



# Montgomery County Government

## OLO REPORT 96-4

### DESCRIPTION AND EVALUATION OF WARRANT PROCESSING IN MONTGOMERY COUNTY

#### TABLE OF CONTENTS

EXECUTIVE SUMMARY .....	i
I. AUTHORITY, SCOPE, METHODOLOGY, AND ACKNOWLEDGMENTS .....	1
A. Authority.....	1
B. Scope.....	1
C. Methodology.....	1
D. Acknowledgments .....	2
E. Organization of the Report .....	2
II. OVERVIEW .....	3
A. What is the Difference Between a Summons and an Arrest Warrant? .....	3
B. What Agencies Issue Summonses and Warrants in Montgomery County? .....	4
C. What Agencies Serve Summonses and Warrants in Montgomery County? .....	5
D. What Systems are Used to Record and Track Warrants and Summonses? .....	7
E. Upgrades to Criminal Justice Communications and Computer Systems .....	10
III. RESEARCHING, TRACKING, AND SERVING SUMMONSES AND WARRANTS .....	11
A. Montgomery County Sheriff's Office .....	11
B. Montgomery County Police Department.....	14
C. Central Processing Unit.....	25
D. Other Local and Regional Law Enforcement Agencies.....	25
IV. UNSERVED WARRANTS IN MONTGOMERY COUNTY .....	26
A. Montgomery County Sheriff's Office .....	26
B. Montgomery County Police Department.....	29
C. Snapshots of the Warrant Index System Database .....	32
V. COUNTY WARRANTS PROCESSING COMPARED WITH OTHER JURISDICTIONS .....	37
A. Staffing and Workload for Recording, Tracking, and Serving Arrest Warrants .....	38
B. Special Steps or Programs to Reduce the Number of Unserved Warrants .....	44
VI. RELATED MATTERS .....	48
VII. FINDINGS AND RECOMMENDATIONS.....	52
A. Findings .....	52
B. Recommendations .....	55
VIII. AGENCY COMMENTS.....	56

APPENDICES:

A. Map Showing Montgomery County Police Districts .....	A-1
B. Detail of Information on Municipalities and Regional Agencies That Serve Warrants and Summonses in the County .....	B-1
C. Sheriff's Office Staffing Projections to Serve All County Warrants .....	C-1

FLOW CHARTS:

Summons Processing by the Sheriff's Office .....	13
Warrants Processing by the Sheriff's Office.....	14
Tracking of Warrants by the MCPD Warrant Control Section.....	17
Processing of Summonses by the MCPD District Stations.....	22
Serving of Warrants by MCPD District Stations .....	24

OTHER CHARTS AND TABLES:

Organization of Montgomery County Sheriff's Office.....	12
Organization of Montgomery County Police Department.....	15
Summary of Information on Municipalities and Regional Agencies That Serve Warrants and Summonses in the County.....	26
Warrants Processed by the Sheriff's Office (1990-1994).....	28
Warrants Processed by the Police Department (1990-1994) .....	31
Snapshots of the Warrant Index System Database.....	33-36

## EXECUTIVE SUMMARY

This Office of Legislative Oversight report reviews the responsibilities of Montgomery County courts and law enforcement agencies for issuing and serving adult arrest warrants, and the use of automated applications to record and track the documents. Since summonses are recorded, tracked, and served similarly to warrants, and unserved summonses are often re-issued as arrest warrants, some information on summonses is also included in the report.

Research for the project included: interviews of law enforcement personnel in the Sheriff's Office and Police Department; inquiries of other jurisdictions regarding their levels of unserved summonses and warrants; and a nationwide search to identify measures being used by others to manage the workload associated with serving warrants.

### **Major Findings**

Despite the best efforts of County police and the Sheriff's Office to manage the warrant workload, the number of unserved warrants continues to increase. Since summonses are time-sensitive, there is no backlog of unserved summons documents.

During a five year study period, the Sheriff's Office closed 94 percent of the approximately 3,800 adult arrest warrants received annually. The County Police closed 65 percent of the approximately 9,900 warrants received annually. Each year about 3,725 adult arrest warrants were added to the unserved workload of the two law enforcement agencies. As of July 1, 1995, there was a backlog of 2,230 unserved warrants assigned to the Sheriff's Office, and 16,839 unserved warrants assigned to the Police Department. Unless additional steps are taken to alleviate this backlog, the number of unserved warrants could total approximately 35,000 by the turn of the century.

Many other jurisdictions in the country share the challenge of managing an increasing warrant workload. Some have instituted special programs or are using non-traditional strategies to increase their service rates.

### **Recommendations**

OLO recommends that actions be taken to improve the effectiveness and efficiency of how the County researches, tracks, and serves warrants. Specific recommendations include:

- Improve Police Department resources to enter, update, and verify computerized summons and warrant data, and authorize officers in the district stations and the Fugitive Unit to record data into the Warrant Index System.
- Consider assigning specific warrants to patrol officers for serving, and augment these efforts by dedicating two officers to serve warrants.
- Expand the methods used to locate wanted individuals, such as placing lists of names in local newspapers, posting mug shots on the Internet, and establishing amnesty programs.
- Continue to improve the integration of the criminal justice computer systems to reduce duplication of effort and ensure up-to-date information is provided to law enforcement agencies.

## **I. AUTHORITY, SCOPE, METHODOLOGY, AND ACKNOWLEDGMENTS**

### **A. Authority**

Council Resolution No. 13-223, FY 1996 Work Program of the Office of Legislative Oversight, adopted July 18, 1995.

### **B. Scope**

This Office of Legislative Oversight (OLO) report reviews jurisdictional and agency responsibilities for the recording, tracking, and serving of adult arrest warrants in Montgomery County. Because summonses are recorded, tracked, and served similarly to arrest warrants, and unserved summonses are often re-issued as arrest warrants, OLO also inquired into the handling of summonses. Juvenile offenders are handled differently from adults, and the scope of this study did not include examination of the processing of arrest warrants for juveniles.

As part of this study, OLO reviewed the responsibilities of the courts and law enforcement agencies for issuing and serving warrants, and the use of automated applications to record and track warrant documents. In addition, OLO surveyed other jurisdictions regarding their levels of unserved warrants and conducted a search for measures successfully used by others to reduce their number of outstanding arrest warrants and control the workload associated with serving warrants.

### **C. Methodology**

This project was conducted by Joan M. Pedersen and assisted by Jennifer F. Kimball and Andre L. Biscoe, public administration interns. Research activities included:

- Review of written policies, procedures, and guidelines on warrant processing that are in place for the County's police department and Sheriff's office.
- Review of previous reports and studies examining the arrest warrant processes or the use of automation in the recording and tracking of warrants by County law enforcement agencies.
- Interviews with Council support staff; members of the Criminal Justice Coordinating Commission; management and staff of Executive departments/offices (Police, Management and Budget, Corrections); administrators and staff of various other law enforcement agencies (Sheriff's Office, State's Attorney, Montgomery County Park Police, Transit Police, and police departments for the cities of Rockville, Gaithersburg, and Takoma Park).
- Survey of various cities and counties in Maryland and the Washington-Metropolitan area to determine whether the number of outstanding arrest warrants is increasing in the selected jurisdictions, the degree of automation used to record and track warrants, and whether any alternatives to traditional methods of serving warrants have been used (or are planned) to reduce the number unserved warrants and control the workload for serving warrants.
- Inquiries through the National Institute of Justice and Public Technology, Incorporated to locate jurisdictions in the United States that have used special methods to reduce the number of unserved warrants and control the workload associated with serving warrants.
- Review of arrest procedures and observations during field trips with a team of Sheriff's deputies assigned to serve warrants and during visits to the centralized processing facility.

## **D. Acknowledgments**

The Office of Legislative Oversight (OLO) acknowledges the prompt and courteous cooperation received from administrators and staff of the criminal justice and law enforcement agencies in the County, including: the Police Department, Office of the Sheriff, Office of the States Attorney, Department of Corrections and Rehabilitation, and the district and circuit courts. In addition, OLO acknowledges and appreciates the contributions received from the support staff and members of the Criminal Justice Coordinating Commission, and managers and staff of the Department of Information Systems and Telecommunications, the Office of Management and Budget, and the County Council.

## **E. Organization of the Report**

The remainder of this report is organized as follows:

### Chapter II, Overview

Discusses the difference between a summons and an arrest warrant; describes the agencies that issue and serve summonses and warrants in Montgomery County; describes the automated systems that are used to record and track summonses and warrants; and examines a major system upgrade that is planned for County criminal justice agencies.

### Chapter III, Researching, Tracking, and Serving Summonses and Warrants

Describes how summonses and warrants are researched, tracked, and served by the County's Police Department and Sheriff's Office; discusses the pilot test of centrally processing arrestees; and describes how other local and regional law enforcement agencies research, track, and serve summonses and warrants.

### Chapter IV, Unserved Warrants in Montgomery County

Examines the warrant workload for the Police Department and Sheriff's Office and reviews information contained in the County's automated Warrant Index System.

### Chapter V, County Warrants Processing Compared with Other Jurisdictions

Reviews the workload and staffing for recording, tracking, and serving arrest warrants in Montgomery County and other selected jurisdictions in Maryland and the Washington-Metropolitan area, and describes special steps or programs that are in place in other parts of the country to reduce the number of unserved warrants.

### Chapter VI, Related Matters

Examines ideas to control the warrant workload and other suggestions for improvements that were received from law enforcement personnel during the course of the OLO study.

### Chapter VII, Findings and Recommendations

Contains the OLO findings and recommendations.

### Chapter VIII, Agency Comments

Contains the agencies' written comments on the OLO draft report.

## **II. OVERVIEW**

Several Federal, State, and County agencies are involved in the issuance, tracking, and service of summonses and arrest warrants. This chapter describes the differences between a summons and an arrest warrant and provides an overview of the agencies having primary responsibility for issuing and serving summonses and warrants in Montgomery County.

### **A. What is the Difference Between a Summons and an Arrest Warrant?**

A summons is a legal document issued by a court commissioner or other judicial officer that directs a person to appear before a court at a certain date and time. The judiciary often issues a summons to request a person to appear as a witness in a case before the court. However, a court officer may also issue a summons when a misdemeanor offense is alleged and the court believes the suspect will respond voluntarily if directed to appear. The courts have full discretion in deciding whether to issue a summons or an arrest warrant.

An arrest warrant is also a legal document that is issued by a court commissioner or other judicial officer. However, an arrest warrant directs a law enforcement agency to apprehend an individual and bring the person before a court to answer specific charges. The law enforcement agency acts on behalf of the courts when apprehending persons named on arrest warrants.

The Fourth Amendment to the U. S. Constitution protects citizens from unreasonable search and seizure. This means that a law enforcement agency must have good cause to search a premise or a person, to seize property, or to take an individual into custody. When a law enforcement officer witnesses the commission of a crime, the officer has good cause to search the immediate vicinity of the crime, seize evidence, and arrest the individuals who committed the crime. However, when an enforcement officer has not personally observed commission of the crime, a warrant must be obtained from the courts that authorizes arrest of the individual(s) believed to have committed the offense.

An arrest warrant is usually issued when the alleged charges relate to a serious crime and the suspect is not believed likely to respond if summoned, or when an individual has already failed to respond to a summons. The judiciary may issue an arrest warrant in response to: a grand jury indictment; charges filed by a state's attorney; a police investigation; or a citizen's complaint. An arrest warrant may also be issued directly by a judge "from the bench" when a defendant fails to appear in court as ordered, fails to pay a fine or perform other restitution that has been ordered by the court, or violates conditions of release. This kind of arrest warrant is often referred to as a bench warrant.

The majority of arrest warrants are issued in conjunction with an investigation being conducted by a law enforcement agency or because of a citizen complaint. To obtain an arrest warrant, a citizen or law enforcement agency representative must appear before a district court commissioner or other judicial officer (generally a judge) and file a statement of charges against a particular person. Each warrant document is accompanied by the statement of the charges that have been alleged against the person named on the warrant.

A citizen may request issuance of a statement of charges and receive assistance from a court officer in preparing an application for a charging document. An application and a charging document each contain information on the alleged offense and the section of the criminal code violated. An arrest warrant is issued only after a judicial officer reviews the charging document and determines there is probable cause that a crime has been committed by a particular individual. A copy of the charging document is attached to the warrant when it is served.

## **B. What Agencies Issue Summonses and Warrants in Montgomery County?**

As explained above, a court officer may issue an arrest warrant in response to: a grand jury indictment; charges filed by a state's attorney; a police investigation; a citizen's complaint; or a judicial directive (bench warrant) when a person does not conform with a court order or a defendant fails to appear in court to answer charges. Montgomery County arrest warrants are issued directly by district or circuit court judges or by district court commissioners.

**1. *Circuit Court.*** The circuit court is the highest common-law and equity court of record exercising original jurisdiction within the State of Maryland. Each county and Baltimore City have a circuit court, which is the trial court of general jurisdiction. There are eight circuit administrative judges and 131 judges in the Statewide circuit court system.

The circuit court in Montgomery County handles:

- major civil cases;
- serious criminal matters;
- appeals from the district court;
- appeals from various administrative agencies (e.g., Liquor License Commissioners, Zoning Appeals Boards);
- probate matters (sitting as the Orphan's Court); and,
- cases transferred from the district court for trial by jury (a defendant has the right to a jury trial when accused of a crime having a possible sentence of 90 or more days imprisonment).

Circuit court judges and administrative officers issue summonses requiring persons to appear in court to testify or to answer charges, and warrants for the arrest of individuals in connection with various cases before the court. For calendar year 1994, the circuit court for Montgomery County issued 1,614 warrants, 3,692 summonses for witnesses to appear, and 3,452 summonses for defendants. The Sheriff's Office serves legal papers issued by the circuit court.

**2. *District Court.*** The district court was created in 1970 as a court of limited jurisdiction as a result of an amendment to the Maryland constitution. The original intent was to give the district court system exclusive jurisdiction over misdemeanors, while the circuit court would have jurisdiction over felony criminal cases. However, there are numerous exceptions to the jurisdiction rules, partly because Maryland law does not clearly distinguish between misdemeanors and felonies. The common law definition of a misdemeanor is "any crime for which the maximum sentence does not exceed 90 days of confinement." However, Maryland law contains numerous examples of crimes that are classified as misdemeanors and carry maximum sentences exceeding the 90-day limitation.

The district court in Montgomery County handles:

- violations of the vehicle laws and the State Boat Act unless the violation is a felony;
- misdemeanor violations of statutory or common law, regardless of the amount of money or value of the property involved;

- misdemeanor theft, including possession of stolen property, passing of bad checks, and credit card offenses;
- misdemeanor violations of county, municipal or other ordinances;
- misdemeanor violations of State, county or municipal rules or regulations;
- forgery or counterfeiting of financial documents, whether a misdemeanor or felony; and,
- juvenile cases in Montgomery County.

District court judges and commissioners issue summonses requiring persons to appear in court to testify or to answer charges, and warrants for the arrest of individuals in connection with various cases before the court. The Statewide district court system includes a Chief Judge and 97 associate judges. For calendar year 1993, the district courts in Montgomery County issued 4,424 summonses for defendants to appear and 6,468 arrest warrants. The County's Police Department serves warrants and summonses issued by the district court in connection with criminal and traffic cases, and the Sheriff's Office serves papers issued in connection with any civil cases.

### **C. What Agencies Serve Summonses and Warrants in Montgomery County?**

Maryland law allows that a civil summons may be served by either the Sheriff's deputies or by a disinterested third party, and the manner of service is designated by the court when the summons is issued. Summonses to witnesses in criminal and traffic cases may be served by mail, if directed by the administrative judge of the judicial district. In the absence of such designations, all summonses issued by the courts must be served by law enforcement officers.

Maryland law stipulates that an arrest warrant may only be served by a law enforcement officer. This is because the subject of the warrant must be taken into custody (arrested) and brought before the court to answer the statement of charges attached to the warrant.

Officers of several law enforcement agencies are authorized to serve summonses and arrest warrants in Montgomery County, including: the Sheriff's Office, the County's Police Department, Park Police, Transit Police, police departments of the incorporated cities and towns within the County, and various State and Federal law enforcement agencies. In practice, the majority of summonses and warrants are served by the County's Police Department and the Sheriff's Office.

#### **1. County Police Officers and Sheriff Deputies Serve Most Warrants and Summonses.**

There are three references in the Annotated Code of Maryland, Courts and Judicial Proceedings, that indicate the law enforcement agency responsible for serving papers issued by the circuit and district courts in Maryland. These papers include arrest warrants and summonses. The relevant sections of the law are:

- Section 2-301(a) requires that the various county sheriffs are to serve all papers issued by the courts;
- Section 2-605(a) authorizes the sheriff to serve civil papers issued by the district court; and,
- Section 2-605(b) allows for the administrative judge of a judicial district to designate the law enforcement agency to serve papers issued in connection with criminal and traffic matters before the district court.

In the absence of a specific designation by the administrative judge of a judicial district under Section 2-605(b), the various county sheriffs are responsible for serving warrants, summonses, and other papers issued by the Maryland courts.

For many years in Montgomery County, the Sheriff's Office served all warrants and summonses issued by the circuit court and any issued by the district court in connection with civil cases, and the local police departments served district court papers issued in connection with criminal and traffic cases. These practices were formalized in 1985, when the administrative judge for the Sixth Judicial District (which encompasses Montgomery County) designated local police to be formally responsible for serving district court papers (including warrants and summonses for witnesses) that are issued in relation to criminal and traffic matters before the court. This action was in accordance with Section 2-605(b), cited above.

**2. *Other Federal, State, and Local Agencies Serve Summonses and Warrants.*** Besides the County's Police Department and Sheriff's Office, there are several Federal, State, regional, and municipal agencies that have law enforcement powers in Montgomery County. The enforcement jurisdictions of these agencies may be related to laws associated with control of certain products or activities (such as alcohol, firearms, and interstate commerce) or confined to geographic areas (such as cities, parks, or transitways). Most of the warrants and summonses that these entities serve are acquired directly by the agencies as part of investigations or are forwarded to them as the law enforcement units that originated the cases (when defendants fail to appear in court or pay fines as directed).

**3. *Other Jurisdictions Assist the County in Serving Summonses and Warrants.*** When the subject of a warrant or summons is known to be located or residing within another jurisdiction, the document is forwarded to a local law enforcement agency in that jurisdiction for serving. Conversely, a warrant or summons may be issued by another jurisdiction and forwarded to Montgomery County Police or the Sheriff for serving when the subject is thought to be located in this County.

Once the subject of a warrant has been taken into custody, the requesting law enforcement agency must make whatever arrangements are necessary to bring the individual before the applicable court to answer charges contained in the charging document. In some instances, the apprehending jurisdiction may be authorized to serve the warrant and take the subject before a local judge or court commissioner on behalf of the requesting jurisdiction. All district court warrants indicate in the documents whether another jurisdiction may serve the warrants. For service of these warrants, the County has made reciprocal arrangements with the following Maryland jurisdictions:

- Maryland State Police
- Anne Arundel County Police
- Howard County Police
- Prince George's County Police
- Prince George's County Sheriff's Department
- Baltimore County Police
- Baltimore City Police
- Harford County Sheriff's Department

#### **D. What Systems are Used to Record and Track Warrants and Summonses?**

Warrants and summonses are recorded and tracked by several Federal, State, and local agencies. The kinds of information recorded and the levels of detail maintained are contingent upon the agency's purposes for recording data about the warrants or summonses. The focus of the courts is related to case management, whereas the focus of police and sheriff offices is the tracking of unserved warrants and locating wanted persons.

This section describes the automated systems used to record and track warrants and summonses issued by courts in Montgomery County, as well as those that are issued in other jurisdictions and forwarded to the Montgomery County Police Department (MCPD) or the Sheriff's Office for serving.

**1. *Montgomery County Criminal Justice Information System (MC-CJIS).*** This system was installed in 1985 to provide a multi-agency automated system to operate an integrated and shared database of defendant-based records that are accessible for inquiry by a number of criminal justice agencies. The system is used to record and track information on individuals throughout the County's criminal justice system, and includes data on arrest, arraignment, pretrial detention, court appearances, sentencing, and any resulting incarceration.

- County police personnel input data relating to the arrest of individuals, including information on arrests made by the Sheriff's Office in relation to criminal cases;
- States Attorney Office personnel input information relating to the disposition of circuit court cases; and,
- Department of Corrections and Rehabilitation staff input pre-trial assessment and supervision data and any information relating to inmate detention or participation in the County's pre-release program.

The hardware platform is the County's IBM mainframe, and the system is maintained by Department of Information Systems and Telecommunications (DIST) systems support staff. Workstations can access MC-CJIS from the following County departments and offices: the Sheriff's Office, States Attorney's Office, MCPD Records Division, Pre-Trial Services, detention center offices, and DIST.

Other agencies and jurisdictions having inquiry access to MC-CJIS include: the State of Maryland Public Defender's Office, the Parole and Probation Office, and the Division of Corrections; the M-NCPPC Park Police; and the police departments for the cities of Gaithersburg, Takoma Park, and Rockville.

MC-CJIS receives input from the case management system used by the County's district courts and sends data on correctional facility admissions and releases to the State CJIS.

**2. *Maryland District Court System (MD-DCS).*** This database is a district court case management system that is controlled, operated, and maintained by the Maryland Office of Judicial Information Systems in Annapolis. The system provides an integrated and shared database of Statewide district court case information that is accessible for inquiry by a number of criminal justice and law enforcement agencies. Montgomery County district courts have been using MD-DCS since March 1993 to record and track the filing and disposition of cases before the court, to schedule cases, and to generate daily court dockets and notification letters. District court commissioners update the database with information on the arrest of individuals and district court clerks have control over data relating to case dispositions and witness information.

The database may be accessed from any authorized computer workstations via modem. Statewide, approximately 7,000 users access MD-DCS, including administrators and staff of the courts, various police departments, public defender and states attorney offices, and pre-trial investigation units. Inquiries may be made to retrieve information relating to the caseload calendar or to individual cases.

The MD-DCS interfaces with the County's Criminal Justice Information System (MC-CJIS) and electronically updates information in the MC-CJIS database several times each day. It is OLO's understanding that the issuance of summonses and warrants is recorded in the system, but no information on the serving of these documents is recorded.

3. ***Circuit Court Case System (CCCS)***. This is a mainframe database application installed in 1976 on the circuit court's Hewlett Packard mini-computer. CCCS is a case-oriented system, where a case is defined as an information or indictment filed by the States Attorney or appealed from the district court.

The system is used to manage the court's caseload and track the status and disposition of cases before the court. It is OLO's understanding that the issuance of summonses and warrants is recorded in the system, but no information on the serving of these documents is recorded.

Local computer workstations may access CCCS from the offices of the States Attorney and various circuit court divisions. The court case system does not directly exchange information with any other computer database or application. However, staff of the States Attorney's office input circuit court case information into the County's Criminal Justice Information System (MC-CJIS), including data relating to the issuance of warrants and summonses. MC-CJIS is not updated when these documents are served.

4. ***Montgomery County Warrant Index System (WIS; WARS; WARRS; Warrant System)***. The Warrant System is a mainframe computer database application used to track warrants and maintain a history on warrants issued by the district and circuit courts in Montgomery County. The system was developed by the Department of Information Systems and Telecommunications (DIST), and was installed for the County police Records Division in 1990. DIST later configured the database layout to allow recording and tracking of warrants for which the Sheriff's Office is responsible, and that office began using the system in 1992. The Warrant System is stand-alone and does not interface with any other computer database or application.

