18		

SUPERVISOR ARRESTING OFFICER COURT OFFICER

SIGNATURE

Penal Code Section 849 provides in part:

(a) When an arrest is made without a warrant by a peace officer or private person, the person arrested, if not otherwise released, shall, without unnecessary delay, be taken before the nearest or most accessible magistrate in the county in which the offense is triable, and a complaint stating the charge against the arrested person shall be laid before such magistrate.

(b) Any peace officer may release from custody, instead of taking such person before a magistrate, any person arrested without a warrant whenever:

- (1) He or she is satisfied that there are insufficient grounds for making a criminal complaint against the person arrested.
- (3) The person was arrested only for being under the influence of a controlled substance or drug and such person is delivered to a facility or hospital for treatment and no further proceedings are desirable.
- (4) The person was arrested for driving under the influence of alcohol or drugs and the person is delivered to a hospital for medical treatment that prohibits immediate delivery before a magistrate.

(Amended by Stats. 2015, Ch. 499, Sec. 3. Effective January 1, 2016)

Penal Code Section 851.6 provides:

(a) In any case in which a person is arrested and released pursuant to paragraph (1) or (3) of subdivision (b) of Section 849, the person shall be issued a certificate, signed by the releasing officer or his superior officer, describing the action as a detention.

Penal Code Section 849.5 provides:

In any case in which a person is arrested and released and no accusatory pleading is filed charging him with an offense, any record of arrest of the person shall include a record of release. Thereafter, the arrest shall not be deemed an arrest, but a detention only.