Warrant data is entered into the database within 48 hours after being received from the courts by the Warrant Control Section of the MCPD Records Division. The Warrant Control Section does not record any warrants received from other jurisdictions (these are received and tracked separately by the MCPD Fugitive Unit). Summonses are not generally recorded in the Warrant System because they are sent from the court directly to MCPD district stations for tracking and serving. However, when address information is incomplete or missing, a summons cannot be assigned to a police district for serving, so the documents are sent to the MCPD Records Division and are recorded in the Warrant System.

Personnel in the Sheriff's Office enter information into the Warrant System within 24 hours after the warrants are received from the local courts or from other jurisdictions. No summonses are recorded in the warrants database (summonses received by the Sheriff are recorded and tracked in a separate system).

Police and sheriff staff change or delete only the records they have originated, and each agency allows access to only two or three individuals for adding, changing, or deleting warrants data. When warrants have been served, the record is marked closed in the database, but is not removed from the system. Unless there is a court order to expunge certain records, the history on all warrants is retained.

Access to the warrants database for inquiry purposes allows law enforcement agencies to review information on persons currently or previously wanted in Montgomery County. About 125 law enforcement personnel currently have inquiry capability, including County police and sheriff personnel, Park police, staff in the County's Central Processing Unit and Emergency Communications Center, and Gaithersburg City police.

5. **Maryland Inter-Agency Law Enforcement System (MILES)**. This is a State of Maryland automated database system which provides all criminal justice and law enforcement agencies in the State the ability to record data and review files containing information on wanted or missing persons, stolen property, criminal history, and motor vehicle records. Except for the motor vehicle records, which are maintained by the State, each agency using MILES is responsible for entering, maintaining, and validating their own records. Once a warrant has been served, the originating agency is required to remove the record from MILES.

Many of the warrants received from the courts by the Sheriff's Office and MCPD are recorded in MILES. MCPD enters information on bench warrants within 30-45 days after receipt from the court. Other warrants issued in relation to criminal cases are entered within 48-72 hours after receipt. With the exception of warrants received on Fridays, the Sheriff's Office enters warrant information within 24 hours after receipt. Warrants received on Fridays are usually recorded the following Monday.

Each law enforcement agency that records information in MILES is required to ensure the continued validity of the data that has been entered into the State's system. Validation of a warrant entails verification that the warrant is still unserved and outstanding and all information that has been entered into MILES is current. Each agency receives a monthly report that lists warrants selected by the State for validation.

6. **National Crime Information Center System (NCIC)**. This system was installed in 1967 by the Federal Bureau of Investigation to collect and share information on stolen property and missing or wanted persons. All State law enforcement agencies have access to the database to input or query information. The MCPD and Sheriff's Office access the NCIC database through MILES to input warrant information history on persons wanted in Montgomery County or to query the system.

Many of the warrants received from the courts by the Sheriff's Office and MCPD are also recorded in the NCIC databank. MCPD enters information on the County arrest warrants relating to serious criminal cases within 30 to 45 days after receipt from the court. The Sheriff's office enters information on most warrants within 24 hours after receipt (warrants received on a Friday are usually entered the following Monday). As with MILES, the NCIC databank does not retain a history on warrant activity, and once a warrant has been served, the originating agency is required to remove the record from NCIC.

7. ***Other Local Stand-Alone Databases.*** The MCPD Fugitive Unit uses a local dBase application on a personal computer to record and track the warrants and summonses that are sent to MCPD from other jurisdictions. The County's Warrant Index System is also periodically queried to select warrants for serving by the Fugitive Unit.

Data on these selected warrants are also entered into the stand-alone dBase system maintained by the unit. The dBase application does not electronically share information with any other automated system.

Three of the MCPD district stations have developed dBase systems on personal computers for tracking summonses issued by the district court. The other two districts use manual systems to control and track summonses. The dBase systems developed by the district stations are stand-alone databases that do not share information with any other automated system.

The Summons Management System is a stand-alone database used by the Sheriff's Office for tracking summonses, subpoenas, and other court papers assigned to sheriff deputies for serving. Summonses are assigned to deputies for serving based on geographical areas called "bailiwicks" (there are 13 bailiwicks).

The Summons Management System assigns the summonses to the deputies responsible for the various bailiwicks. The Summons Management System does not share information with any other automated system.

#### **E. Upgrades to Criminal Justice Computer and Communications Systems**

Aside from the many computer applications used to record, track, or research information relating to warrants and summonses, the MCPD uses separate automated systems to manage calls from citizens and dispatch officers, to gather information on stolen property, and to generate reports on crimes and incidents investigated by the police. Many of the automated systems require input of data that is common to one or more of the County's other databases. Currently, this common information must be separately recorded into the various databases.

In an effort to reduce duplication, the Council included funds in the FY 96 capital budget for an upgrade to the County's Criminal Justice Information System (MC-CJIS). The upgraded system will provide enhanced computer access capabilities to several criminal justice agencies and reduce the number of stand-alone systems currently used by MCPD and the Sheriff's Office to record, track, and research warrants and summonses. The project's estimated total cost of \$1,060,590 is funded through a combination of current revenues of the County (\$621,840) and a Federal grant (\$438,750).

Among other systems, MCPD and the Sheriff's Office currently research the County's CJIS for criminal history on wanted persons. Warrants received by the agencies are entered into the stand-alone Warrant System database, and summons received by the Sheriff's Office are entered into a separate automated database (Summons Management System). Plans for the upgraded MC-CJIS include modules for recording and tracking warrants and summonses. Thus, one system instead of three will be accessed and used to record, track, and research warrants and summonses. This will eliminate the current need for manually recording and cross-referencing data that is found during research activities and entering the same information into separate warrant or summons tracking systems.

The Council also approved a FY 96 capital budget project to upgrade the circuit court computer systems to increase productivity and improve case management. The planned enhancements to the hardware and software configurations will automate the courtroom setting and all divisions within the court, enable enhanced research through CD-ROM technology, allow court personnel to access other County databases, and provide public access to the circuit court database. When completed, warrant and summons information will be processed electronically from the courtroom to the new MC-CJIS modules.

As part of MCPD communication system upgrades, the Police Department is examining whether patrol officers should have the capability to send and receive information by way of mobile data computers. A mobile data system project was approved as part of the FY 96 capital improvements program for the County, with \$100,000 appropriated for planning and design.

DIST is currently working closely with MCPD to design tests of various mobile computer systems to determine the feasibility and cost of various configurations. If implemented, patrol officers will use wireless laptop computers to directly run checks on drivers' licenses, vehicle tags, and wanted person databases instead of relying on dispatchers. The upgraded MC-CJIS will be designed to facilitate the flow of this time-critical information to officers in the field.

### **III. RESEARCHING, TRACKING, AND SERVING SUMMONSES AND WARRANTS**

This chapter provides details on how the Montgomery County Police Department (MCPD) and Sheriff's Office research, track, and serve summonses and warrants.

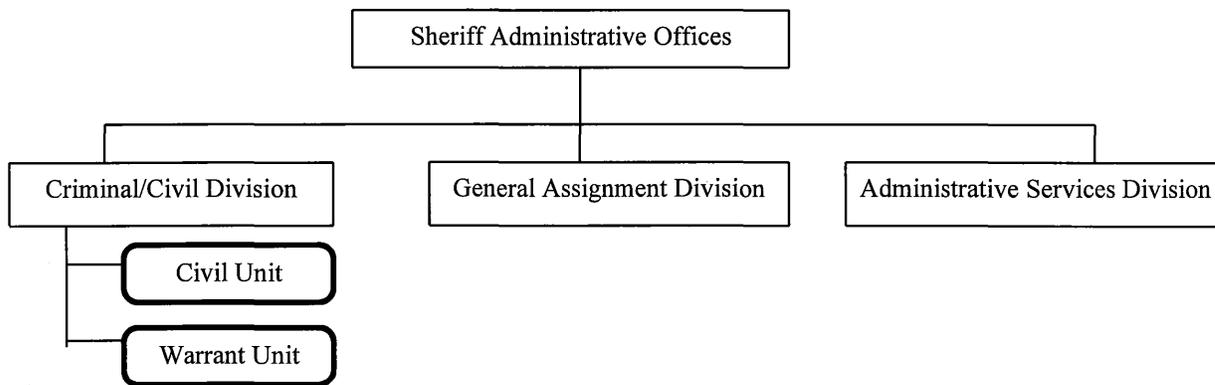
#### **A. Montgomery County Sheriff's Office**

Although funded locally, the Office of the Sheriff was established by the State of Maryland. Article IV, Section 44 of the Maryland Constitution specifies that the Maryland counties and Baltimore City must each elect a sheriff to serve a four-year term. The various sheriff offices are considered part of the State judicial system.

In Montgomery County, the duties and responsibilities of the Sheriff's Office are: to provide courtroom security for the circuit court, transport prisoners between the detention center and the courts, and serve papers as directed by the courts. Papers requiring service include subpoenas, summonses, and warrants. Sheriff deputies serve papers issued by the district courts in relation to civil matters and all papers issued by the circuit courts.

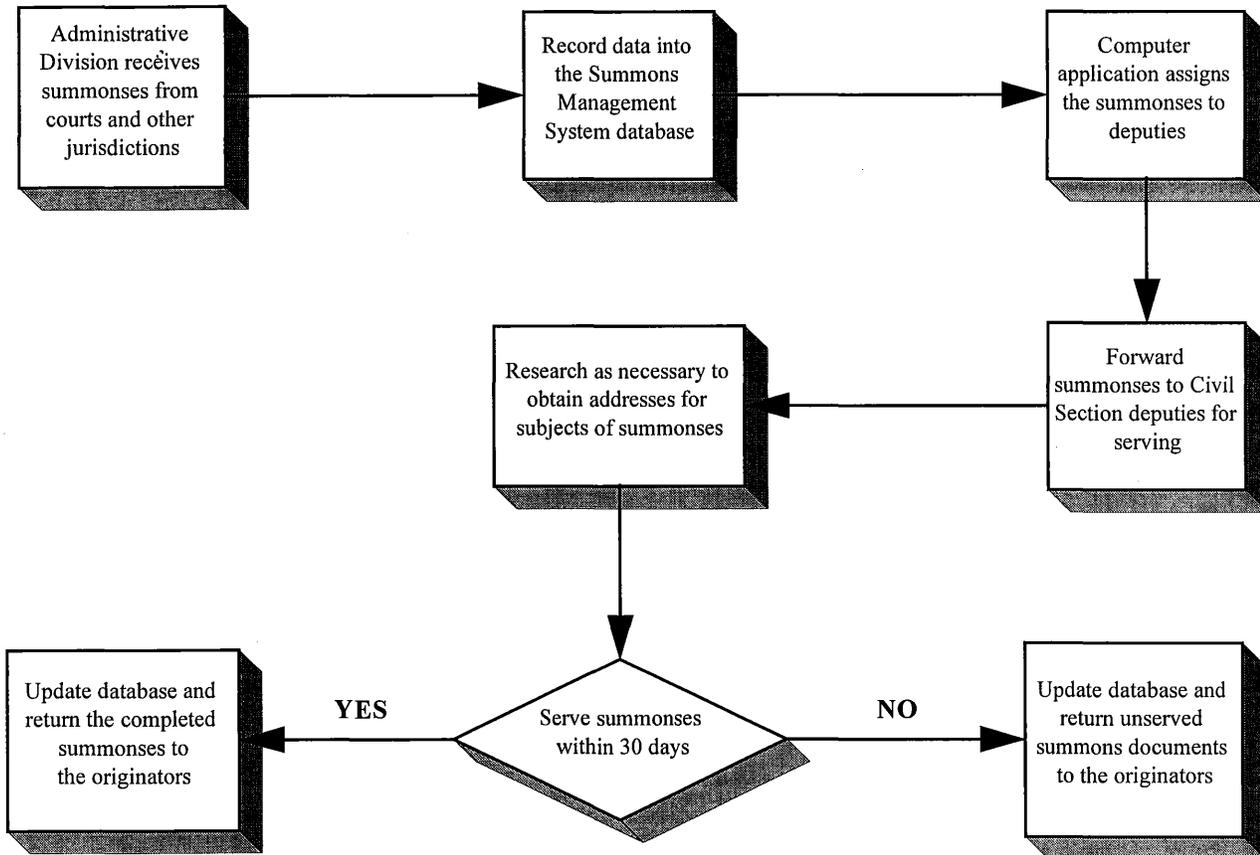
The Sheriff's Office for Montgomery County is comprised of the Sheriff's administrative offices and three divisions: the Civil/Criminal Division, the General Assignment Division, and the Administrative Services Division. The Criminal/Civil Division consists of two units, the Civil Unit and the Warrant Unit. These units are responsible for serving court papers, which include summonses, subpoenas, warrants, and notices of eviction. For FY 96, the Criminal/Civil Division has an approved personnel complement of 42 positions.

## Organization of Montgomery County Sheriff's Office



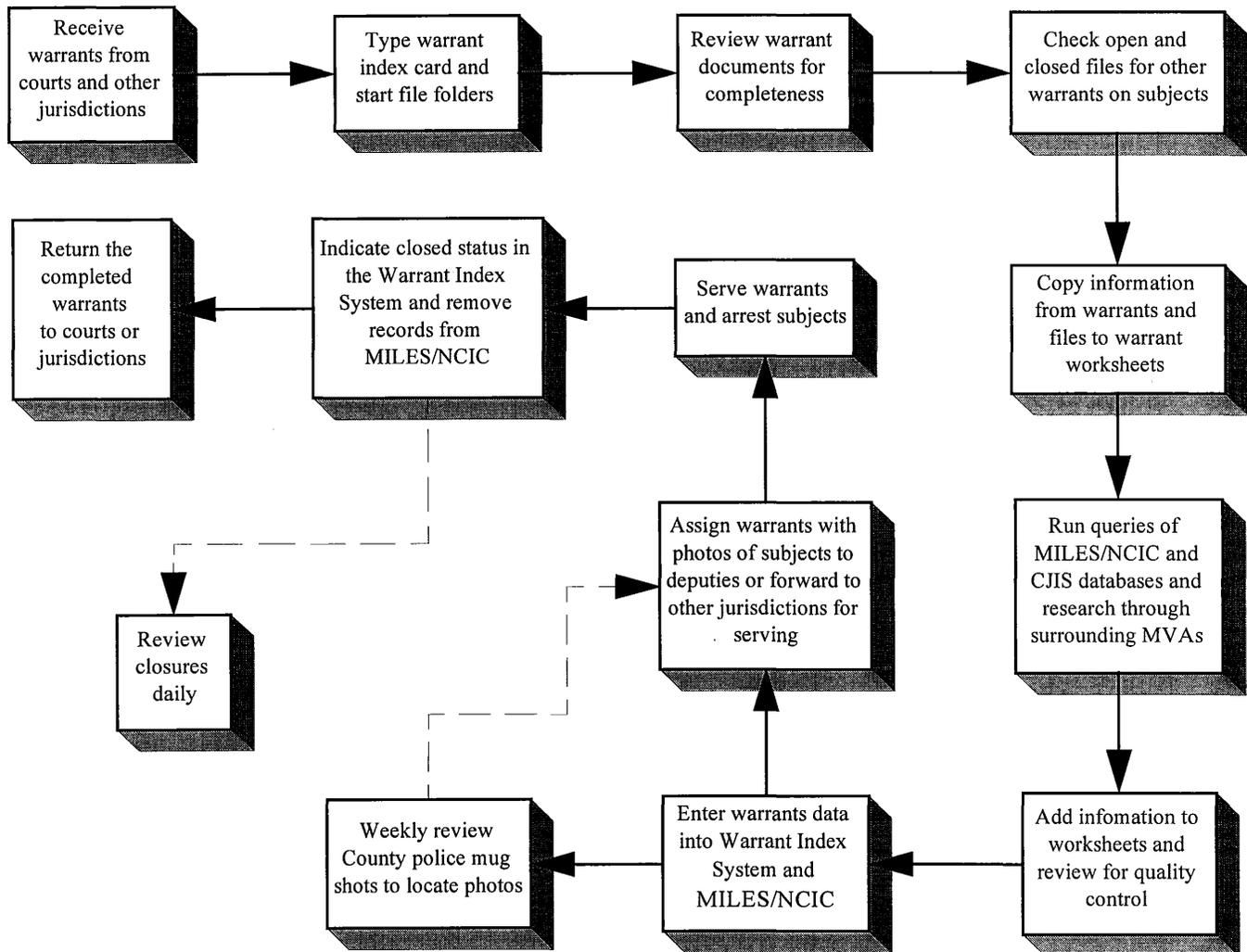
1. **Civil Unit.** The FY 96 approved personnel complement for this unit includes 24 positions for a total of 24.5 workyears. Deputies assigned to the Criminal/Civil Division serve various legal papers issued by the district and circuit courts, including property attachments, subpoenas, and summonses. The division also conducts Sheriff's sales of seized or attached property, and handles any civil papers forwarded by other jurisdictions. This division records and tracks summonses in a local stand-alone database. During FY 95, the Civil Unit received 90,340 court documents exclusive of warrants and served an estimated 63,240. The following flowchart shows steps taken in tracking and serving summonses.

## SUMMONS PROCESSING BY THE SHERIFF'S OFFICE



2. **Warrant Unit.** The FY 96 approved personnel complement for this unit includes 18 positions for a total of 18.5 workyears. Deputies assigned to the Warrant Unit serve all arrest warrants received from the district and circuit courts in Montgomery County and from other jurisdictions. The unit also handles extradition processes on fugitives located in other jurisdictions. This unit records and tracks warrants in the County's Warrant Index System, MILES, and NCIC databases as appropriate. The following flowchart shows steps taken in tracking and serving warrants.

## WARRANTS PROCESSING BY THE SHERIFF'S OFFICE



### **B. Montgomery County Police Department**

The Montgomery County Police Department (MCPD) is an Executive Branch department that was established in 1922 as the primary law enforcement agency for the County. The approved FY 96 personnel complement for MCPD includes 926 sworn officers and 456 civilian positions, for a total of 1,331.3 workyears. The FY 96 operating budget is approximately \$100 million.

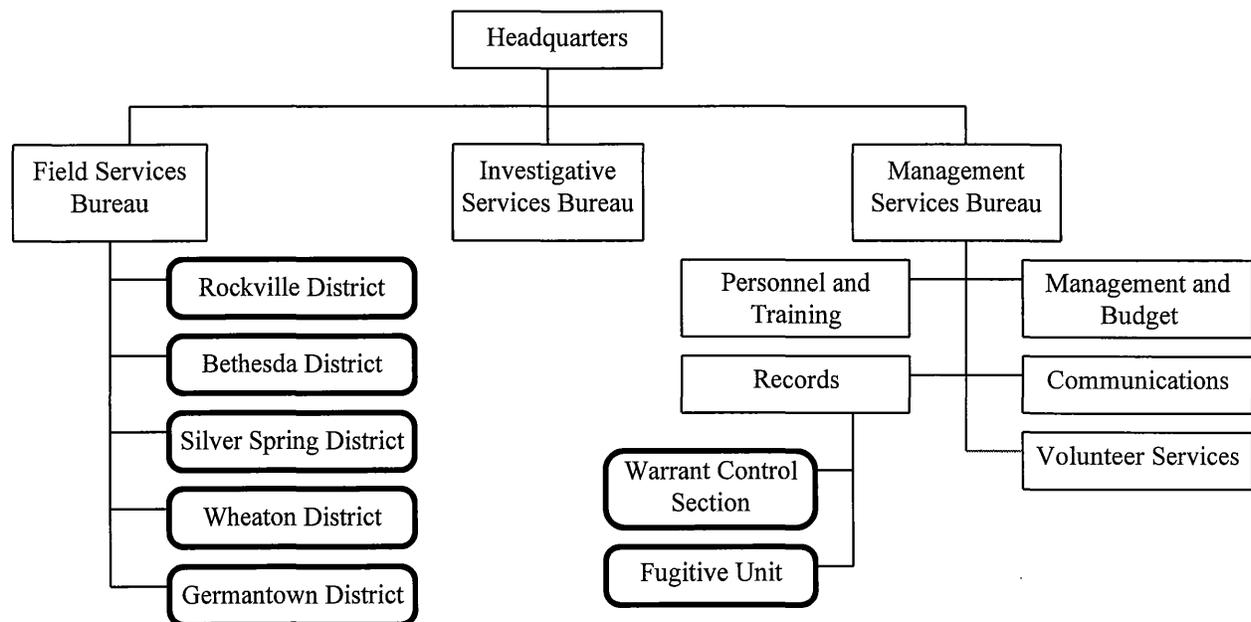
Organizationally, MCPD is comprised of the office of the Police Chief at headquarters and three major bureaus: Field Services, Investigative Services, and Management Services. Any arrest warrants acquired by MCPD officers or detectives in the course of investigations are managed by the individual officers, who actively pursue serving of the warrants. These warrants are forwarded to the Management Services Bureau for centralized management only when the investigating officers or detectives are unable to locate the subjects of the warrants. Summonses and warrants that are sent to MCPD by other jurisdictions or by the district courts in Montgomery County are handled by units of the Management Services Bureau and the Field Services Bureau.

The Field Services Bureau is the largest operational component in MCPD. Responsibilities of this bureau include crime analysis, field training, canine and special tactical units, and patrol officers. The bureau includes five district police stations that are responsible for managing and tracking summonses, and for serving the summonses and many arrest warrants sent to MCPD by the district courts in Montgomery County. Under a pilot test of centralized processing of arrestees, a Central Processing Unit is currently serving warrants issued in relation to criminal cases. During the test period, patrol officers continue to serve warrants issued in relation to traffic cases.

The Management Services Bureau provides support for the patrol and investigative functions and is comprised of the following divisions: Personnel and Training Services, Volunteer Services, Management and Budget, Communications, and Records. The Communications Division manages the emergency 911 phone lines and radio transmissions to dispatch officers. The radios are also used by officers in the field to request communications dispatchers to run checks of motor vehicle tags or to query the wanted person databases.

The Records Division performs the following centralized functions: records management and expungement services; report review and data entry; telephone reporting services to the public for certain incidents; and warrant, fugitive, and extradition control. Warrant documents sent to MCPD by the district courts are managed by the Warrant Control Section and all summonses and warrants forwarded by other jurisdictions are managed and served by the Fugitive Unit.

### Organization of Montgomery County Police Department

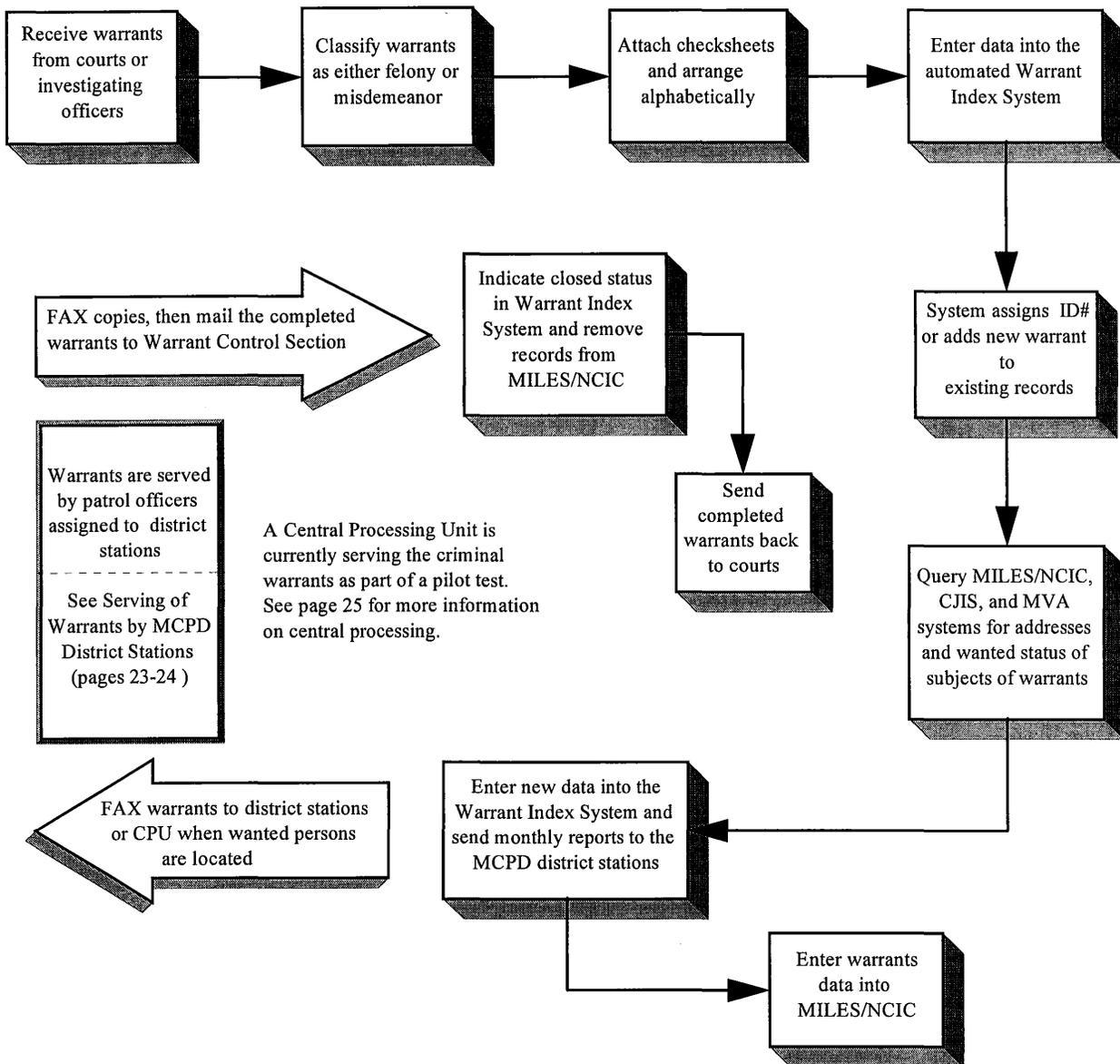


1. ***Warrant Control Section.*** The FY 96 approved personnel complement for the Warrant Control Section includes six positions for a total of 6.5 workyears. This section receives all warrants issued by the district courts in conjunction with criminal or traffic cases. Personnel in this unit research databases for criminal history as necessary; enter information into the Warrant Index System, MILES, and NCIC databases; and maintain centralized files to control access to the original warrant documents.

When warrants are received from the district courts or investigating officers, personnel in the Warrant Control Section enter information about the wanted persons into the County's Warrant Index System. The MILES/NCIC databases, MC-CJIS, and MVA records are then researched to obtain any additional information that may be available on the wanted persons (description, criminal history, current addresses). Next, the Warrant System is updated with any additional information obtained during research activities and the warrants are filed if no further action is necessary, or set aside until such time as entries can be made to the MILES and NCIC databases.

The following flowchart shows the steps taken by personnel in the Warrant Control Section to record and track warrants.

## TRACKING OF WARRANTS BY THE MCPD WARRANT CONTROL SECTION



NOTE: The Warrant Control Section also receives any district court summonses issued in relation to criminal cases when the courts do not have sufficient address information to send the summonses to the MCPD district stations for serving. These summonses are recorded and tracked in the Warrant Index System, and the summons documents are filed centrally until returned to the district courts. Between 100 and 120 summonses per year are handled in this manner.

All warrants entered into the Statewide Maryland Interagency Law Enforcement System (MILES) must be periodically validated (the warrant information must be verified by the jurisdiction that entered the data). Each month, the State agency that oversees MILES sends a listing of warrants to be validated to the jurisdictions that have warrants in the database. If jurisdictions fail to perform the validations, they will be precluded from entering information into the database. The verification process takes approximately one hour per warrant. The MCPD Warrant Control Section only enters information into MILES on between 50 and 60 percent of its warrants, partly due to the time it takes to meet the validation requirement.

The MCPD Warrant Control Section receives about 9,900 warrants per year that must be researched and entered into the Warrant Index System, which takes approximately ¾ of an hour per warrant. An additional ¼ hour per warrant is needed for the 50 to 60 percent that are also entered into MILES. Validation for each warrant maintained in the MILES database requires an additional hour of effort.

Calculations for the number of hours required to perform research and enter all warrants into the Warrant Index System, plus time for data entry and validation on 50 or 60 percent of the warrants for the MILES database, are as follows:

	Entered into the Warrant Index System	50% Entered into MILES and Validated	Total Time Needed with 50% in MILES	60% Entered into MILES and Validated	Total Time Needed with 60% in MILES
Time needed to research and record	¾ hour each warrant received	1¼ hours each warrant entered	¾ hour for each plus 1¼ hours for 50%	1¼ hours each warrant entered	¾ hour for each plus 1¼ hours for 60%
Time needed: 9,900 warrants received	<u>7,425 hours</u>	<u>6,187.5 hours</u>	<u>13,612.5 hours</u>	<u>7,425 hours</u>	<u>14,850 hours</u>

The Warrant Control Section has six full-time career positions that spend approximately 80 percent of their time on research and data entry activities. From time to time, light duty officers are also temporarily assigned to the Section. The maximum number of hours available for performing research and entering warrants into the Warrant Index System and MILES may be conservatively calculated as follows:

	Hours Available per Position	Hours x 6 Positions Budgeted	Hours x 2 Positions Assigned	Total Hours for Budgeted and Assigned
6 budgeted and 2 temporarily assigned positions	2,080	12,480	4,160	16,640
Less: 11 holidays	88	528	176	1,200
14 days average leave	112	672	224	400
Total hours available	<u>1,880</u>	<u>11,280</u>	<u>3,760</u>	<u>15,040</u>
Maximum time spent on research and data entry activities = 80 %	<u>1,504</u>	<u>9,024</u>	<u>3,008</u>	<u>12,032</u>

2. ***Fugitive Unit.*** The FY 96 approved personnel complement for this unit includes six positions for a total of 6.0 workyears. A major responsibility of the unit is to process and serve warrants and summonses issued in other jurisdictions for individuals who are thought to be located in Montgomery County. The unit directly receives warrants and summonses from various law enforcement agencies, departments of correction, and parole and probation offices in Maryland and other jurisdictions throughout the country.

When the Fugitive Unit receives a warrant or summons from another jurisdiction, the administrative secretary enters the information into a stand-alone database. An officer researches MC-CJIS, the County's Warrant Index System, MILES/NCIC, and MVA records to obtain any additional information that may be available on the wanted person (description, criminal history, current addresses). Other sources of information include State parole and probation records, the State offender-based incarceration database, County arrest files, and forwarding addresses filed with the post office.

After the information is collected, one of four Fugitive Unit officers is assigned to serve the warrant or summons and follow through with the arrest process and any steps necessary to return the individual to the demanding jurisdiction. Fugitive Unit officers are responsible for tracking all cases until the fugitive is returned to the originating jurisdiction or released. If the Unit cannot locate an individual to serve a warrant or summons, the document is returned unserved to the originating jurisdiction.

The Fugitive Unit also handles the extradition of any persons apprehended in other jurisdictions and wanted by MCPD. Officers in the Unit either retrieve persons who are wanted by Montgomery County and detained in another jurisdiction or arrange for retrieval of the individuals. A contracted escort service is used to retrieve wanted individuals when the round-trip is expected to exceed a single ten-hour MCPD work shift.

In addition to handling fugitive and extradition matters, the Fugitive Unit serves Montgomery County traffic warrants selected from the Warrant Index System. Recently, the Unit assumed the additional responsibility for serving warrants issued by the sixth district court in relation to criminal cases. These warrants are distributed among the five officers in the Fugitive Unit and are researched and served as time allows.

The Unit obtains a listing of warrants through a special query of the County's Warrant Index System. The warrants are selected by geographic area or some other predetermined criteria. The administrative secretary enters information on the selected warrants into the Fugitive Unit's warrants/summons stand-alone database, then forwards copies of the documents to Fugitive Unit officers. These warrants were researched by the Warrant Control Section upon entry into the Warrant System, but the assigned officers may conduct additional research if necessary. After a warrant is served, the Unit's database is updated and the completed warrant is returned to the Warrant Control Section for further processing.

Other responsibilities of the Fugitive Unit include preparing papers to obtain Maryland Governor's warrants, providing required paperwork to the district courts for fugitive bond hearings, and filing notices of detainer and formal detainer letters on subjects who are incarcerated in the County detention center and wanted by other jurisdictions.

The following figures indicate the number and disposition of warrants and summonses handled by the Fugitive Unit during calendar year 1994.

	<b>Received From Other Jurisdictions</b>		<b>Montgomery County</b>
	<b><u>Warrants</u></b>	<b><u>Summonses</u></b>	<b><u>Warrants</u></b>
Assigned	1,146	371	588
Served by Fugitive Unit	228	234	174
Served by MCPD Officers	n/a	n/a	95
Unserved	610	124	430
Recalled	291	5	n/a
Detainers	37	0	n/a
Closed	1,176	363	699

3. ***District Stations.*** The Police Department divides the County into five districts, each of which is further divided into a number of beats for patrol purposes. There is currently one County police station located in each police district. The five police districts are named: Rockville, Germantown, Wheaton-Glenmont, Silver Spring, and Bethesda. (See Appendix A for a map of the current police district designations.)

Patrol officers working out of the five district stations serve warrants and summonses that are received by MCPD from the district courts in Montgomery County. As mentioned previously, these documents are issued by the courts in conjunction with criminal and traffic cases (the Sheriff's Office handles all papers issued by the circuit courts plus any papers issued by the district court in conjunction with civil cases). Most summons documents are sent by the district courts directly to the police stations for serving. Warrants are sent by the district courts to the MCPD Warrant Control Section, where lists of outstanding warrants are generated for printing at the district stations. As part of a pilot test, a Central Processing Unit is currently serving the warrants issued in relation to criminal cases, while patrol officers serve warrants issued in relation to traffic cases.

The remaining two sections in this chapter describe the responsibilities assigned to the MCPD district stations for serving warrants and for tracking and serving summonses sent directly to them by the district courts.

(a) ***Tracking and serving of summonses:*** Summonses are sent by the district courts directly to the police stations for serving (the proper receiving district station is identified by the address in the court's files for the subject of the summons). When the courts have insufficient address information and summonses cannot be sent to a district station, they are sent to the MCPD Warrant Control Section for centralized tracking.

The number of summonses received at the district stations varies somewhat based on the population density of the police district. District station officers do not maintain statistics on the number of summonses received and served. However, officers at the stations estimate the number of summonses received monthly to be as follows:

<b><u>District station</u></b>	<b><u>Estimated Number of Summonses Received for Service Monthly</u></b>
Bethesda	30
Germantown	50 to 60
Rockville	30
Silver Spring	40
Wheaton/Glenmont	80

Each district station logs-in the summons documents when received from the courts. Volunteers assist officers with the logging-in processes at the Germantown and Silver Spring stations. For tracking and control purposes, the Germantown, Rockville, and Wheaton-Glenmont stations record information about the summonses into stand-alone local databases maintained on personal computers. The Bethesda and Silver Spring stations use manual tracking systems.

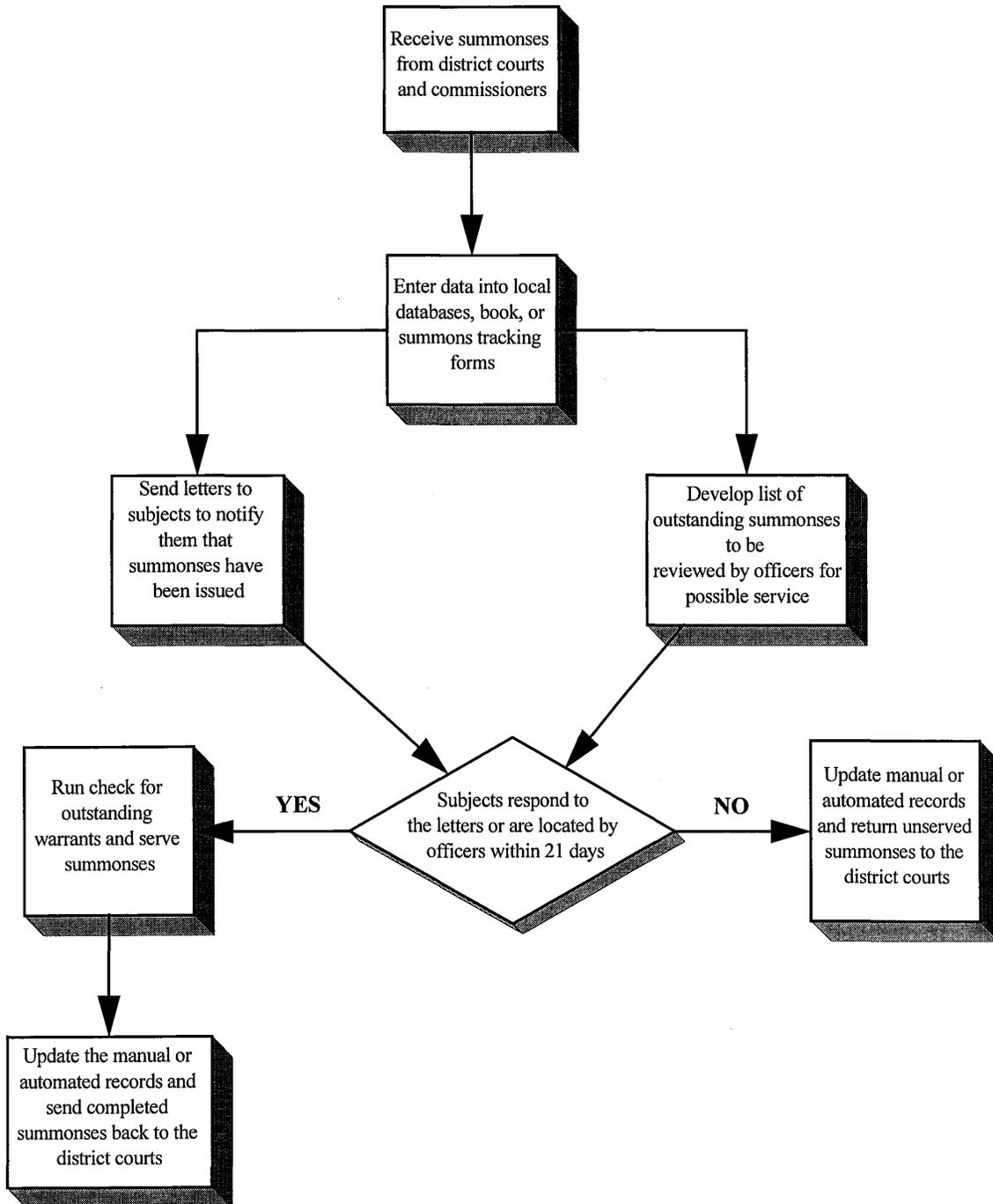
The district stations send letters to persons named in the summonses, notifying that a summons has been issued by the courts, and requesting that they report to the station to be served. The Wheaton-Glenmont, Gaithersburg, and Silver Spring stations send out a letter for each summons received from the courts. Volunteers at these stations assist in preparing the letters. The Bethesda and Rockville stations send letters only to those persons whose addresses shown on the summonses are outside of Montgomery County. Officials at the district stations estimate that between 20 and 30 percent of the recipients of these letters contact the police stations and are served as a result of the letter-writing effort.

The Bethesda, Germantown, Rockville, and Wheaton-Glenmont stations each develop a list of the summonses needing to be served within the respective police district. While no officers are specifically assigned to serve the summonses, the list is made available for review by officers patrolling the districts, and all patrol officers are expected to attempt service as time allows.

When the subject of a summons responds to a letter or is located by an officer, a check is made to see if the subject has any outstanding warrants that need to be served as well. After a summons is served, the district station database or manual record is adjusted and the summons is returned to the court. If the subject of a summons is not located within 21 days, it is noted in the district station records and the unserved summons is returned to the court. A district court commissioner or judge may then choose to reissue the summons or issue a warrant in its place. District station police officials estimate that between 90 and 95 percent of unserved summonses that are returned to the courts are subsequently issued as warrants.

The following flowchart shows the steps taken by the district stations for recording, tracking, and serving summonses.

## PROCESSING OF SUMMONSES BY MCPD DISTRICT STATIONS



**(b) *Serving of warrants:*** Arrest warrants are sent by the district courts to the MCPD Warrant Control Section at police headquarters, where information on the warrants is entered into the County's automated Warrant Index System, and the documents are centrally controlled. The Warrant Control Section sends a monthly report to each of the district police stations, which lists the arrest warrants needing to be served for the district. The listing may be separated by patrol beat for review by officers assigned to the various beats.

As with summonses, the district stations use letters to notify subjects of warrants and request that they call the station to make arrangements to be served. This letter-writing effort is generally limited to warrants for misdemeanors and traffic offense cases.

Except for the Germantown district, patrol officers are not assigned specific warrants to serve. From January through the summer of 1995, the warrant officer at the Germantown district station assigned each patrol officer two warrants per month to serve. The warrant officer performed research on the wanted subjects prior to assigning the warrants to patrol officers for serving. This program was put into effect in an effort to reduce the number of outstanding warrants for the district. Since September 1995, the warrant officer has been detailed elsewhere and only one warrant per month is being assigned to each patrol officer for serving.

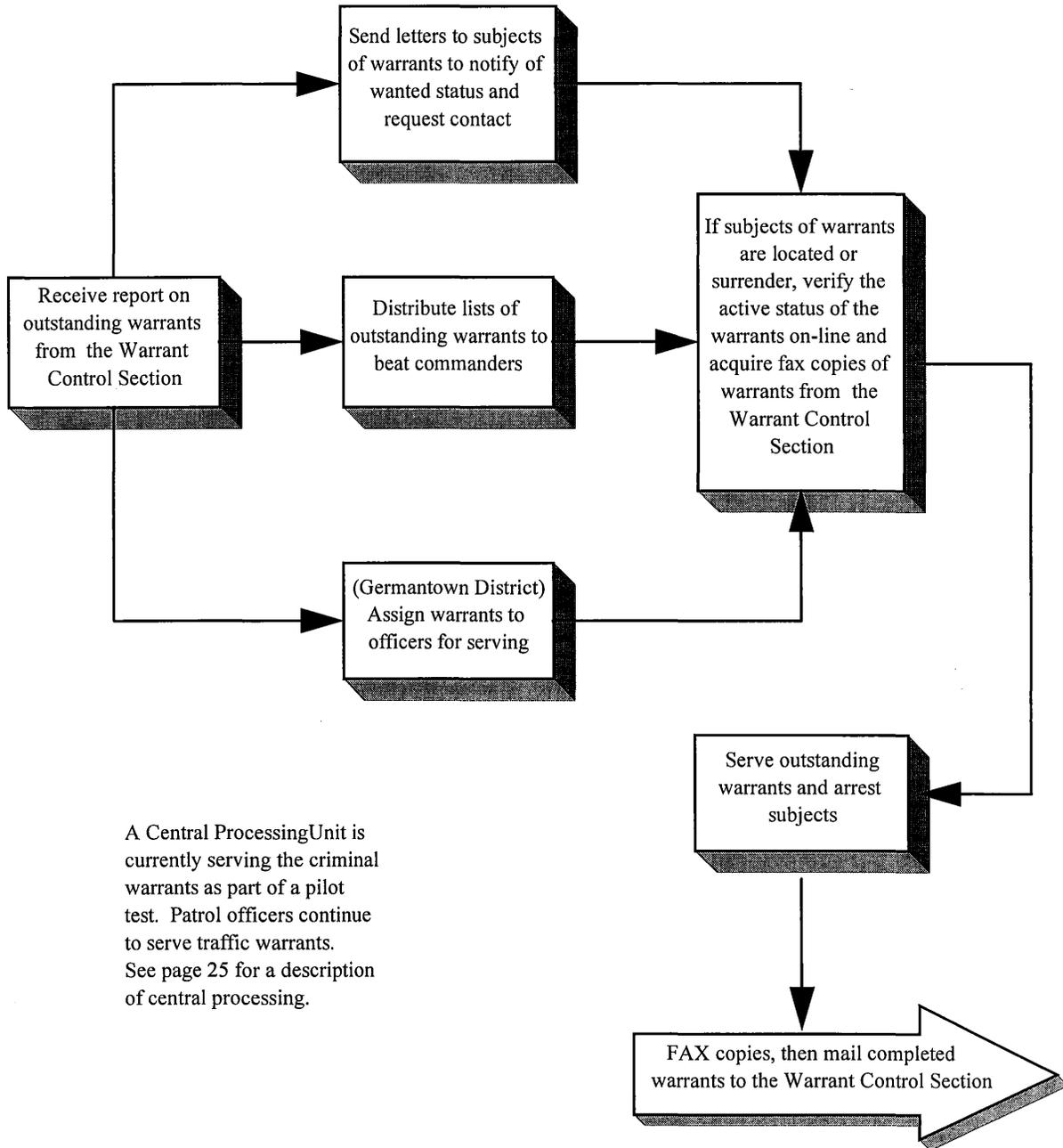
Each of the district stations provides to the station beat commanders a list of warrants outstanding for persons with addresses within the district. These lists are separated by beat and made available for review by the patrol officers. The patrol officers are expected to review the lists and attempt to locate wanted persons as time permits. In addition, patrol officers are expected to be "on the look out" for wanted persons at all times, and may locate wanted persons during traffic stops and routine investigations of incidents. Officers may call the dispatchers in the County's Emergency Communications Center and request a wanted check of MILES/NCIC and the Warrant Index System.

When the subject of a warrant voluntarily reports to the station or is located by officers, the automated systems are queried to identify all outstanding warrants and the Warrant Control Section is requested to fax copies of the warrant documents to the district station for serving. The details of service are recorded by the serving officer on the faxed warrant documents, which are then faxed back to the Warrant Control Section. The completed fax copies of the warrant(s) with the officer's original signature are then sent through the interoffice mail to the Warrant Control Section. (After updating the Warrant Index System and MILES/NCIC as necessary, the Warrant Control Section retrieves the original warrant documents from the files, attaches all faxed copies, and forwards the completed packages to the district courts.) \*

The following flowchart shows the steps taken in the MCPD district stations to serve warrants.

\* Since August 1995, the County has been operating a Central Processing Unit (CPU) on a test basis. Since that time, warrants relating to criminal cases are served by officers at the CPU and traffic warrants are served by the district station officers. See page 25 for a description of the central processing pilot program.

## SERVING OF WARRANTS BY MCPD DISTRICT STATIONS



A Central Processing Unit is currently serving the criminal warrants as part of a pilot test. Patrol officers continue to serve traffic warrants. See page 25 for a description of central processing.

### **C. Central Processing Unit**

The County is currently conducting a pilot test of a centralized unit to handle processing of arrestees, which is expected to return officers and deputies to the field sooner and result in additional warrants served. The pilot test of the Central Processing Unit (CPU) began in mid-August 1995 and will be evaluated after a period of operation to determine whether a permanent facility should be established in the County. During the test period, the CPU is only handling arrests made in relation to criminal cases.

Officers at the CPU process arrestees on behalf of the law enforcement agencies. Among other duties, personnel assigned to the CPU locate and serve any outstanding warrants, fingerprint and photograph persons who have been arrested, arrange for appearance before a district court commissioner, and return completed warrants to law enforcement agencies for final disposition.

Patrol officers who detain persons in conjunction with investigations or locate subjects of criminal warrants are required to take the suspects to the district stations and prepare arrest packages for the CPU. The officers are responsible for recording and packaging evidence and personal property, taking a Polaroid picture of the arrestee, and preparing any applicable paperwork (i.e., statement of charges, event report). The arrestee is then placed in a holding cell, the CPU is contacted, and the officer returns to duty.

The CPU operates two vans to transport arrestees from the police stations to the CPU for the rest of the processing. The patrol officers are no longer required to obtain and serve the warrants, wait for the subjects to go before the district court commissioners, research criminal history on the subjects, fingerprint the arrestees, or complete arrest reports. These steps are completed at the CPU.

Nearly half of the warrants handled by the Sheriff's Office are issued in relation to civil cases, and the arrestees are not eligible for processing by the CPU as currently configured. In addition, the criminal warrants handled by sheriff deputies are issued by the circuit court, and the arrestees must be taken before judges if detained during normal court hours. Therefore, only a limited number of individuals arrested by sheriff deputies are being processed at the CPU.

### **D. Other Local and Regional Law Enforcement Agencies**

As part of this study, OLO conducted telephone interviews and met with police department representatives of the municipalities and regional agencies that obtain and serve warrants and summonses in the County. These police departments often acquire and serve warrants and summonses as part of investigations, or after failure of subjects to appear in court for cases originated by the agencies. Most of these jurisdictions record and track warrants in automated systems. However, since a much smaller number of summonses are received for serving and the documents are returned to the courts whether served or not, tracking of summonses is generally not automated.

The table below summarizes information for each of the agencies contacted by OLO. Appendix B provides additional detail about the methods used by these agencies to record, track, and serve summonses and warrants.

## Municipalities and Regional Agencies That Serve Warrants and Summonses in the County

Law Enforcement Agency and Area of Authority	Officer Staffing for the Agency	County Warrants and Summonses Handled Yearly	Methods for Tracking Warrants	# of Unserved Warrants on Hand
METRO Transit Police Department <b>Authority:</b> Metro bus and transit zones in the Washington metropolitan area (transit and bus routes, Metro stations, parking lots, maintenance depots, and other agency property).	248 officers	110 warrants 520 summonses	MILES/NCIC	About 190
M-NCPPC Park Police Department <b>Authority:</b> within Montgomery and Prince George's County parks, park maintenance depots, and other park property.	82 officers	20-30 warrants 100-120 summonses	MILES/NCIC	17 warrants for 15 different individuals
Chevy Chase Village Police Department <b>Authority:</b> within village limits.	7 officers	15-20 warrants 0-5 summonses	Manually by officers until served or sent to MCPD	All unserved warrants are sent to MCPD
Gaithersburg Police Department <b>Authority:</b> within city limits.	31 officers	12-15 warrants 50 summonses	Master Name Index and WordPerfect Template	All unserved warrants are sent to MCPD
Rockville Police Department <b>Authority:</b> within city limits.	35 officers	300-350 warrants 20-30 summonses	MILES/NCIC and index cards	About 500
Takoma Park Police Department <b>Authority:</b> within city limits.	42 officers	80-120 warrants 40-60 summonses	Local CAD database	Not available

### IV. UNSERVED WARRANTS IN MONTGOMERY COUNTY

In 1992, Michael W. McKeehan, the vice-chair of the Criminal Justice Coordinating Commission (CJCC), examined warrant processing in Montgomery County. The study findings were presented to the CJCC in March of 1993. The purpose of the study was to identify issues relating to the recording, tracking, and serving of adult arrest warrants.

The presentation to the CJCC included a discussion of the warrants workload and a backlog of unserved warrants that had been sent by the district and circuit courts to the Sheriff's Office and MCPD for serving. This chapter summarizes and updates information presented by Mr. McKeehan to the CJCC, and reviews data contained in the Warrant Index System as of July 1, 1995.

#### A. Montgomery County Sheriff's Office

The Sheriff's Warrant Unit is responsible for recording, tracking, and serving all arrest warrants issued by the circuit courts (civil, traffic, and criminal) and any civil arrest warrants issued by the district courts. The Unit also receives and serves warrants that are issued in other jurisdictions for persons who are believed to be located in Montgomery County. Information about all of these warrants is entered into the County's Warrant Index System within 24 hours of receipt in the Sheriff's Office. Data on the warrants are also entered into the State and Federal databases (MILES/NCIC), generally within 24 hours of receipt by the Sheriff's Office.

The Sheriff's Office has teams of deputies that actively pursue serving all warrants received. However, there is always a backlog of unserved warrants for several reasons:

- the subject of a warrant moved away;
- the subject actively avoids being apprehended;
- the subject is being held in another jurisdiction; or,
- the name or other identifying information on the subject is inaccurate or false.

A review of data since 1990 shows that the number of unserved warrants continues to grow. The McKeehan study examined this issue and, based on three years of data (calendar years 1990 through 1992), determined that the backlog of unserved warrants would continue to grow. OLO has acquired information on calendar years 1993 and 1994 and updated the McKeehan findings based on the aggregate five years of warrant data. The McKeehan findings and OLO updates are as follows:

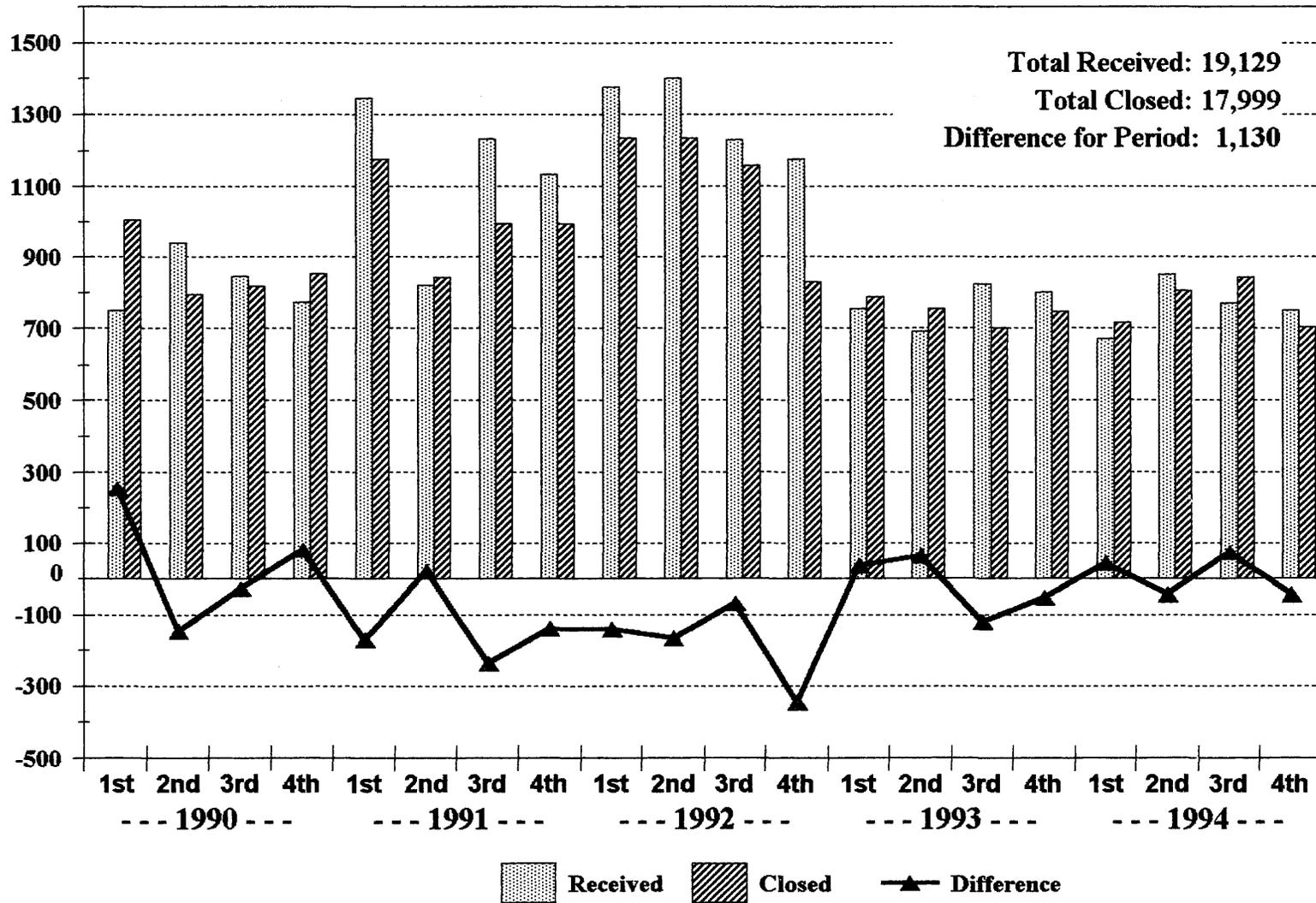
	<u>1992 McKeehan Study</u>	<u>1995 OLO Update</u>
Volume of warrants received	about 400 per month	about 320 per month
Volume of warrants closed	about 300 per month	about 300 per month
Increase to backlog	about 100 per month	about 20 per month
Unserved warrants	2,184 at 3/9/93	2,230 at 6/30/95
Predicted backlog	3,300 by 1/1/94	2,350 by 6/30/96
Resources for serving warrants	16 deputies	no change

As shown below, the number of unserved warrants increased by 1,130 over the five year period examined by OLO. The closure rate was 94 percent of the warrants received for serving during the five year period. Information on the warrants received and closed quarterly during the five years is depicted in the chart on page 26; information by year is shown below.

	<u>1990</u>	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>Totals</u>	<u>Averages</u>
Received	3,309	5,180	4,533	3,067	3,040	19,129	3,826
Closed	<u>3,470</u>	<u>4,459</u>	<u>4,009</u>	<u>2,992</u>	<u>3,069</u>	<u>17,999</u>	<u>3,600</u>
Difference	+ 161	- 721	- 524	- 75	- 29	- 1,130	- 226

It should be noted that, prior to 1993, there were periods of time when the Sheriff's Office counted each charge as a separate warrant. If one warrant was issued that listed three charges, three warrants were counted. This practice results in slight overstatement of all numbers for those years in which charges were counted rather than individual warrants, and somewhat distorts the averages for the five year period.

## Warrants Processed by the Sheriff's Office Per Quarter for Calendar Years 1990-1994



Data Source: Montgomery County Sheriff's Office

## **B. Montgomery County Police Department**

Various police departments in the County serve arrest warrants issued by the district courts in relation to traffic and criminal cases. As the largest jurisdiction, the County Police Department is responsible for managing and serving the majority of these warrants.

The MCPD Warrant Control Section controls access to all the warrant documents and records and tracks warrant data in the County's Warrant Index System. Personnel in the section enter information on the warrants into the Warrant Index System within 48 hours of receipt. Information on warrants issued for serious offenses is also entered into the State and Federal databases (MILES/NCIC) within 30 to 45 days after receipt.

Patrol officers operating out of the five district stations are responsible for serving the warrants as one of their many duties. These officers are "on the lookout" for persons named in arrest warrants, but are not generally "out looking" for the individuals. Officers in only one police district are currently assigned specific warrants for serving.

The MCPD Fugitive Unit handles warrants issued in other jurisdictions for persons believed to be located in Montgomery County. These warrants are sent directly to the Fugitive Unit from the requesting jurisdictions. Information about these warrants is entered into a stand-alone database on a personal computer. Officers assigned to the Unit actively pursue serving the warrants received from other jurisdictions. The Unit does not have a backlog of unserved warrants, since all warrants are eventually returned to the originating jurisdiction. Officers in the Fugitive Unit are also assigned MCPD warrants for serving as time allows.

The Police Department has a large backlog of unserved County warrants. This may be attributed to a number of factors, including:

- the subject of a warrant moved away;
- the subject actively avoids being apprehended;
- the subject is being held in another jurisdiction;
- the name or other identifying information on the subject is inaccurate or false;
- few officers are assigned to actively pursue serving warrants; and,
- bench warrants are not recorded into MILES/NCIC for 30 to 45 days after received.

The McKeehan study examined the issue of unserved warrants for which MCPD is responsible. Based on three years of data (calendar years 1990 through 1992), the study determined that the backlog of unserved County warrants would continue to increase at an alarming rate. OLO acquired information on calendar years 1993 and 1994 and updated the McKeehan findings based on the aggregate five years of data. The McKeehan findings and OLO updates are as follows:

	<b><u>1992 McKeehan Study</u></b>	<b><u>1995 OLO Update</u></b>
Volume of warrants received	about 900 per month	about 825 per month
Volume of warrants closed	about 500 per month	about 535 per month
Increase to backlog	about 400 per month	about 290 per month
Estimated unserved warrants	about 14,500 at 3/93 *	about 16,840 at 7/1/95
Predicted backlog	about 19,000 by 1/1/94	about 19,000 by 6/30/96
Warrant Section resources for tracking warrants	1 sworn, 3 civilian, and 1 temporary duty	1 sworn, 5 civilian, and 2 temporary duty

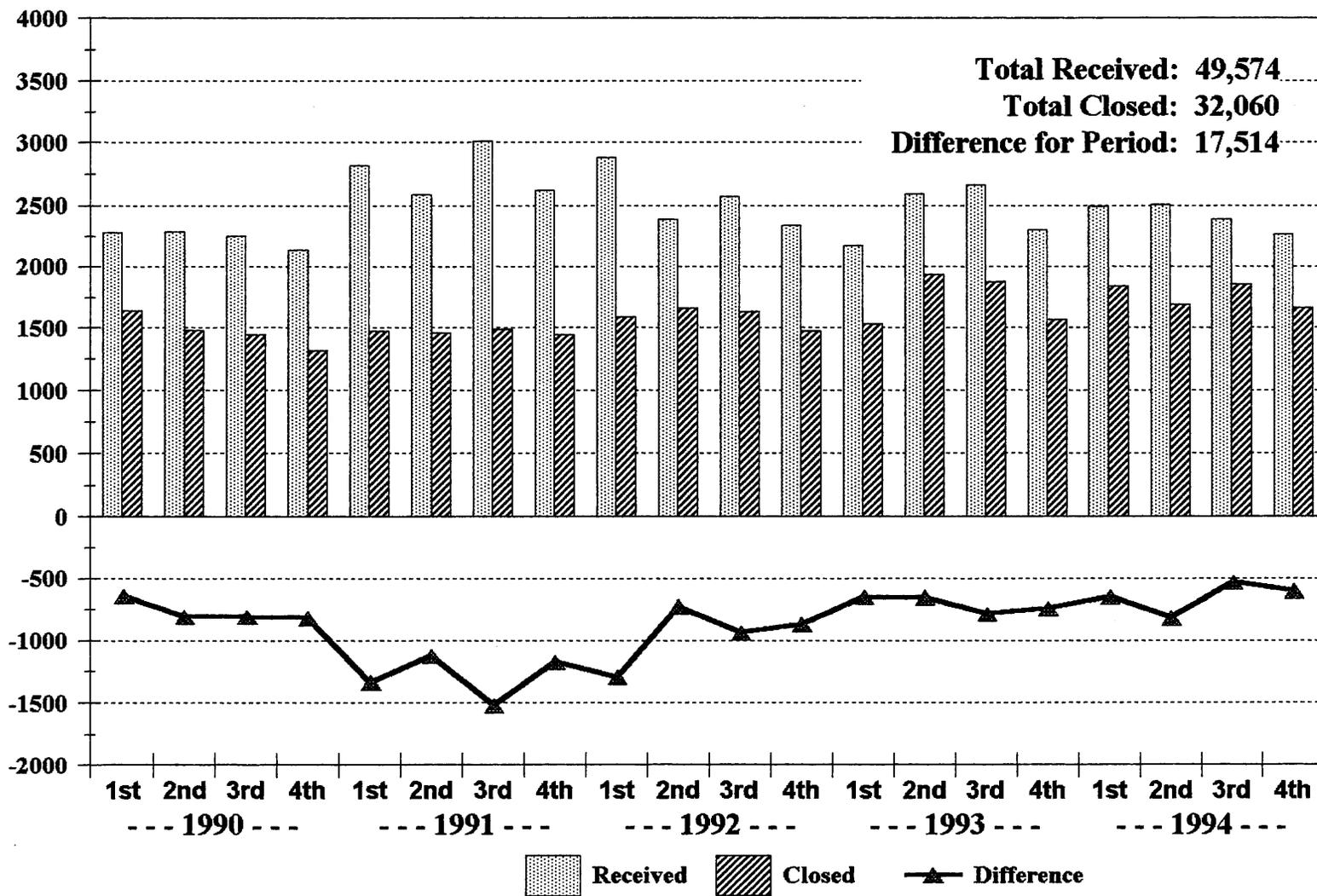
\* Number of warrants held by the MCPD Warrant Control Section, including 500 criminal arrest warrants that were pending reviews by the States Attorney's Office.

As shown below, the number of unserved MCPD warrants increased by 17,514 between 1990 and 1994. The closure rate was 65 percent of the warrants received for serving during the five year period. Information on the warrants received and closed quarterly during the five years is depicted in the chart on page 37; information by year is shown below.

	<b><u>1990</u></b>	<b><u>1991</u></b>	<b><u>1992</u></b>	<b><u>1993</u></b>	<b><u>1994</u></b>	<b><u>Totals</u></b>	<b><u>Averages</u></b>
Received	8,963	10,187	11,032	9,743	9,649	49,574	9,915
Closed	<u>5,879</u>	<u>6,356</u>	<u>5,866</u>	<u>6,910</u>	<u>7,049</u>	<u>32,060</u>	<u>6,412</u>
Difference	- 3,084	- 3,831	- 5,166	- 2,833	- 2,600	- 17,514	- 3,503

Warrants received from other jurisdictions are not managed by the Warrant Control Section and are not recorded into the County's Warrant Index System. However, approximately 100 to 120 district court summonses are tracked annually through the Warrant Index System and disposition of these summonses are included. The numbers shown in this chapter of the report for arrest warrants and summonses received and served by County police represent only County documents for which the Warrant Control Section is responsible.

## Warrants Processed by the Police Department Per Quarter for Calendar Years 1990-1994



Data Source: Montgomery County Police Department

### **C. Snapshots of the Warrant Index System Database**

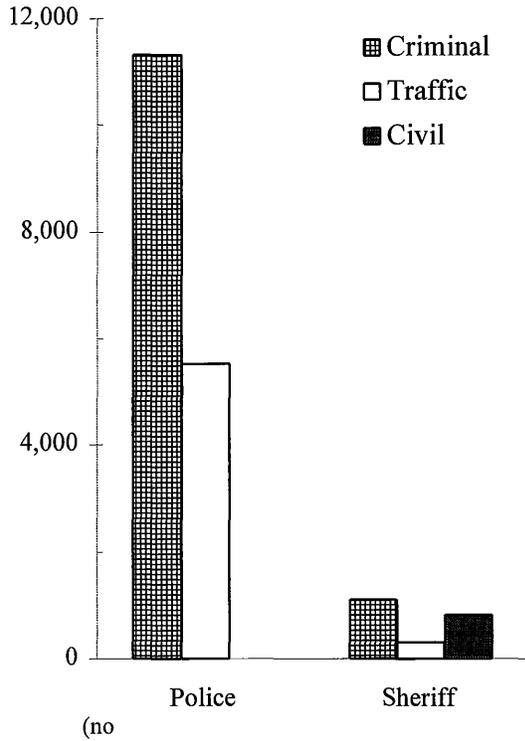
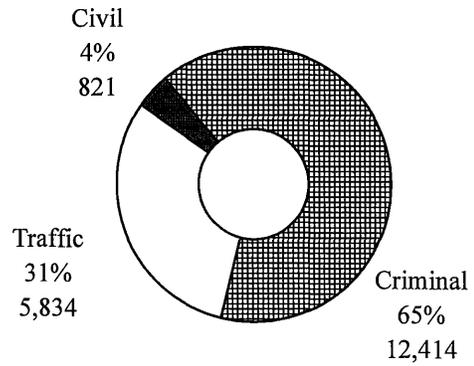
At OLO's request, the Department of Information Systems and Telecommunications (DIST) queried the Warrant Index System to extract information on the status of warrants as of July 1, 1995. The information extracted by DIST provides numerous views of the data contained in the warrants database. This Section presents several views as snapshots to provide detail on the workload associated with recording and serving warrants.

The snapshots on pages 33-36 graphically display the following detail:

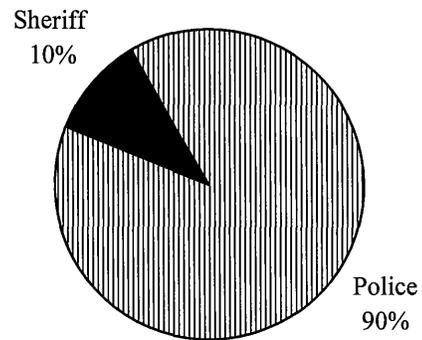
- There were a total of 19,069 open and unserved items in the Warrant Index System as of July 1, 1995. Of this number, 19,062 items were unserved warrants and 7 were district court summonses. (County police annually track between 100 and 120 district court summonses in the warrants database.)
- Of the open items, 65 percent were issued in relation to criminal cases, 31 percent were issued in relation to traffic cases, and 4 percent were issued in relation to civil cases.
- 15,858 (83 percent) were issued for persons with different names, which means that 17 percent of the individuals in the database have more than one warrant outstanding.
- MCPD is responsible for managing 16,839 (90 percent) of the open items, which include: 11,308 warrants and 7 summonses issued in relation to criminal cases, and 5,524 warrants issued in relation to traffic cases.
- MCPD items include 9,799 arrest warrants that were issued by the courts for failure to appear and 784 warrants issued for failure to pay fines. (The Sheriff's Office does not note these details in the database.)
- The Sheriff's office is responsible for managing 2,230 (10 percent) of the open items, which include: 1,099 warrants issued in relation to criminal cases; 310 warrants issued in relation to traffic cases; and 821 warrants issued in relation to civil cases.
- MCPD and the Sheriff's Office recorded 12,184 arrest warrants and 105 district court summonses in the Warrant Index System during FY 95, which included: 8,018 arrest warrants and summonses issued in relation to criminal cases; 2,905 warrants issued in relation to traffic cases; and 1,366 warrants issued in relation to civil cases.
- Of the items issued during FY 95, the agencies closed 6,048 ( 50 percent) of the warrants and 98 (93 percent) of the district court summonses. In addition, the subjects of another 181 warrants were identified as being held in various jurisdictions on other charges. Detainers were filed on these persons to request the holding jurisdictions to notify the appropriate Montgomery County agency before releasing the individuals.
- Of the items issued during FY 95, 5,236 arrest warrants without detainers and 7 district court summonses remained open at July 1, 1995.

**There were 19,069 open (unserved) items in the database at 7/1/95, including seven district court summonses recorded by the police Warrant Control Section. Of these open items:**

12,414 were issued in relation to criminal cases.  
 5,834 were issued in relation to traffic cases.  
 821 were issued in relation to civil cases.



**Responsibility to manage and serve:**  
 County Police = 16,839  
 Sheriff's Office = 2,230

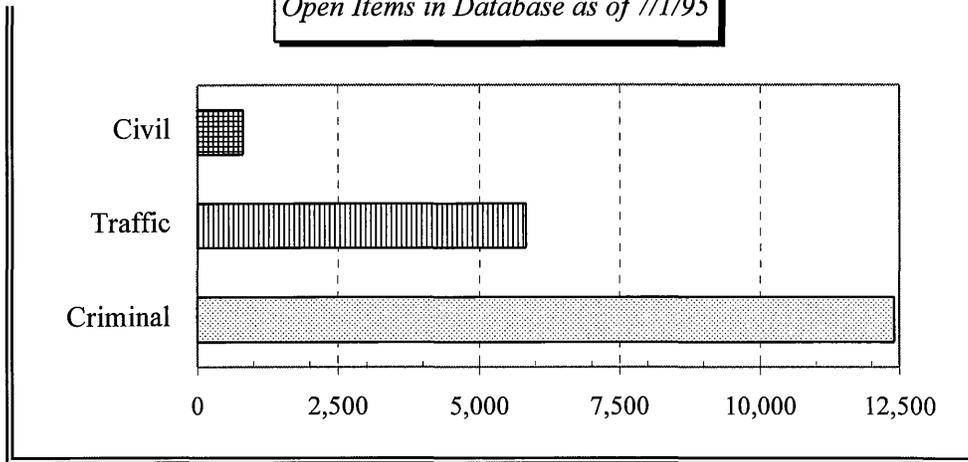


15,858 (83 percent) of the unserved items were issued for persons with different names

**Open police warrants include:**

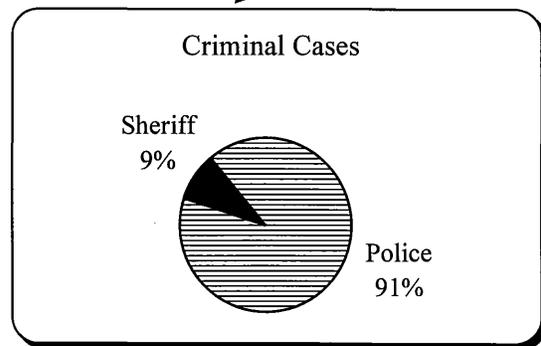
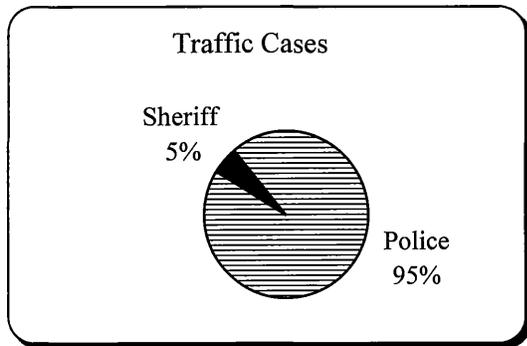
Failure to pay fines	= 1/2 of one percent	784
Failure to appear	= 58 percent	9,799

**Open Items in Database as of 7/1/95**

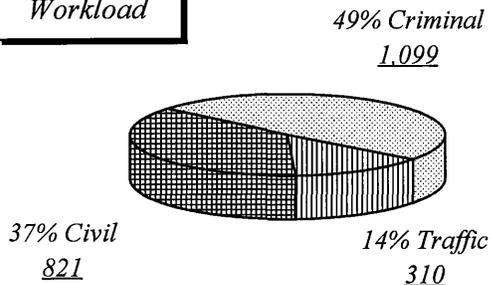


**Detail of Unserved Items in Database**

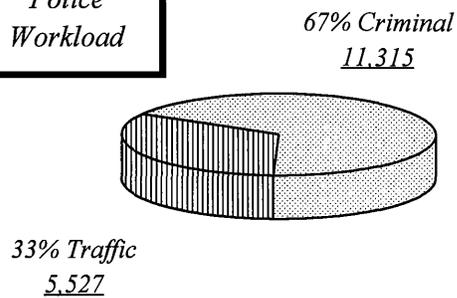
	Traffic Cases	Civil Cases	Criminal Cases
Police	5,524	none	11,315
Sheriff	310	821	1,099
<b>Total</b>	<b>5,834</b>	<b>821</b>	<b>12,414</b>



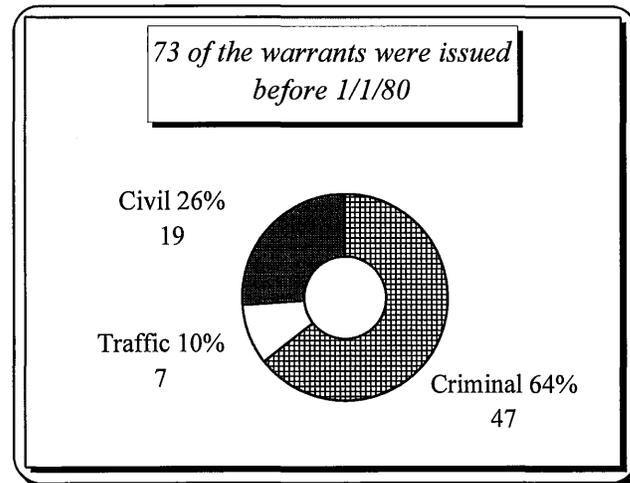
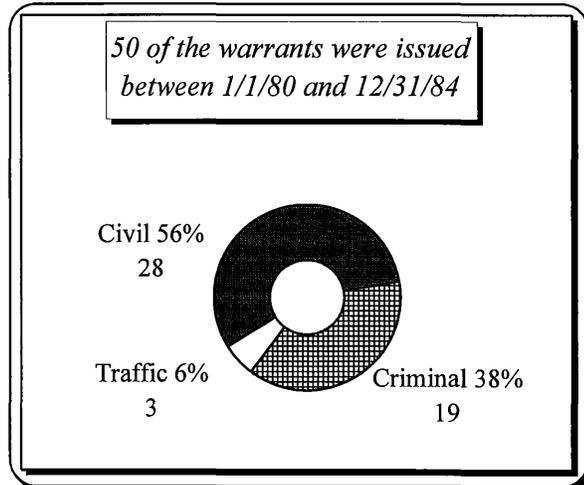
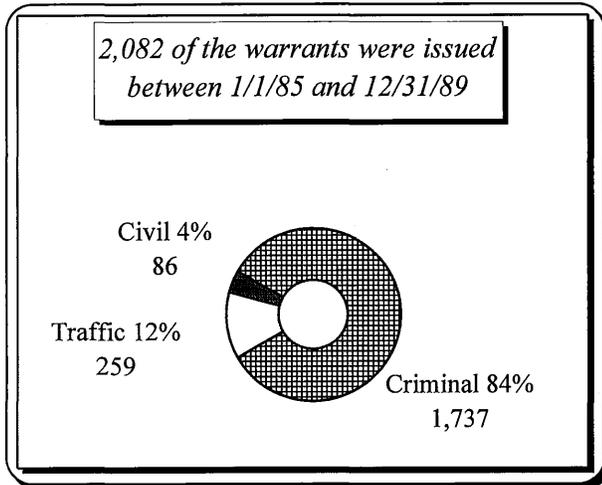
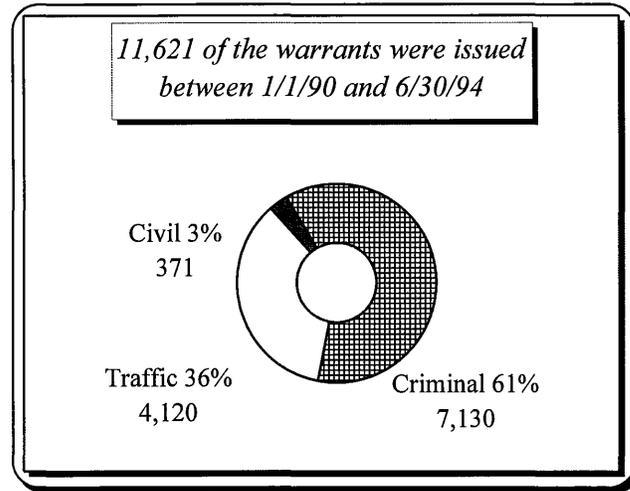
**Sheriff Workload**



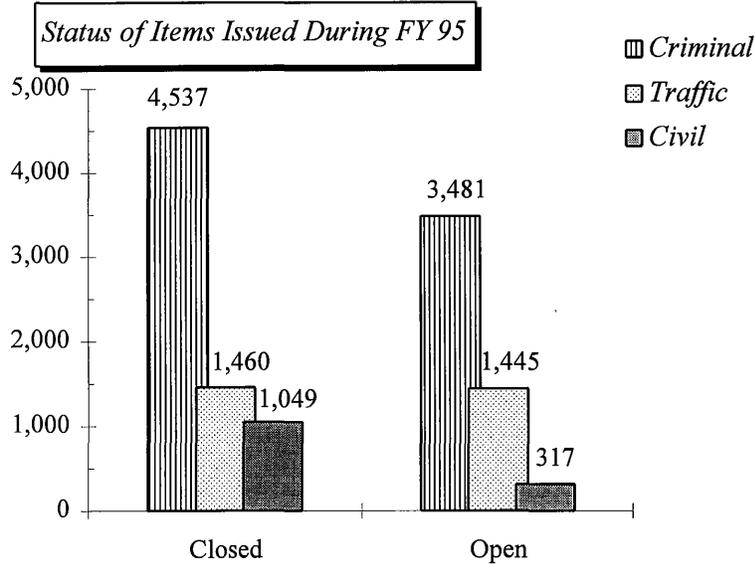
**Police Workload**



***13,826 of the Unserved Warrants at 7/1/95 Were More Than One Year Old***



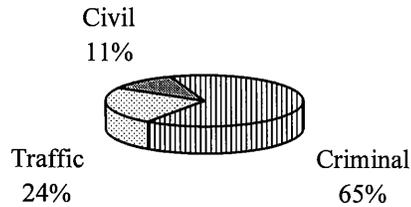
***There Were 12,289 Items Issued During FY 95***



*Open items include:*  
 Failure to pay fines = 496  
 Failure to appear = 5,392  
*Closed items include:*  
 District court summonses = 105

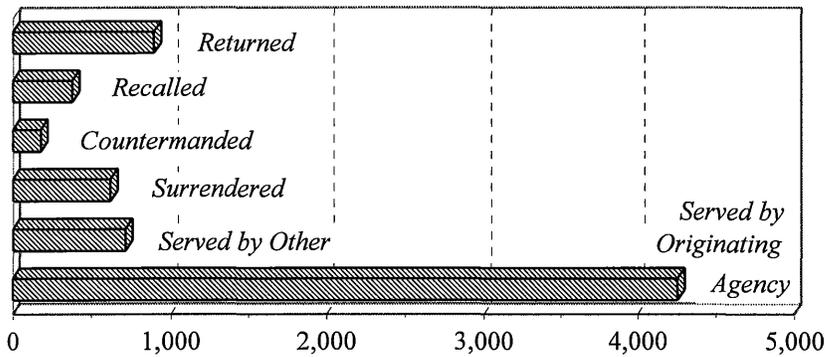
***Items Issued During FY 95 by Case Type***

Type	Closed	Open	Detainer	Total
Criminal	4,537	3,318	163	8,018
Traffic	1,460	1,436	9	2,905
Civil	1,049	308	9	1,366
<b>Total</b>	<b>7,046</b>	<b>5,062</b>	<b>181</b>	<b>12,289</b>



5,243

***Items Closed During FY 95***



79%
<u>Served/Surrendered</u>
620
715
<u>4,256</u>
5,591
21%
<u>Other Closure</u>
894
381
<u>180</u>
1,455

## V. COUNTY WARRANTS PROCESSING COMPARED WITH OTHER JURISDICTIONS

OLO contacted a number of jurisdictions in Maryland and the Washington Metropolitan area to obtain information on how other law enforcement agencies process and serve arrest warrants. The jurisdictions contacted by OLO were selected based on population density and proximity to Montgomery County. OLO contacted the law enforcement agencies in each jurisdiction selected for the survey and asked a set of standard questions.

The questions were designed to identify whether a police or sheriff agency handles the warrants; what resources are devoted to recording, tracking, and serving warrants; whether the law enforcement agencies have large numbers of unserved warrants; and whether any special programs have been developed to reduce the number of unserved warrants and assist with controlling the workload. OLO contacted ten law enforcement agencies in seven jurisdictions by telephone as follows:

<b>Jurisdiction</b>	<b>Law Enforcement Agency</b>
Fairfax County	Police Department
Washington, D.C.	Police Department
Anne Arundel County	Sheriff's Office and Police Department
Baltimore County	Sheriff's Office and Police Department
Baltimore City	Sheriff's Office and Police Department
Frederick County	Sheriff's Office
Prince George's County	Sheriff's Office

The tables displayed in the next two sections summarize the responses to the questions listed below. Information about Montgomery County is included in the tables for comparison purposes.

1. What agency has responsibility for serving adult arrest warrants in your jurisdiction?
2. Are there any officers specifically assigned for serving adult arrest warrants in your jurisdiction? If so, how many?
3. Does your jurisdiction have a separate unit of personnel to record and track warrant activity? If so, how many personnel are in this unit?
4. Do you have an in-house automated system for tracking warrants? If yes, does the system electronically receive or send information to a State or Federal automated system, such as NCIC?
5. Over a year's time does your jurisdiction receive more warrants than can be served? How many were received in calendar year 1994? How many were served or closed out during the same period?
6. What was the estimated number of unserved adult arrest warrants (including failure to appear, civil, criminal, and traffic cases) as of December 31, 1994?
7. If your jurisdiction has a growing backlog of unserved warrants, are there any special steps or programs to specifically deal with or reduce this backlog?

The first six questions relate to identifying the law enforcement agency responsible for serving warrants in each of the jurisdictions, the levels of staffing, and the workload for recording, tracking, and serving warrants. These tables are displayed in Section A. Staffing and Workload for Recording, Tracking, and Serving Arrest Warrants.

The seventh question requested information about special steps or programs the law enforcement agencies have taken or plan to implement to reduce a backlog of unserved warrants. The table showing these responses is included in Section B. Special Steps or Programs to Reduce the Number of Unserved Warrants. This section of the report also included information on special steps or programs that are being used in other parts of the country to reduce the number of unserved warrants. The information was discovered during inquiries made through the National Institute of Justice, Public Technology Incorporated, and an OLO administrative intern search of databases queried through the American University.

#### **A. Staffing and Workload for Recording, Tracking, and Serving Arrest Warrants**

This section of the report provides an overview of the law enforcement agencies that have responsibility for serving adult arrest warrants in selected large cities and counties in Maryland and the Washington-Metropolitan area, including Montgomery County.

A series of six questions were asked of ten law enforcement agencies in seven jurisdictions. With information added for Montgomery County, there are responses from eleven law enforcement agencies in eight jurisdictions. In the remainder of this section, each question is presented and followed by a table that displays the responses of the various law enforcement agencies.

Responsibilities for serving arrest warrants in Montgomery County are shared among law enforcement agencies, and the two primary agencies are the MCPD and Sheriff's Office.

To determine whether the sharing of responsibility is a common practice, OLO asked the selected jurisdictions the following question:

**1. What agency has responsibility for serving adult arrest warrants in your jurisdiction?**

Jurisdiction	Response
Fairfax County Virginia	The County Police Department.
Washington, D.C.	The U.S. Marshall's Office is predominately responsible, but since 1994, other Federal agencies and the City Metropolitan Police Department have assisted with serving warrants.
Anne Arundel County Maryland	The Sheriff's Office for warrants issued by the circuit court; Maryland State Police, Annapolis City Police, and Anne Arundel County Police for warrants issued by the district court.
Baltimore County Maryland	The County Police Department for warrants related to criminal cases of the district and circuit courts; and the Sheriff's Office for warrants related to civil cases.
Baltimore City Maryland	The Sheriff's Office for warrants issued by the circuit court and the City Police Department for district court warrants..
Frederick County Maryland	The County Sheriff's Office for all circuit court warrants and most district court warrants. Other law enforcement agencies are responsible for serving any district court warrants they apply for as part of an investigation.
Prince George's County Maryland	The Sheriff's Office for all circuit and district court warrants.
Montgomery County Maryland	The County Police Department is responsible for warrants issued by the district court in relation to criminal and traffic cases; the Sheriff's Office for all warrants issued by the circuit court and any warrants issued by the district court in relation to civil cases.

The County's Police Department has a unit of personnel with responsibility for managing and serving warrants forwarded from other jurisdictions. However, MCPD does not have a unit of personnel to serve local warrants, and generally does not assign specific officers to serve warrants.

The Sheriff's Office in Montgomery County has a unit of deputies to manage and serve warrant documents. This is a full service unit and the deputies are responsible for maintaining warrant records, researching wanted persons, transporting and processing arrestees, and operating a communications center.

OLO inquired about the practices in the selected jurisdictions with the following question:

**2. Are there any officers specifically assigned for serving adult arrest warrants in your jurisdiction? If so, how many?**

Jurisdiction	Response	Detail
Fairfax County Virginia	Yes	There are six individuals assigned to the Warrants Squad to serve warrants.
Washington, D.C.	Yes	There are five agencies in Washington, D.C. that provide ten officers each for serving warrants.
Anne Arundel County Maryland	Yes	There is a warrants officer in each of the four police precincts who serves warrants and summonses. There are eight deputies in the Sheriff's Office to serve warrants.
Baltimore County Maryland	Yes	Each of the nine police precincts has an officer assigned to serve warrants. The Sheriff's Office has four deputies to serve warrants.
Baltimore City Maryland	Yes	For Police: Sergeants at the nine district police stations assign warrants to officers for serving. For Sheriff: There is a ten person unit assigned to serve warrants.
Frederick County Maryland	Yes	There is a Warrant Unit consisting of two people whose main responsibility is to serve warrants, and patrol deputies are also assigned warrants for service.
Prince George's County Maryland	Yes	There are 12 deputies assigned to serve warrants.
Montgomery County Maryland	Yes	For Police: Four officers in the Fugitive's Unit serve warrants from other jurisdictions. In addition, each of the five police districts has an individual responsible for coordinating the service of County warrants and summonses. The police officers in all districts are provided with listings (by beat) of outstanding warrants. Detectives also obtain and serve warrants in connection with ongoing investigations. An estimated five workyears of combined effort are devoted to warrants service in the districts. For Sheriff: The Sheriff's Office has 14 deputies dedicated to serving warrants, researching wanted persons, transporting and processing arrestees, and maintaining warrant records.

The County police have a unit of personnel to record and track warrant activity for the criminal and traffic warrants received from the courts. Administrative staff in the Fugitive Unit record and track warrants received from other jurisdictions. In addition, personnel have been assigned in the Sheriff's Office to record and track all warrants that are forwarded from the courts or other jurisdictions.

To determine the practices in the selected jurisdictions, OLO asked the following question:

**3. Does your jurisdiction have a separate unit of personnel to record and track warrant activity? If so, how many personnel are in this unit?**

Jurisdiction	Response	Detail
Fairfax County Virginia	Yes	There is a Warrants Desk, which is staffed on a 24-hour basis. The staff consists of three officers and five civilians.
Washington, D.C.	Yes	The Washington, D.C. courts have a staff of six individuals who spend about 40 percent of their time entering warrants into the local database.
Anne Arundel County Maryland	Yes	The Warrants Control Unit has six civilian positions for recording and tracking warrants activity for the Police; the Sheriff's Office has one position.
Baltimore County Maryland	Yes	The Warrants Control Section of the Police Department is comprised of five civilian personnel. The Sheriff's Office has three deputies to record, track, and research warrants.
Baltimore City Maryland	Yes	The police have six civilian personnel in a Warrant Section to record and track warrants and direct documents to the district stations for serving. The Sheriff's Office has a ten person unit to record and track warrants activity.
Frederick County Maryland	No	The Sheriff's Office has two Administrative Specialists whose main responsibility is recording and tracking warrants assigned to the agency.
Prince George's County Maryland	Yes	There is a 20 person unit to do recording, tracking, filing, and research associated with warrants.
Montgomery County Maryland	Yes	For Police: The Warrants Control Section is comprised of five civilian positions, and is supervised by a sworn officer. For Sheriff: There are two civilian positions, supervised by a sworn officer.

The County has the Warrant Index System, which runs on the mainframe, to track warrants. Both MCPD and sheriff personnel use the system. The agencies also enter warrants for wanted persons into MILES and NCIC. The County system does not send or receive information directly from any other automated system.

To find out how law enforcement agencies in the selected jurisdictions track warrants, OLO asked the following question:

**4. Do you have an in-house automated system for tracking warrants? If yes, does the system electronically receive or send information to a State or Federal automated system, such as NCIC?**

Jurisdiction	Response	Detail
Fairfax County Virginia	Yes	The Fairfax County Police Warrant Control System is used to record and track warrants. The system does not interface with either the State or Federal automated system.
Washington, D.C.	Yes	The Metropolitan Police Department uses the Washington Area Law Enforcement System (WALES) to record and track warrants. This system automatically updates the Federal NCIC database.
Anne Arundel County Maryland	Yes	The Anne Arundel County in-house system is the Tiburon/Records Management System (RMS) database, and is used to record and track warrants and summonses. The system does not interface with any State or Federal automated system.
Baltimore County Maryland	Yes	The Warrants Control Section and the courts have access to the MVS database. The MVS system does not interface with any State or Federal automated system. The Sheriff's Office uses MILES/NCIC.
Baltimore City Maryland	No	The Police Department has an in-house automated system to record and track warrants, and the Sheriff's Office uses the State (MILES) and Federal (NCIC) automated systems for tracking and recording.
Frederick County Maryland	Yes	The County uses an in-house automated system for recording and tracking warrants. The automated system does not interface with either the State or Federal automated system.
Prince George's County Maryland	Yes	The County uses an automated Criminal Information Computer System to record and track warrant activity. This system does not interface with either the State or Federal automated system.
Montgomery County Maryland	Yes	The County Police Department and Sheriff's Office use a Warrants Information System to track warrants. The system does not interface with any State or Federal system.

County police annually receive more arrest warrants than are served. Sheriff deputies are able to serve a number of warrants that is close to the number they receive.

Inquiry was made of the selected jurisdictions to determine whether there is a growing backlog of unserved warrants on hand at the various law enforcement agencies. To this end, OLO asked for information as follows:

**5. Over a year's time does your jurisdiction receive more warrants than can be served? How many were received in calendar year 1994? How many were served or closed out during the same period?**

Jurisdiction	Response	Detail
Fairfax County Virginia	Yes	During calendar year 1994, 8,576 warrants were received and 5,568 were served or closed out.
Washington, D.C.	Yes	During calendar year 1994, 14,879 warrants were received and 15,804 were served or closed out.
Anne Arundel County Maryland	Yes	For calendar year 1994, the police received 11,670 criminal case warrants and summonses for service. The department served or closed out 13,105 warrants and summonses, which includes warrants recalled for reconsideration by the district court for criminal cases with misdemeanor charges over three years old. The Sheriff's Office received about 2,400 and served 1,440.
Baltimore County Maryland	Yes	In calendar year 1994, 11,420 warrants were received and 8,976 were served by the Police Department. The Sheriff's Office received approximately 2,000 warrants and closed about 1,200.
Baltimore City Maryland	Yes	In calendar year 1994, 8,619 warrants were received by the Sheriff's Office and 8,603 warrants were closed.
Frederick County Maryland	Yes	In calendar year 1994, 1,650 warrants were received and 1,309 warrants were served. Another 36 warrants were recalled by the court.
Prince George's County Maryland	Yes	During calendar year 1994, 24,157 warrants were received and 18,012 were served. Another 3,260 were returned to the courts.
Montgomery County Maryland	Yes	For calendar year 1994, the Police Department received 9,649 warrants and served or closed out 7,049. For the same period, the Sheriff's Office received 3,040 warrants and closed out 3,069.

Montgomery County has a large number of unserved warrants on hand. To find out how the County numbers compare with the selected jurisdictions, OLO made the following inquiry:

**6. What was the estimated number of unserved adult arrest warrants (including failure to appear, civil, criminal, and traffic cases) as of December 31, 1994?**

Jurisdiction	Response
Fairfax County Virginia	There were 4,235 unserved warrants as of December 31, 1994.
Washington, D.C.	There were approximately 10,500 unserved warrants as of December 31, 1994.
Anne Arundel County Maryland	The Police were not able to provide information on the unserved warrants as of December 31, 1994. However, on March 30, 1995, there were 9,387 active warrants and 332 summonses related to criminal cases. The Sheriff's Office had 650 unserved warrants on December 31, 1994.
Baltimore County Maryland	The Police Department had 11,366 active and unserved warrants as of December 31, 1994. The Sheriff's Office had about 2,100 unserved warrants.
Baltimore City Maryland	The Sheriff's Office had an estimated 20,884 unserved warrants as of December 31, 1994. Many of these warrants were issued more than ten years ago.
Frederick County Maryland	At the end of 1994, 1,431 warrants were unserved. Over 1,000 of these warrants relate to criminal cases.
Prince George's County Maryland	There were approximately 32,000 open warrants as of December 31, 1994. Only 12,000 of the unserved warrants were considered servable.
Montgomery County Maryland	The Police Department had 14,197 unserved warrants as of December 31, 1994. At the same date, the Sheriff's Office had 2,241 unserved warrants.

**B. Special Steps or Programs to Reduce the Number of Unserved Warrants**

As part of OLO's survey of law enforcement agencies in selected large cities and counties in Maryland and the Washington-Metropolitan area, information was requested on any special steps or programs being used to reduce the number of unserved warrants. This section includes a table which summarizes responses received from the various law enforcement agencies. Information acquired from this County's police and sheriff agencies is also included in the table.

The remainder of the section presents information on special steps or programs that are being used in other parts of the country to reduce the number of unserved warrants.

**Special Steps or Programs Used in Selected Jurisdictions**

OLO inquired of the law enforcement agencies in the selected jurisdictions to identify steps or programs used to reduce a backlog of unserved warrants. Several of the law enforcement agencies have put programs into place. The responses from the jurisdictions are shown in the table on the following page, along with the question asked.

7. If your jurisdiction has a growing backlog of unserved warrants, are there any special steps or programs to specifically deal with or reduce this backlog?

Jurisdiction	Response	Detail
Fairfax County Virginia	Yes	State law provides that felony arrest warrants unserved seven years after the date of issuance, and criminal misdemeanor arrest warrants remaining unserved three years after the date of issuance, must be returned to the courts for reconsideration.
Washington, D.C.	Yes	A joint task force was established during 1994 by the Department of Justice to reduce the number of outstanding warrants in Washington, D.C. This task force is staffed by officers of several law enforcement agencies including: the Metropolitan Police, U.S. Marshall's Office, Federal Bureau of Investigation, and the Secret Service.
Anne Arundel County Maryland	Yes	Warrants for criminal cases with misdemeanor charges over three years old are returned to the courts to be reconsidered. The data entry backlog is handled by entering felony warrants as a first priority during the period of MILES/NCIC validation. The Sheriff's Office has a four-person Warrants Investigation Team to research warrants.
Baltimore County Maryland	Yes	The Police Department has a validation unit to research information on outstanding warrants to acquire the best descriptions and most current addresses for the subjects of warrants. There are two full-time light-duty officers assigned to this unit. In addition, misdemeanor warrants three years or older are sent back to the courts to be reconsidered. The Sheriff's Office has no special steps or programs in place.
Baltimore City Maryland	No	The district court reviews and reconsiders warrants that remain unserved three or more years.
Frederick County Maryland	Yes	In June 1994, a two person warrant unit was established to deal with warrant backlog, and additional personnel may be added during FY 96.
Prince George's County Maryland	Yes	Traffic warrants that remain unserved after three years are periodically reviewed by the States Attorney's Office for possible cancellation. Since 1987, a turn-in letter program has been in place to encourage persons to voluntarily respond to warrants. About every two months, 25-30 deputies conduct late-night mini-sweeps that concentrate their efforts on a particular geographic area. In addition, two or four deputies are assigned from time to time to Washington Metropolitan area task forces to concentrate on multi-jurisdictional offenders.
Montgomery County Maryland	Yes	The County is currently conducting a pilot test of a centralized unit to handle processing of arrestees, which is expected to return officers and deputies to the field sooner and result in additional warrants served. Each police district mails notices to persons who have outstanding warrants or summonses. Since January 1995, two warrants per month are being assigned to each patrol officer in the Germantown district. Since March 1995, the Sheriff's Office has been using a local newspaper to weekly publish photos and charges on two wanted persons. Sheriff deputies also conduct mini-sweeps from time to time. The Sheriff's Office also features wanted persons weekly on County Cable Channel 21.

### Special Steps or Programs Used in Other Parts of the Country

OLO searched to identify special steps or programs that are being used in other parts of the country to locate wanted persons and serve warrants. Inquiries were made through the National Institute of Justice, Public Technology Incorporated, and databases queried through the American University. As a result of these efforts, four programs were identified.

a) ***Amnesty.*** In October 1994, the city of Moraine, Ohio offered a week of amnesty to clear up certain classes of warrants. Persons having warrants outstanding for failure to pay fines relating to traffic or other misdemeanor offenses were allowed to pay the greater of either \$100 or ten percent of any unpaid fines. As part of the deal, the police department guaranteed that no one coming in to voluntarily pay a fine would be arrested, even if other warrants remained outstanding for the person. The police department also announced that a special team of officers would be established immediately after the amnesty period to further pursue warrants with unpaid fines.

Before establishing the week of amnesty, the police department consulted closely with the city prosecutor, public defender, and mayor's office to work out details of the program. News releases were faxed to the local newspapers and television stations to publicize Amnesty Week. In addition, letters explaining the program were sent to the last known addresses on file for persons with outstanding warrants for unpaid fines. The police department followed-up on its publicity efforts by telephone to remind the media of the amnesty period. As a result, the local newspapers ran stories that publicized the amnesty program.

When Amnesty Week was announced, there were about 450 outstanding city warrants with unpaid fines. The police department estimates that between 90 and 100 of these warrants were cleared during Amnesty Week. To ensure rapid cancellation of the warrants when fines were paid, a police officer was detailed to the court during Amnesty Week.

For a few weeks following the amnesty period, six to eight police officers were detailed to pursue the remaining open warrants for failure-to-pay-fines. The arrests made from this effort cleared another 30 outstanding warrants.

Although the city did not analyze the impact of the amnesty program, a court clerk confirmed that 224 people paid fines to the court during Amnesty Week, which represented approximately 100 more payments received than during an average week.

b) ***Advertising.*** On December 4, 1994, the city of Council Bluffs in Pottawattamie County, Iowa publicized outstanding warrants in the local newspaper. The police department placed an advertisement in the legal notices section of the Daily Nonpareil Newspaper, which listed names and birthdates of about 1,200 individuals having outstanding arrest warrants related to traffic or criminal offenses. The advertisement was placed in an effort to reduce a backlog of 1,500 warrants for offenses ranging from failure to pay parking tickets to serious felony charges, such as robbery, theft, and forgery.

Before placing the notice, the police department obtained an order from the district court of Iowa which authorized publication of the list of persons having outstanding arrest warrants issued in Pottawattamie County. The charges related to the warrants were not printed, nor were the names of juveniles included in the notice. (Iowa State law prohibits public dissemination of any information that has been filed to obtain an arrest warrant, or publication of the names of juvenile offenders.)

The police department directly contacted the local television stations and newspapers and distributed a news release to publicize their intention to publish the list of names. In addition, the department announced that the city intended to follow-up by assigning a number of traffic officers to concentrate on outstanding warrants, as a means to reduce the backlog.

In the two week period following publication of the legal notice, approximately 120 of the outstanding warrants were cleared by the police department. A representative of the Council Bluff police department estimated that the majority were cleared by individuals who responded to the legal notice and voluntarily contacted the police department or the court. However, some were also cleared as a result of information received from co-workers, neighbors, or acquaintances of individuals listed in the notice.

For unpaid fines, individuals were advised to pay at the court during business hours or at the police department after hours and on weekends. The Police Records Division accepted payments beyond the normal court business hours to encourage voluntary payment of the fines. Publication of the legal notice cost the city \$421, which was more than offset by fines collected as a result of the publicity.

Because of the apparent success of the publicity program, the Council Bluff police department placed a second legal notice in the paper during February 1995. This time, the program was more widely publicized by the local newspaper and television station. As a further means to control the backlog, the police department has since assigned four officers from the traffic unit to devote one day per week to serving warrants.

c) ***Reverse Bounty:*** On July 25, 1994, the City Edition of the Boston Globe Newspaper ran an article about a measure that was signed into law by the governor of Massachusetts. The headline accompanying the article read: "Finding Felons Warrants a Budget Measure; 'Reverse Bounty' Aims To Give Police Incentive."

The measure, which was passed as a rider to the fiscal year 1995 budget, requires anyone arrested on a warrant to pay a \$50 fine that will go back to the jurisdiction whose law enforcement agency made the arrest. Although \$50 is not expected to cover the costs of serving, arresting, processing, and jailing people arraigned on crimes for which warrants have been issued, the measure was instituted as additional incentive for law enforcement agencies to track down thousands of suspected felons who skip court appearances.

The 'reverse bounty' idea was developed by a Massachusetts district court judge soon after the seriousness of unserved warrants came under public scrutiny. The public had become outraged to learn that a man accused of shooting and killing a Boston police officer had an outstanding arrest warrant when the shooting occurred. The 'reverse bounty' measure was put into effect to encourage local police departments to more aggressively pursue serving warrants by compensating them and their communities for a portion of the costs involved in serving and processing warrants.

State officials are also working on details of a plan to spend \$50 million to enhance the computerized system of issuing and tracking arrest warrants. It currently takes several days for warrants to get from a court to the responsible law enforcement agency, where warrant data is entered into a statewide computer system.

The existing computer system does not provide criminal justice officials with data on how many people are wanted on warrants in the state, and there is no capability to highlight particularly dangerous suspects. Because of budget constraints placed on law enforcement agencies in recent years and shortcomings of the existing automated system for tracking warrants, most suspects who skip court appearances after being arraigned on charges are arrested only when they are picked up on another charge.

*d) **On-line Mug Shots.*** As part of its Silent Witness program, Phoenix, Arizona is using the Internet World Wide Web to display on-line mug shots of wanted criminals or to request information in cases where the police need citizen help to solve a crime. GetNet International, a year-old Internet provider, furnishes the space on its server at no charge to the Phoenix police.

The director for sales and marketing at GetNet International saw announcements on a local television station where the police would describe a wanted or missing person and request assistance as part of the Silent Witness program. These announcements were aired once or twice per week and lasted about 30 seconds each time. The GetNet administrator, believing the announcements could achieve a great deal of publicity on the Web, visited the Phoenix police with a laptop computer to demonstrate how the Internet could be used. Managers of the Silent Witness program liked the idea of providing notices and photos on demand to interested citizens, and accepted GetNet's offer to provide space on its server at no cost to the community.

Now, whenever the Phoenix police distribute Silent Witness materials to newspapers and television stations, GetNet receives copies. GetNet scans in the photos and formats documents for the police and places the data on the server, free of charge.

A spokesperson for the Phoenix Police Department indicated that the Silent Witness program has been on the Internet for approximately one year. Although use of the medium has not been formally evaluated, Phoenix police believe the medium has been effective.

In the past year, three additional pages have been added to advertise other police programs: Drug Abuse Resistance Education (DARE); Gang Resistance Education and Training (GREAT); the Police Activities League (PAL).

## **VI. RELATED MATTERS**

During the course of this study, law enforcement officers and administrators suggested improvements to the methods used to research, track, or serve warrants. This chapter lists each suggestion, followed by relevant information acquired by OLO:

a) **Suggestion:** Although State law allows enforcement officers to serve arrest warrants that were issued in any Maryland jurisdiction, several counties will not routinely serve Montgomery County warrants. There is a need to work out agreements with other Maryland jurisdictions to serve each other's warrants.

**Information:** State law provides little guidance on the division of labor or lines of authority between State, County, and municipal law enforcement agencies. The State police and local law enforcement agencies have attempted to remedy this through the negotiation of operating agreements, which are used to define the agencies' respective roles.

In addition, many Maryland counties have developed agreements and memorandums of understanding with various other counties, municipalities, and regional law enforcement agencies operating within the State. The Montgomery County Police and Sheriff agencies have made formal arrangements with several Maryland jurisdictions with respect to the serving of warrants and summonses.

b) **Suggestion:** Many warrants do not appear on the MCPD district reports because the addresses of the wanted individuals are missing or incomplete. It would be helpful if these warrants could be assigned to a specific unit for additional research or serving.

**Information:** The MCPD Fugitive Unit has responsibility to assist with serving Montgomery County warrants. Administrative personnel in the Unit query the Warrant Index System to select warrants for assignment to officers in the Fugitive Unit. The Unit often selects warrants that have insufficient address information to be associated with a police district. Fugitive Unit officers perform additional research activities and serve the selected warrants as time allows.

c) **Suggestion:** It would be useful to have access to various other County and State databases to search for address information to assist with locating wanted persons. If full access cannot be approved for confidentiality reasons, maybe programs could be written that compare databases for names and addresses.

**Information:** County and State agencies have many databases that contain name and address information. Some of the databases cannot be made available for inquiry because knowledge of a person's name being in the database violates a confidentiality (social services files). However, there are many databases that contain only public information (real estate and personal property tax files) and other databases that contain a mixture of public and confidential information (personnel and payroll files). It may be possible for law enforcement agencies to gain direct access to the databases that contain only public information and to create special queries of the public information in the databases that contain a mixture of public and private information.

d) **Suggestion:** It would be very helpful if individuals' driving licenses or automobile tag renewals could be held up when there are outstanding warrants for the individuals. If it is not possible to flag the driving license or vehicle tag records for all types of warrants, perhaps they could be flagged for traffic warrants.

**Information:** The Motor Vehicle Administration (MVA) of Maryland already flags vehicle license plate tag renewals for outstanding parking tickets, and the tickets must be paid before the tags will be issued. In addition, driving license renewals are flagged for outstanding traffic warrants and the MVA may suspend a license or refuse renewal until the matter is satisfactorily resolved.

e) **Suggestion:** The MCPD radio dispatchers should check the County's Warrant Index System when officers call in for a wanted check. The dispatchers check MILES, but not the County's Warrant Index System unless specifically requested. This compromises officer safety because MILES is not the more current database. All warrants issued in the County are entered into the Warrant Index System, but many of the warrants are not entered into MILES. In addition, there is about a month delay in getting warrants entered into the MILES database. Finally, there is always the potential for a time delay for an officer in obtaining information from a wanted check when the dispatchers are busy with emergency callers.

**Information:** Since January 1994, dispatchers in the MCPD Communications Section have been following a two-step process. First, the MILES/NCIC databases are queried, and if there is no record of the person being wanted, the County's Warrant Index System is queried. The process takes several minutes for each wanted check that is run.

f) **Suggestion:** Many jurisdictions in the country successfully contract with the private sector to serve summonses. The County should explore the feasibility of the contracting option.

**Information:** MCPD is responsible for serving criminal summonses received from the district courts. The Sheriff's Office is responsible for serving all summonses received from the circuit courts and for civil summonses received from the district courts. Serving of summonses is handled differently by the two law enforcement agencies. MCPD does not have any personnel dedicated to serving summonses, so there would be no financial benefit to the County to contract the activity. However, the Sheriff's Office does have a unit of personnel to serve summonses and other court papers. It may be beneficial to contract with the private sector for serving some categories of these summonses.

g) **Suggestion:** When County law enforcement agencies fall behind on serving warrants, they should hire retired police officers, sheriff deputies, FBI, or other law enforcement personnel on a temporary basis. These persons could be put under short-term contract with MCPD and used for mini-sweeps or other concerted efforts.

**Information:** Maryland law requires that only sworn law enforcement personnel may serve arrest warrants. Unless the State law is amended, any retired law enforcement individuals hired temporarily or acquired through contract would have to be re-sworn.

h) **Suggestion:** Serving of arrest warrants should not be split between MCPD and the Sheriff's Office. It may be more efficient for one agency to have sole responsibility. The Sheriff's Office manages its warrant workload better than MCPD because it has a dedicated unit to serve warrants. Perhaps the Sheriff should be given responsibility for serving all arrest warrants.

**Information:** OLO requested the Sheriff's Office to provide an estimate of additional staffing that would be needed if that office were to become responsible for serving the warrants that are currently handled by the County police.

Since there are several variations that could be considered, the Sheriff's estimate was expected to be only a starting point for possible further exploration and discussion. OLO provided the Sheriff's Office with information on Police Department warrant activity for the past five years and discussed what assumptions should be used for the estimate. Assumptions used in arriving at the estimate included the following:

- Assume handling of the additional warrants would be accomplished in the same manner that is now used to manage the workload for recording, tracking, and serving of warrants for which the Sheriff's Office is currently responsible.
- Ignore warrants handled by the MCPD Fugitive Unit and assume the current resources in that unit are sufficient to handle warrants received from other jurisdictions.
- Assume that police resources currently budgeted to record and track warrants could be transferred to the Sheriff's Office (exclude temporarily assigned personnel).
- Ignore the MC-CJIS upgrade, since the impact on staff needed for data entry and research activities is not yet known.
- Ignore any effects of central processing, since the pilot CPU has not been operating long enough to provide sufficient data.

With these assumptions in mind, the Sheriff's rough estimate is that approximately 67.0 workyears would be needed to manage the additional warrants in a manner similar to that which is currently used to handle circuit court warrants. Also, equipment would be needed at a cost of approximately \$271,100.

No estimate was provided for the additional space that would be needed to accommodate a much larger Warrant Unit, but it was noted that sufficient space may not be available in the Judicial Center, where the Sheriff's Office is currently located. A copy of the full response provided by the Sheriff is included in this report as Appendix C.



## VII. FINDINGS AND RECOMMENDATIONS

### A. Findings

#### 1. Researching and Recording Warrants and Summonses

**1a)** MCPD researches and records data into the Warrant Index System within 48 hours for each warrant received from the district courts, but entry into the State and Federal databases is not completed for 72 hours for many criminal warrants and 30 to 45 days for bench warrants. The delay indicates that MCPD is having difficulty managing the data entry workload. Researching and recording warrant data is a time-consuming process. When a warrant is received, several databases are researched to acquire information on the subject of the warrant. Any new information found in these databases is first recorded by hand then entered into the County's Warrant Index System. Many warrants are also separately recorded into the State and Federal databases (MILES/NCIC). Both the Sheriff's Office and MCPD report that these activities require approximately 45 minutes to one hour per warrant.

**1b)** MCPD does not have sufficient personnel in the Warrant Control Section to record and verify more than 50 to 60 percent of its warrants in the Statewide Maryland Interagency Law Enforcement System (MILES). All warrants entered into MILES must be periodically verified by the jurisdiction that entered the data. The verification process takes approximately one hour per warrant. The Sheriff's Office enters about 80 percent of its warrants into MILES and appears to be keeping up with the research, data entry, and validation activities.

**1c)** MCPD records 95 percent (or more) of the warrants received into the Warrant Index System. Officers in the district stations and the Fugitive Unit do not have authority to enter data into the warrants database. Warrants obtained in the course of police investigations may be held at the district stations for several days before being forwarded to the Warrant Control Section for entry into the warrant database. In addition, warrants received from other jurisdictions by the Fugitive Unit are not recorded in the Warrant Index System. Information on these warrants is recorded by Fugitive Unit staff into a stand-alone database that is maintained on a personal computer. The issuing jurisdiction determines whether to record their warrants in applicable state and Federal databases.

**1d)** During traffic stops and investigations of incidents, County patrol officers rely on obtaining current and accurate information on wanted persons. Patrol officers often use their radios to call the police dispatch unit and request a wanted person check. The dispatchers first query the State and Federal databases (MILES/NCIC), and if there is no record, they check the County's warrant system. Some warrants are obtained directly by investigating officers and are not immediately included in the information databases that are queried. In addition, warrants held by the Fugitive Unit may not be included, since the issuing jurisdictions determine whether to record the warrant information in the applicable state and Federal databases.

## **2. Serving and Processing**

**2a)** As of October 1, 1995, there were about 19,500 unserved adult arrest warrants for which MCPD and the Sheriff's Office are responsible. Since MCPD closes about 65 percent of the arrest warrants they receive and the Sheriff's Office closes about 94 percent of their warrants, the number of unserved warrants is increasing each year.

Based on the five year period of January 1, 1990 through December 31, 1994, MCPD annually receives about 9,900 adult arrest warrants from the courts for serving and closes about 6,400 warrants, for a shortfall of 3,500 warrants per year. The Sheriff's Office annually receives about 3,825 adult arrest warrants from all sources and closes about 3,600 warrants, for a shortfall of 225 warrants per year. Based on this data, the County's law enforcement agencies are experiencing an increase in unserved warrants of approximately 3,725 per year. Unless additional steps are taken to control the workload, the number of unserved warrants will increase to about 35,000 by the turn of the century.

**2b)** Although each MCPD district station has a person responsible for receiving and disseminating information on arrest warrants, most stations do not specifically assign officers to serve warrants. Since January 1995, however, the warrant officer at the Germantown station has been assigning two warrants per month to each of the 70 officers patrolling the district. Although not fully evaluated to date, the warrant officer estimates that 20 to 25 percent of the assigned warrants are being served by the officers.

**2c)** A survey of selected jurisdictions in Maryland and the Washington-Metropolitan area revealed that it is not unusual for the sheriff and police agencies to share responsibility for serving arrest warrants. Most of the surveyed jurisdictions are also struggling to control a large number of unserved warrants. Some of these law enforcement agencies take special steps from time to time to deal with the backlog. Strategies used in other places include: assigning additional personnel to serve warrants, writing letters to the subjects of warrants requesting voluntary response, conducting mini-sweeps, or requesting the courts to reevaluate older warrants.

**2d)** Some jurisdictions in other parts of the country use non-traditional methods (other than adding positions) to deal with a backlog of unserved warrants. Some jurisdictions feature wanted persons on local television stations, in the newspapers, and on the Internet; one jurisdiction offered an amnesty program for unpaid fines; and one state instituted a 'reverse bounty'. These activities and programs are designed to either encourage persons with outstanding warrants to voluntarily respond to the warrant or provide additional incentive to law enforcement agencies to aggressively pursue the serving of warrants.

**2e)** The County is currently testing central processing of arrestees. Advocates of central processing believe two major benefits will be derived from the program: police officers will be returned to duty more quickly and arrestees will be processed more efficiently. The program will be assessed after a period of operation. MCPS staff contend that, under central processing, police officers are no longer required to spend several hours on fingerprinting suspects, preparing mugshots, doing paper work, and accompanying arrestees throughout the arraignment process. Officers are returned to the streets more quickly, which should have a positive effect on all policing activities, including the service of warrants.

**2f)** The Sheriff's Office has a unit of deputies dedicated to serving arrest warrants. Since the deputies do not patrol the streets or investigate incidents, they must purposely locate wanted individuals to serve their warrants. However, MCPD officers have the opportunity to encounter wanted individuals during patrol activities and investigations of incidents. Based on examination of five years of data (1990 through 1994), MCPD is averaging 65 percent closure of warrants sent to the department for serving. Patrol officers are responsible for serving 50 to 55 percent of the warrants by being "on the look out" for wanted individuals. It would not be fiscally prudent to transfer responsibility for MCPD warrants to the Sheriff at the Sheriff's cost estimate of 67 workyears. However, it may be advantageous to supplement activities of the County patrol officers by dedicating positions in MCPD for serving warrants.

### **3. Automated Systems**

**3a)** The County plans to upgrade the Montgomery County Criminal Justice Information System (MC-CJIS), which is one of the automated systems currently used by MCPD and the Sheriff's Office to research information on wanted persons. Project plans indicate that several stand-alone automated systems will be integrated into the new MC-CJIS and interfaces will be programmed to electronically accept data from the circuit and district court automated systems. Both the Warrant Index System (shared by MCPD and the Sheriff's Office) and the Summons Management System (used by the Sheriff's Office) will be eliminated and warrant and summons data will be entered into modules of the upgraded MC-CJIS. OLO estimates that it may take two to three years to fully integrate all the modules of the new system. However, the Executive Branch recently indicated that the summons and warrants modules will be integrated into the new system within the next 12 months.

**3b)** County criminal justice agencies currently enter the same data into several different automated systems. Completion of the MC-CJIS upgrade is expected to eliminate the duplication of effort by the various criminal justice agencies. For instance, information on the issuance of summonses and warrants entered into the court automated systems by district court commissioners and other court staff would be transferred electronically to the warrant and summons tracking modules in MC-CJIS. Police and sheriff personnel would no longer need to enter this data, but could simply perform the research activities and add information to the warrant or summons records that have been transferred in from the court systems.

**3c)** The information on warrants compiled for this report by the Department of Information Systems and Telecommunications (DIST) was provided as a special effort because there are currently no standard reports that combine information on MCPD and Sheriff warrants. In addition, staff in the MCPD district stations indicated to OLO that desired report formats have not been made available, and reports that may be needed cannot be run from the district stations. Another comment offered by district station staff was that the current MC-CJIS system is rather unwieldy and before upgrading the system, the users in the field should be consulted for input on the kinds of display screens that would be most useful for research purposes.

## **B. Recommendations**

### **Researching and Recording Warrants and Summonses**

**Recommendation 1.** Additional temporary staff should be provided to the MCPD Warrant Control Section so that entry of warrant data into the State and Federal databases (MILES/NCIC) may be accomplished on a more timely basis. MCPD should also consider using volunteers in whatever capacities are appropriate to free up MCPD personnel for research and data entry activities. Because integration of the Warrant Index System into the new Montgomery County Criminal Justice Information System (MC-CJIS) should reduce the workload for research and data entry, the need to retain the additional temporary staff should be re-considered after MC-CJIS is fully implemented.

**Recommendation 2.** One or more persons in each police district should be given authority to enter data into the warrant database to record warrants acquired in conjunction with investigations. Entry of the warrant data could be controlled by use of a special code to indicate the warrant was acquired as part of an investigation. A miscellaneous field could be used to record the name and phone number of the investigating officer so the warrant documents may be obtained if patrol officers locate a wanted person. Warrants received from other jurisdictions by the MCPD Fugitive Unit should also be recorded into the centralized warrant database and coded to indicate that the Fugitive Unit has the warrant documents.

**Recommendation 3.** MCPD and the Sheriff should acquire information on the availability of existing databases and development of new databases that may be queried to obtain information that will assist in locating wanted persons. The agencies can then determine which databases may be useful for researching data on wanted persons, and request access for inquiry purposes.

### **Serving and Processing**

**Recommendation 4.** MCPD and the Sheriff's Office should further explore methods used by other jurisdictions to locate wanted individuals and increase warrant service. Techniques successfully used in other jurisdictions include: placing lists of names in local newspapers, posting mug shots on the Internet, and working with the courts and other criminal justice agencies to establish an amnesty program. In addition, the Sheriff's program of featuring two wanted persons per week in a local newspaper should be evaluated to determine whether it would be beneficial for MCPD to have a similar program.

**Recommendation 5.** The County should examine the possibility of introducing State legislation to implement a reverse bounty program. The program would require anyone arrested on a warrant to pay a fine that would go back to the jurisdiction whose law enforcement agency made the arrest. A reverse bounty may serve as an additional incentive to increase cooperation among Maryland jurisdictions in serving each others' warrants.

**Recommendation 6.** The Police Department should dedicate two positions for serving County warrants, so as to augment MCPD patrol officer and Fugitive Unit efforts. MCPD also should consider expanding to other police districts the program at Germantown, where patrol officers are assigned specific warrants for serving.

**Recommendation 7.** As part of the evaluation of the Central Processing Unit (CPU), the County should examine whether centralized processing of arrestees has a positive effect on the serving of warrants. If central processing is continued, site selection should include consideration of co-locating the MCPD Warrant Control Section with the CPU. Co-location would eliminate the necessity to fax thousands of documents between the two units and allow for better control over original warrant documents.

**Recommendation 8.** The County should study whether it would be cost effective to contract with the private sector for the service of some categories of summonses. (Note: State law may need to be amended to allow for contracting.)

### **Automated Systems**

**Recommendation 9.** The County's evaluation of the mobile data systems pilot program should examine the impact of mobile data systems on warrant service and explore how much time is saved when a patrol officer is able to query databases directly from his/her car.

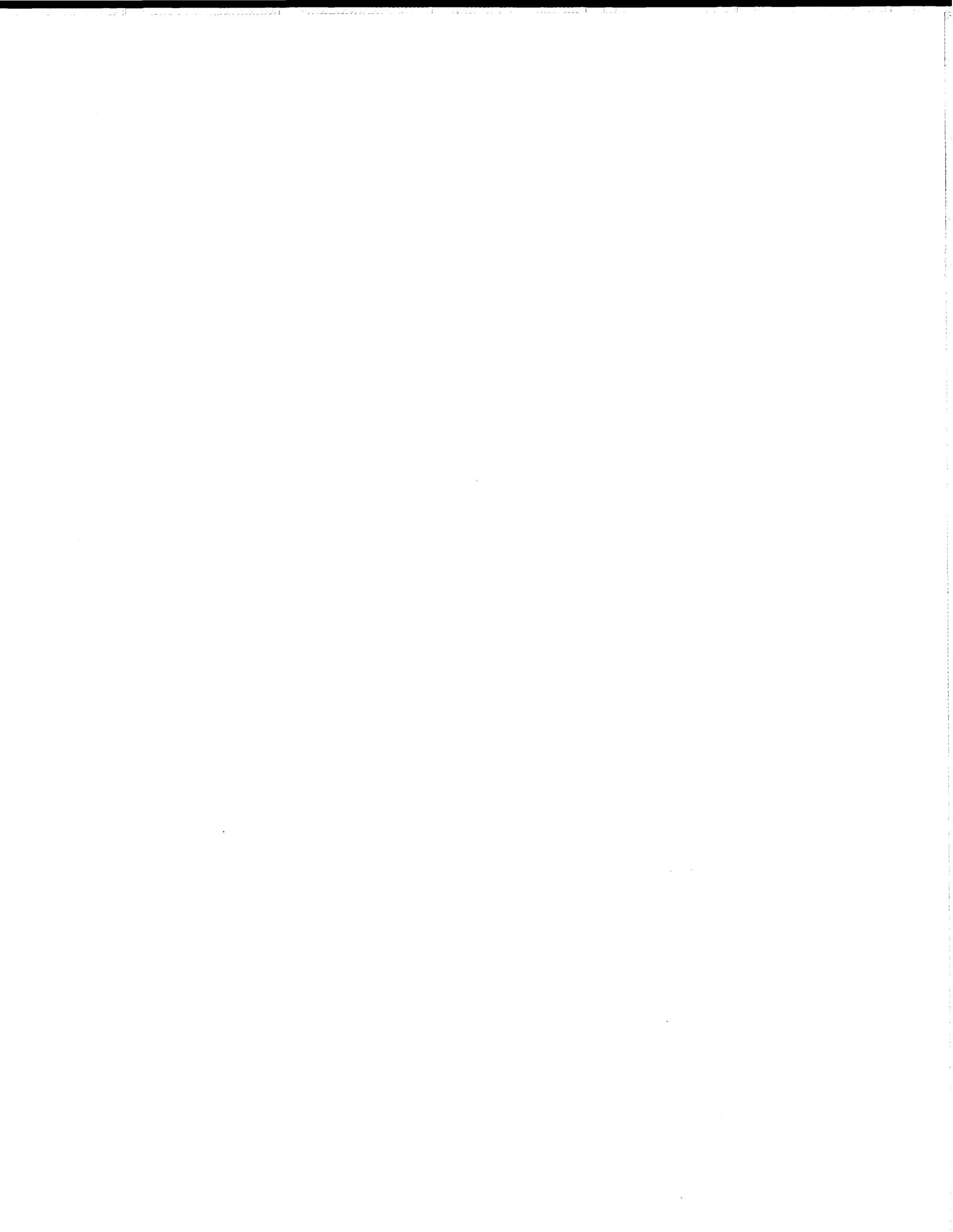
**Recommendation 10.** When developing the new MC-CJIS system, DIST, MCPD and the Sheriff's Office should consider the following:

- summons and warrants data should be linked or contained within the same module so as to lessen the need to record and store duplicate information, such as: case numbers, charges, addresses, etc.
- the MCPD Fugitive Unit should have the ability to enter and track warrants and summonses received from other jurisdictions.
- MCPD district stations should have capabilities to: enter and track summonses; enter and track warrants acquired in conjunction with investigations; track warrants assigned to patrol officers for serving; and locally print a variety of reports.
- design for the new summons/warrants module(s) should not mirror the old systems, but should include needs assessments and invited input from all potential users, including new users at the district stations and in the Fugitive Unit.

### **VIII. AGENCY COMMENTS**

On February 6, 1996, OLO circulated a draft of this report to the Criminal Justice Coordinating Commission, the Executive Branch, and the Sheriff's Office. Written comments received are attached, beginning on the next page, with circle references as follows:

<u>Agency</u>	<u>Circle Numbers</u>
Criminal Justice Coordinating Commission	1- 3
Executive Branch	4-10
Sheriff's Office	11-19





# Montgomery County Government

## MEMORANDUM

March 20, 1996

TO: Douglas M. Duncan, County Executive  
Gail H. Ewing, Council President

FROM: Paul Tierney, Chair *PT*  
Criminal Justice Coordinating Commission

SUBJECT: Office of Legislative Oversight DRAFT REPORT 96-4 Description and Evaluation of Warrant Processing in Montgomery County

The Criminal Justice Coordinating Commission was presented with copies of the **Office of Legislative Oversight DRAFT REPORT 96-4 Description and Evaluation of Warrant Processing in Montgomery County** and our comments were requested.

At the Commission's request, we received a formal briefing on this matter from the Department of Police and the Sheriff's Office at its monthly meeting on February 29, 1996. Subsequent to that briefing, the Commission was provided draft copies of the Department of Police and Sheriff's Office responses to Draft Report 96-4 for review and consideration in responding to the OLO request for the Commission's comments.

The OLO report presents a thorough, comprehensive analysis of the warrant process in Montgomery County. It focuses attention on a serious problem and presents the criminal justice agencies, elected officials, and the public with a due notice as to the serious nature of this problem and removes the shroud of confusion previously surrounding it. The Circuit Court warrants are processed by the Sheriff's Office, which places a high priority on the service of warrants and has established a special unit to handle warrants. The District Court warrants are processed by the Department of Police and produce the vast majority of warrants and the backlog. This report makes everyone privy to what law breakers have long known - an outstanding District Court warrant may be a meaningless gesture unless you are arrested on some other charge or just happen to come in contact with a police or sheriff record check.

The current backlog of District Court warrants is a serious problem and will become much more serious as that backlog grows. The OLO report points out that by the turn of the millennium, the current backlog could increase substantially unless additional resources, new

Criminal Justice Coordinating Commission

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methodology, improved technology, and changed attitudes take place. Either unserved warrants are a serious matter for public concern or they are not. If unserved warrants are a serious issue, then additional resources and a no nonsense enforcement approach must be undertaken by all agencies involved, especially the courts which generate these warrants. If unserved warrants are not a serious issue, then the County and State can continue its present catch as catch can approach with the ever escalating back log of warrants becoming just one of those things that will be gotten to when time and money allow.

The Commission wishes to commend OLO for the professionalism and thoroughness of this report and for sounding a call for action. The Commission wishes to also commend the Montgomery County Police Department and the Montgomery County Sheriff's Office for their professionalism and dedicated efforts in addressing this problem within existing resources.

Based upon the Commission's preliminary review of Draft Report 96-4, the Commission concurs with OLO that the County should continue to pursue ongoing efforts to improve the warrant service process. In order to more effectively address the issues raised in this report, the Commission has established a work group entitled Warrant Accountability/Resource Task Study (WARTS) to review the OLO Report and to propose appropriate remedial action and resource allocations vis-a-vis staffing needs, technology enhancements, legislative changes, management revisions, and judicial oversight.

The Work Group will address the findings and recommendations of the OLO Report and has been charged to:

1. Review and recommend as to the development of a County CJIS automated database inclusive of all outstanding local warrants and to explore the feasibility of a CJIS system interface to receive state warrants from the MILES system..
2. Review and recommend as to the development of the interface technology and legal agreements to permit interstate and federal data query regarding outstanding warrants.
3. Explore the operational feasibility and cost-effectiveness of a centralized, dedicated warrant processing/service system in either the Sheriff's Office or the Department of Police. (It should be noted that the current authority to designate the agency to serve warrants rests with the Chief Judge of the District Court and Circuit Court.)
4. Evaluate the feasibility and cost-effectiveness of expanding substitute or private resource service of civil process, so as to free up resources for criminal warrant service and failure to appear warrant process.
5. Review and recommend as to the appropriateness of imposing a processing cost

recapture fee for warrants via a fee or fine imposed upon those served and a significant penalty fee increase to address the repeated failure to appear subject. Explore increased Court imposed sanctions upon those who fail to appear.

6. Review and recommend as to the Mobile Data Terminal issues and determine the appropriateness of implementing such a system to assist in warrant processing.
7. Review and recommend on the merits of hiring part-time, contract, data entry clerks to input all outstanding warrants within 72 hours of issuance and of hiring retired police officers and deputy sheriffs to make current all outstanding warrants. (It should be noted that the Maryland Police Training Commission requires that any law enforcement officer serving a warrant must be properly trained, properly equipped, and properly appointed.)
8. Review and recommend as to the appropriateness of a warrant amnesty program to dismiss non-violent offender warrants every five years or other sunset provisions from initial issuance.

The WARTS Work Group consists of representatives from the Department of Police, Sheriff's Office, District Court and the Circuit Court. Any other member of the Commission may participate by requesting such assignment from me. The Work Group's Report to the Commission will be completed by April 30, 1996.

PT/jw



OFFICES OF THE COUNTY EXECUTIVE

Douglas M. Duncan  
*County Executive*

MEMORANDUM

Bruce Romer  
*Chief Administrative Officer*

March 8, 1996

TO: Joan M. Pedersen, Program Evaluator  
Office of Legislative Oversight

FROM: Bruce Romer, Chief Administrative Officer

SUBJECT: Office of Legislative Oversight DRAFT Report 96-4: Description and Evaluation of Warrant Processing in Montgomery County

Thank you for the opportunity to comment on the DRAFT OLO Report 96-4: Description and Evaluation of Warrant Processing in Montgomery County. This report provides an objective analysis of the role of the Montgomery County Police Department in issuing, serving, and tracking adult arrest warrants. We acknowledge the need for additional staff to record, track and serve warrants and have discussed establishing a Warrant Squad: ten officers (two per police district), a Corporal and Sergeant to supervise, and three civilians to perform preparation and entry. However, this proposal must compete with others for limited resources. In the interim, to facilitate the reduction of the warrant backlog, several changes have been implemented. Members of the Fugitive Squad have been redirected to concentrate on in-County warrant service and centralized Special Weapons and Tactics (SWAT) officers are now serving warrants several days a week. Also, we endorse the use of more contract workers and are in the process of preparing one for State certification to enter data. Finally, the District Stations are initiating new shift and deployment plans which will provide additional personnel resources on shift overlap days. The officers on one overlap shift will attempt warrant service while the other shift will handle primary response to calls for service and routine patrol duties.

We offer the following comments to correct or clarify the data presented in this report and in response to each of the recommendations.

**Comments to clarify or correct data:**

1. Page 7, II.D.1, last sentence:  
Correction: The MC-CJIS sends data to the State CJIS on a monthly basis indicating admissions and releases to the County's correctional facility.

**OLO Response:**

This correction has been made in the final report.

2. Page 8, II.D.4:  
Clarification: The County's warrant system's official name is WAR or WARrant System. It is also sometimes referred to as WARS, WARRS or the Warrant Index System.
3. Page 11, II.E top paragraph, last sentence:  
Clarification: The Circuit Court upgrade project will provide the same capabilities for data entry and access to the new CJIS as all other criminal justice agencies. However, at the present time, it is our understanding that the Circuit Court will not be entering data into the County's CJIS since they have their own computer systems running on a Hewlett-Packard minicomputer. DIST is prepared to implement an interface with their system in a similar manner as is currently implemented with the District Court system if the Circuit Court system could provide CJIS with the necessary data. At last review, the data collected by the Circuit Court was not sufficiently detailed to meet the needs of the CJIS system.

**OLO Response:**

The circuit court application for upgrading its court case system indicated that warrant and summons information will be processed electronically from the courtroom to the new MC-CJIS modules. This does not imply that circuit court judges and staff will directly enter data to MC-CJIS. The information entered in the courtroom to the circuit court computerized system could be passed electronically to MC-CJIS modules by an interface or by tape.

The clarifying information provided here by the Executive Branch implies that the upgraded MC-CJIS may not be able to obtain information directly from the circuit court case system, which will require a duplication of effort by circuit court staff and the Sheriff's Office to enter data on warrants and summonses into both the circuit court case system and the MC-CJIS system.

4. Page 54, VII.A.3a:  
Add the following sentence to the end of this paragraph: "The summons and warrants modules, however, will be integrated into the new system within the next 12 months."

**OLO Response:**

The final report has been modified to include this updated information.

5. Page 54, VII.A.3c:  
Clarification: Second sentence should read: "In addition, staff in the MCPD district stations indicated that reports for this study were not available in the form desired by OLO."

**OLO Response:**

Staff at both the MCPD and Sheriff administrative offices also indicated that there are currently no pre-designed reports that query the Warrant Index System to combine information from both agencies.

6. Page 17:

Due to the success of the Central Processing Unit (CPU), the pilot project has been extended. Therefore, it is necessary to include it in the flow chart. Where "FAX warrants to district stations when wanted persons are located" it is indicated in the lower left arrow, it should read "FAX warrants to CPU...". Also, where it says "Warrants are served by patrol officers...", it should read "Warrants are served by CPU...". Then, the other arrow should read "FAX copies to Warrant Control Section."

OLO Response:

Prior to issuing the report for comments, OLO added annotations to the flow charts on pages 17, and 24. The annotations indicate the Central Processing Unit is currently serving MCPD criminal arrest warrants, while patrol officers continue to serve and process traffic warrants. The reader is also referred to page 25 of the report for a description of central processing.

7. Page 24:

Correction: The actual procedure is as follows:

- 1) The Warrant Status Reports are run on the computer at each individual district station.
- 2) The designated Warrants/Summons person will then put the list of active warrants to be served in the appropriate Beat Book.  
[It should be noted that since the inception of the Central Processing Unit, the officers that had been sending letters to wanted persons as well as serving individual warrants were reassigned to the CPU. Therefore, the block indicating "two warrants per officer (are assigned) for serving" is not applicable.]
- 3) Because the above referenced officers have been reassigned, the sending of letters to wanted persons has been drastically reduced.
- 4) In cases where a wanted subject is located, the warrant is then confirmed by Warrant Section personnel and faxed directly to CPU for service. (All criminal warrants are faxed directly to CPU. Traffic warrants -- when there are no criminal charges -- are faxed directly to district stations.)

OLO Response:

The flow chart on page 24 was prepared in consultation with MCPD district station staff and represents steps taken in most stations. There is no reference to putting the list of active warrants in the beat books because all of the district stations do not put the list in beat books. Since the warrant officer from the Germantown district station has been transferred to the Central Processing Unit, the district station has been assigning only one warrant monthly per patrol officer for serving.

8. Page 29:

Clarification: The last bullet which says "...warrants are not recorded into MILES/NCIC for 30 to 45 days after received" is incorrect. That statement only applies to bench warrants.

OLO Response:

The entry has been corrected to say that bench warrants are not recorded into MILES/NCIC for 30 to 45 days after received.

9. Page 52, VII.A.1c):

Correction: It should be noted that 95% or more of all warrants obtained in the course of police investigations are entered into WARRS. According to departmental policy, all warrants are to be received at the Warrant Section within 48 hours of issue. This allows officers who have good investigative leads to have the opportunity to effect an arrest. It should be understood that out-of-county warrants may not be housed in our database or MILES/NCIC because the issuing county is responsible for entry, validation and confirmation of their own warrants, according to MILES/NCIC regulations. The revision stating "None of the warrants obtained in the course of police investigations are recorded unless the suspect cannot be located by the investigating officer(s)" is not accurate. In fact, this revision is a misinterpretation of the correction first submitted.

**OLO Response:**

The paragraph has been modified to indicate that 95 percent (or more) of the warrants received by the Warrants Section are recorded into the Warrant Index System. In addition, the sentence about warrants obtained in the course of police investigations has been modified to indicate that these warrants may be held for several days before being sent to the Warrants Section for recording.

The out-of-county warrants handled by the Fugitive Squad are recorded into a database on a personal computer, instead of into the Warrant Index System. It is clear that the issuing jurisdiction is the only jurisdiction that should record these warrants into MILES/NCIC. However, OLO does not understand why these warrants cannot be recorded and tracked by the Fugitive Unit through the Warrant Index System, instead of in a stand-alone database on a personal computer.

10. Page 52, VII.A.1d):

Clarification: This implies that an officer would not get a MILES/NCIC response because it is not entered or held in our county WARRS database. This is not true, because the issuing agency houses their original warrants, as well as enters them into MILES/NCIC. The WARRS is an unrelated database. Also, members of the Fugitive Unit are required to confirm the status of the warrant with the issuing agency prior to service, especially since they are not working off of the original warrant. Again, this revision is a misinterpretation of the originally submitted correction. It must be recognized that the Warrant Section and the Fugitive Unit are separate entities.

**OLO Response:**

This finding relates to what information is available to a patrol officer when wanted checks are run. The finding clearly states that different databases are queried: first the Federal and State databases, then the County database. Some warrants held by MCPD are never recorded into any of these databases, and other warrants are not immediately recorded. If an issuing jurisdiction is outside Maryland, they would not record their warrants into MILES (Maryland Interagency Law Enforcement System), and the warrant may or may not be recorded into the NCIC database (National Crime Information Center).

**Comments on Recommendations:**

**Recommendation 1:**

A great deal of training and expertise is required of warrant entry operators, including meeting NCIC regulations concerning certification, entry validation and confirmation of warrants. Although the use of volunteers for this purpose sounds promising, entry operators must be recertified yearly and undergo continual training to keep up with new procedures. Unfortunately, volunteer help has been sporadic in this capacity in the past. One temporary contract worker has recently been hired because of the unanticipated long-term absence of an employee. This contract worker will be trained, but her service may be abruptly terminated should the other employee return to work. Consequently, unless temporary help can be guaranteed for an extended period of time and volunteers pledge to work a reasonable number of hours, it is often a waste of time and resources to train temporary help. The use of light duty and temporary duty (TDY) officers to perform this function will continue to be considered on a case-by-case basis. This is because some individuals are assigned to light-duty for a short period and it would not be practical to use them in this capacity.

**OLO Response:**

OLO is in agreement with the insights offered by the Executive Branch. However, it may be advantageous to use volunteers or temporary staff in the Warrant Section to perform or assist with researching, filing, copying, and faxing activities to free up time for the existing data entry staff

**Recommendation 2:**

In keeping with NCIC regulations, all warrants are to be kept in a central location. Proper security must be maintained as well as NCIC regulations concerning dissemination of information. The Records Division, where the Warrant Section is currently housed, is a secure facility, which ensures the integrity of the criminal records. As stated earlier, the issuing agency is responsible for the entering and removal of warrant information in MILES/NCIC. To avoid confusion by Montgomery County officers, a separate database should be maintained. If warrants were entered and housed at District Stations, 24-hour staffing would be required for security and confirmation per NCIC regulations.

**OLO Response:**

This recommendation relates to accessing the warrant database for data entry, and has nothing to do with the housing of the physical warrants. The warrants can and should still be housed centrally at the MCPD Warrant Control Section. The suggestion that a separate database should be maintained for district station officers is in direct conflict with the concept of the upgraded MC-CJIS centralized database.

**Recommendation 3:**

County Police and the Sheriff's Department currently share a database, WARRS. Both have the same access to MILES/NCIC. In regard to new databases to be queried, a database is being developed that will be on a central server to allow several county resource agencies to share case file information (Network of Community Resources). Our access to this will be explored. In addition, we will evaluate the use of the Tax Records database.

Recommendation 4:

The department has been prevented from utilizing programs used in other jurisdictions simply because of the lack of adequate staff. In fact, a proposal to use mug shots in local newspapers is ready to be implemented, however, there is no staff to administer it. Amnesty programs also have potential. However, once again, there is insufficient staff to coordinate such a program. The Montgomery County Warrant and Fugitive Sections have proposed two media programs. One, a weekly "Ten Most Wanted List," and the other, a Wanted Poster Program. Again, personnel are not available to initiate and administer the programs. The Police Department is currently developing an Internet Home Page. Utilizing this format will be considered once it is in place.

Recommendation 5:

We disagree with this recommendation. A reverse bounty situation would deter individuals from turning themselves in, especially if there were no previous monetary sanctions. Many wanted persons cannot afford a bounty, and would therefore avoid warrant service. Furthermore, this proposal would only add an additional unpaid fine and then an additional warrant for "failure to pay the fine." The majority of bench warrants are for "failure to pay fines," thus, the wanted person would most likely be unable to pay this additional fine as well.

Recommendation 6:

Special Weapons and Tactics (SWAT) officers have been detailed to serve warrants several days a week until a more practical solution is adopted. Under the new beat team concept, teams will be assigned warrants to serve in their geographic area of responsibility, particularly on overlap shift days.

Recommendation 7:

This is a viable recommendation for the future. However, it should be noted that even if the Warrant Section is combined with CPU, it must have limited, restricted access to only Warrant Control personnel in order to comply with NCIC regulations.

Recommendation 8:

This recommendation is no longer relevant. The District Court Summons (DCS) procedure was changed effective March 1, 1996. The District court will notify the defendant by mail of the charge and preliminary hearing date. The Police Department will detail one officer to the District Court from 0830 hours to 1030 hours, four days a week, to serve the DCS on defendants who appear, and close out those cases by completing the appropriate report. A bench warrant will be issued for defendants who fail to appear.

Recommendation 9:

The Mobile Data Pilot is scheduled to begin in FY 97. The Computer Aided Dispatch (CAD) system is being modified to send queries to the MILES and NCIC systems for wanted persons checks as part of the mobile data pilot program. DIST is also exploring the technical feasibility and costs of modifying both the CAD system and the County's WAR System to provide the capability of querying local warrant from a patrol car as part of this pilot.

Recommendation 10:

- A** - One of the guiding principles of the new CJIS project is to eliminate duplication of data. Summons and warrants will be linked where data is common.
- B** - We cannot support this recommendation because each jurisdiction is responsible for the entry and removal of their own warrants. Therefore, this would be a redundant entry of data into the automated systems.
- C** - We disagree with this recommendation because NCIC regulations require that all warrants be housed and processed in a central location.
- D** - DIST is working closely with MCPD and the Sheriff's Office during the design of the new CJIS. This design will be accomplished with the maximum flexibility to allow these agencies to implement policies and procedures as they determine the most efficient and effective way of managing summons and warrants. MCPD is identifying focus groups to assist with developing the new CJIS warrant module.

OLO Response to B:

The Executive Branch comment relates to the second bullet under Recommendation 10 in the OLO report. The Fugitive Unit currently records and tracks warrants sent from other jurisdictions (in a dBase application on a personal computer). Including an ability for the Unit to do this through the upgraded MC-CJIS would not be a redundant entry of data into the automated systems.

However, the Fugitive Unit is also recording and tracking information on County warrants through a dBase application. These warrants are selected from the Warrant Index System for serving by the Fugitive Unit.. This practice does represent redundant entry of data into automated systems.

OLO Response to C:

The Executive Branch comment relates to the third bullet under Recommendation 10 in the OLO report. The recommendation does not preclude MCPD from housing warrants in a central location.

We appreciate the opportunity to comment on this draft report. We look forward to participating with the Council in its review of this report.

BR:rsd

Distribution:

Carol Mehrling, Chief, Department of Police  
Lt. Col. James Taylor, Deputy Chief, Department of Police  
Don Evans, Director, Department of Information Systems and Telecommunications  
Robert K. Kendal, Director, Office of Management and Budget  
Charles W. Thompson, Jr., County Attorney  
Paul Tierney, Chair, Criminal Justice Commission  
CAO Chron File  
OLO Report File

SHERIFF



Raymond M. Kight  
Sheriff  
301-217-7000

Montgomery County, Maryland

MEMORANDUM

March 7, 1996

TO: Joan M. Pedersen, Program Evaluator, Office of Legislative Oversight

FROM: Raymond M. Kight, Sheriff

SUBJECT: Office of Legislative Oversight DRAFT REPORT 96-4: Description and Evaluation of Warrant Processing in Montgomery County

I appreciate the time, effort and cooperation you have given this Office in this Warrant study. Although we have previously given you suggested changes which you have incorporated into your report, following are additional changes and comments which we wish to have considered.

1. I, Major Page Findings, Paragraph 4

**"The Sheriff's Office closes 94 percent of the approximately 3,800 adult arrest warrants received annually."**

It should be noted that in FY95, the Sheriff's Office received 2,952 warrants and closed 3,019 warrants. Some of the warrants received in FY95 went into the backlog, and some of the warrants closed in FY95 were from the backlog.

2. Page 48, Related Matters, Paragraph 8:

**"a) Suggestion: Although State law allows enforcement officers to serve arrest warrants that are issued in any Maryland jurisdiction, several counties will not routinely serve Montgomery County warrants. There is a**

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The Judicial Center

50 Courthouse Square, T8 • Rockville, Maryland 20850



need to work out agreements with other Maryland jurisdictions to serve each other's warrants.

**Information:** State law provides little guidance on the division of labor or lines of authority between State, County and municipal law enforcement agencies. The State police and local law enforcement agencies have attempted to remedy this through the negotiation of operating agreements, which are used to define agencies respective roles."

Please clarify the terms "serve" and "arrest" as they may be confused by the reader. Only District Court warrants, at the discretion of the issuing authority, may be "served" outside the County in which they are issued. Other jurisdictions will "arrest" and detain defendants on both Circuit Court warrants and District Court warrants which do not **authorize service** outside of the issuing County. These jurisdictions will notify the appropriate agency in Montgomery County, who will respond and transport the defendant to Montgomery County for warrant service. **We have not encountered any agencies which refuse to take any action on warrants.**

**OLO Response:**

This suggestion relates to making arrangements with other jurisdictions to *serve* Montgomery County warrants once the subjects of warrants have been detained. It also includes arrangements for the apprehending jurisdiction to take the individual before a local court to answer the charges contained in the warrant documents. At the issuing judges's discretion, some district court warrants permit another Maryland jurisdiction to serve the warrant. For more information, see Chapter II, Section C, Part 3. Other Jurisdictions Assist the County in Serving Summonses and Warrants, on page 6 of the report.

**3. Page 49, Related Matters, Paragraph 4**

**"c) Suggestion:** It would be useful to have access to various other County and State databases to search for address information to assist with locating wanted persons. If full access cannot be approved for confidentiality reasons, maybe programs could be written that compare databases for names and addresses.

**Information:** County and State agencies have many databases that contain name and address information. Some of the databases cannot be made for inquiry because knowledge of a person's name being in the database violates a confidentiality (social service files). However, there are many databases that contain only public information (real estate and personal property tax files) and other databases that contain a mixture of public and confidential information (personnel and payroll files). It may be possible for law enforcement agencies to gain direct access to the databases that contain only public information and to create special queries of the public information in the databases that contain a mixture of public and private information."

The access to additional databases would be beneficial to warrant service. However, it would not significantly impact the percentage of warrants

closed without additional personnel to access these databases and to make attempts on the warrants based on new information obtained.

**4. Page 50, Related Matters, Paragraph 3**

**“f) Suggestion: Many jurisdictions in the country successfully contract with the private sector to serve summonses. The County should explore the feasibility of the contracting option.**

**Information: MCPD is responsible for serving criminal summonses received from the district courts. The Sheriff’s Office is responsible for serving all summonses received from the Circuit Courts and for civil summonses received from the district courts. Serving summonses is handled differently by the two law enforcement agencies. MCPD does not have personnel dedicated to serving summonses, so there would be no financial benefit to the County to contract activity. However, the Sheriff’s Office does have a unit of personnel to serve summonses and other court papers. It may be beneficial to contract with the private sector for serving some categories of these summonses.”**

a) The Annotated Code of Maryland, Courts and Judicial Proceedings, Sections 2-301(a) and 2-605(c) specifically **requires** the Sheriff to serve all papers **directed to him** by the Court. It does not give the Sheriff the authority to subcontract these duties and responsibilities to the private sector. The Sheriff may be held liable for the service and/or non-service of papers directed to him by the Court and as such, must have direct and full control over the employees serving these papers under his authority. The Sheriff would not have this control if the duties and responsibilities were subcontracted.

b) The deputies assigned to the Civil Section provide the citizens of Montgomery County the benefit of additional law enforcement protection during the periods of time when they are in the community serving summonses. The citizens would not receive this benefit from a subcontractor.

c) The deputies assigned to the Civil Section are required daily to supplement the Court and Transport Section (approximately 40% - 50% of their work hours). Non-sworn personnel cannot assume these duties and responsibilities.

d) There are many civil papers which are currently served by other persons, including private process servers, at the discretion of the issuing Plaintiff. If the Plaintiff believes that the individual is likely to avoid service or that a uniformed presence is necessary, or other reason, the Sheriff’s Office would likely be chosen to provide service of the paper. If contracting is

mandated, this would take away a public service from the citizens of Montgomery County as well as the uniformed presence that the public requested.

**5. Page 50, Related Matters, Paragraph 5**

**“g) Suggestion: When County law enforcement agencies fall behind on serving warrants, they should hire retired police officers, sheriff’s deputies, FBI, or other law enforcement personnel on a temporary basis. These persons could be put under short-term contract with the MCPD and used for mini-sweeps or other concerted efforts.**

**Information: Maryland law requires that only sworn law enforcement personnel may serve arrest warrants. Unless the State law is amended, any retired law enforcement individuals hired temporarily or acquired through contract would have to be re-sworn.”**

The Police Training Commission was established under Article 41, Section 4-201, of the Annotated Code of Maryland. The Commission was established in an attempt to professionalize law enforcement in the State of Maryland and as such lessens the liability facing governmental agencies from actions of law enforcement officers. To become a sworn law enforcement officer in Maryland an individual must comply with all the standards set by the Commission. The standards encompass everything from applicant investigation to continuing retraining of sworn officers.

To be sworn these temporary law enforcement officers must comply with the standards as if they were full-time officers. For liability purposes these temporary law enforcement officers must be trained and instructed on the agencies policies and procedures. Further, they must be retrained yearly.

In addition to the standards of the Police Training Commission, applicants must meet the standards set by both the Sheriff’s Office and Montgomery County, including written, oral , psychological and physical testing as well as a complete background investigation.

Also in addition to the applicant investigation, testing and training required, these temporary law enforcement officers must be properly equipped with weapons, protective body armor, restraining devices, vehicles, etc. The Sheriff’s Office does not maintain an excess inventory of these items.

Any attempt as mentioned in the report to amend the State Law regarding lowering the standards of sworn law enforcement officers would return law enforcement in Maryland to the unprofessional standards of the past, exposing Maryland Sheriffs and Counties to greater liability.

**6. Page 50, Related Matters, Paragraph 7**

**“h) Suggestion: Serving of arrest warrants should not be split between MCPD and the Sheriff’s Office. It may be more efficient for one agency to have sole responsibility. The Sheriff’s Office manages its warrant workload better than MCPD because it has a dedicated unit to serve warrants. Perhaps the Sheriff should be given responsibility for serving all arrest warrants.**

**Information: OLO requested the Sheriff’s Office to provide an estimate of additional staffing that would be needed if that office were to become responsible for serving the warrants that are currently handled by the County police.**

**Since there are several variations that could be considered, the Sheriff’s estimate was expected to be only a starting point for possible further exploration and discussion. OLO provided the Sheriff’s Office with information on Police Department warrant activity for the past five years and discussed what assumptions should be used for the estimate. Assumptions used in arriving at the estimate included the following:**

**Assume handling of the additional warrants would be accomplished in the same manner that is now used to manage the workload for recording, tracking, and serving of warrants for which the Sheriff’s Office is currently responsible.**

**Ignore warrants handled by the MCPD Fugitive Unit and assume the current resources in that unit are sufficient to handle warrants received from other jurisdictions.**

**Assume that police resources currently budgeted to record and track warrants could be transferred to the Sheriff’s Office (exclude temporarily assigned personnel).**

**Ignore the MC-CJIS upgrade, since the impact on staff needed for data entry and research activities is not yet known.**

**Ignore any effects of central processing, since the pilot CPU has not been operating long enough to provide sufficient data.**

**With these assumptions in mind, the Sheriff’s rough estimate is that approximately 67.0 workyears would be needed to manage the additional warrants in a manner similar to that which is currently**

**used to handle circuit court warrants. Also, equipment would be needed at the cost of approximately \$271,000.**

**No estimate was provided for the additional space that would be needed to accommodate a much larger Warrant Unit, but it was noted that sufficient space may not be available in the Judicial Center, where the Sheriff's Office is currently located. A copy of the full response provided by the Sheriff is included in this report as Appendix C."**

As stated in the report, page 53, paragraph 4, it is not unusual in the Metropolitan area for the Sheriff and police to share warrant responsibility. It is my opinion that any attempt to add sole warrant responsibility to the Sheriff's Office in these times of economic uncertainty and government downsizing should be avoided.

The estimate of 67.0 workyears which would be needed to manage warrants in a manner similar to that which is currently used is conservative. Because of the volume, the Sheriff's Office could not continue to use "call backs" after midnight and weekends for warrant service. Regular shifts would have to be added.

#### **7. Page 53, Findings, 2 Serving and Processing, Paragraph 4**

**"2c) A survey of selected jurisdictions in Maryland and the Washington-Metropolitan area revealed that it is not unusual for the sheriff and police agencies to share responsibility for serving arrest warrants. Most of the surveyed jurisdictions are also struggling to control a large number of unserved warrants. Some of these agencies take special steps from time to time to deal with the backlog. Strategies used in other places include: assigning additional personnel to serve warrants, writing letters to the subjects of warrants requesting voluntary response, conducting mini-sweeps, or requesting the courts to reevaluate older warrants."**

This finding should be amended to state that the Montgomery County Sheriff's Office and some of these agencies, take special steps from time to time to deal with the backlog. Strategies that the Sheriff's Office has implemented in an attempt to deal with the warrant backlog are:

1. Sends "Turn-In Letters" to defendants charged with minor offenses, requesting a voluntary response.
2. Conducts mini-sweeps.

3. Maintains contact with the State's Attorneys Office and Court regarding the reevaluation of older warrants.

**8. Page 54, Findings, 2. Serving and Processing, Paragraph 1**

**"2f) The Sheriff's Office has a unit of deputies dedicated to serving arrest warrants. Since the deputies do not patrol the streets or investigate incidents, they must purposely locate wanted individuals to serve their warrants. However, MCPD officers have the opportunity to encounter wanted individuals during patrol activities and investigations of incidents, and are currently serving about 65 percent of their warrants by being "on the look out" for wanted individuals. It would not be fiscally prudent to transfer responsibility for MCPD warrants to the Sheriff at the Sheriff's cost estimate of 67 workyears. However, it may be advantageous to supplement activities of the County patrol officers by dedicating positions in MCPD for serving warrants."**

The Sixty-five (65) percent closure rate, which I have addressed previously in this memorandum as being inaccurate, is referred to here as a **served rate** by MCPD patrol officers. **Closed** includes warrants served by the agency, warrants returned to the court, defendants surrendering themselves and defendants arrested by other agencies. **Served** should reflect defendants **arrested** by the agency. Warrants served by patrol officers are the result of the defendant being involved in other traffic, criminal or suspicious activity and not by the officers being "on the look out" for the defendant and could not possibly account for all the warrants closed by MCPD.

**OLO Response:**

The final report has been corrected to indicate that 65 percent is the *average closure rate* for MCPD warrants issued over a five year period, while the *servicing rate* by patrol offices is estimated at 50 to 55 percent of the warrants issued.

**9. Page 55, Recommendations, Serving and Processing, Paragraph 3**

**"Recommendation 3. MCPD and the Sheriff should acquire information on the availability of existing databases and development of new databases that may be queried to obtain information that will assist in locating wanted persons. The agencies can then determine which databases may be useful for researching data on wanted persons, and request access for inquiry purposes."**

As stated previously in this memorandum, the addition of new databases would be beneficial to warrant service but would not increase the closure rate. The Sheriff's Office lacks the personnel resources to use all the databases currently available.

**10. Page 55, Recommendations, Serving and Processing, Paragraph 4**

**“Recommendation 4. MCPD and the Sheriff’s Office should further explore methods used by other jurisdictions to locate wanted individuals and increase warrant service. Techniques successfully used in other jurisdictions include: placing lists of names in local newspapers, posting mug shots on the Internet, and working with the courts and other criminal justice agencies to establish an amnesty program. In addition, the Sheriff’s program of featuring two wanted persons per week in a local newspaper should be evaluated to determine whether it would be beneficial for MCPD to have a similar program.”**

The Sheriff’s Office currently uses both the print and televised media in its effort to increase warrant service.

Two (2) defendants are featured weekly on Cable News 21.

Two (2) defendants are featured weekly in the Gazette Newspaper.

**11. Page 55, Recommendations, Serving and Processing, Paragraph 5**

**“Recommendation 5. The County should examine the possibility of introducing State legislation to implement a reverse bounty program. The program would require anyone arrested on a warrant to pay a fine that would go back to the jurisdiction whose law enforcement agency made the arrest. A reverse bounty may serve as an additional incentive to increase cooperation among Maryland jurisdictions in serving each others’ warrants.”**

The “Reverse Bounty Program” is discussed on page 47, paragraph 5 of the report. This program requires defendants arrested on warrants to pay a \$50 fine to the jurisdiction whose law enforcement agency made the arrest as an additional incentive to the law enforcement agency.

The Sheriff’s Office has dedicated and professional employees. They do not require any additional incentive. Warrant service will increase only with additional personnel resources. This fine will result in additional warrants as not all arrested will pay the fine.

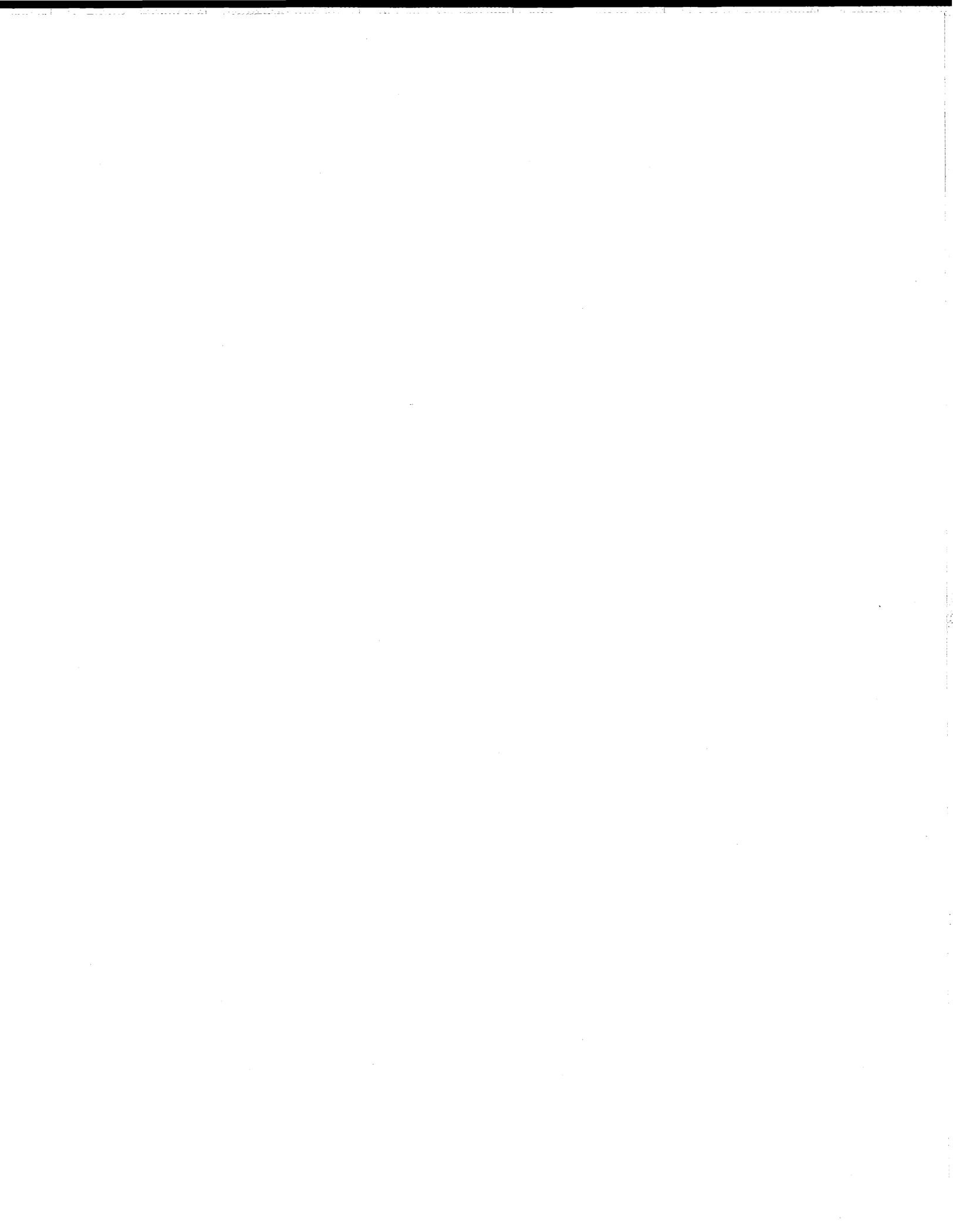
Also, Montgomery County Sheriff’s Office is not experiencing difficulty with any other Law Enforcement Agency in this State in the arresting of subjects on our warrants.

**12. Page 56, Recommendations, Serving and Processing, Paragraph 2**

**“Recommendation 8. The County should study whether it would be cost effective to contract with the private sector for the service of some categories of summonses. (Note: State law may need to be amended to allow for contracting).”**

My concerns with this recommendation are addressed on page 3 of this memorandum. I do not support this recommendation. Furthermore, I believe that this recommendation is outside the scope of the **warrant study**.

Again, we appreciate the opportunity to comment on these recommendations before they are released to the public.



# MONTGOMERY COUNTY POLICE DISTRICTS



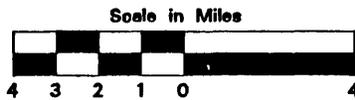
**Germantown**  
288.22 square miles

**Wheaton**  
92.08 square miles

**Rockville**  
54.40 square miles

**Silver Spring**  
27.32 square miles

**Bethesda**  
47.02 square miles





## **Metro Transit Police**

### **How are warrants and summonses received by your agency?**

The Transit Police acquire arrest warrants in connection with investigations. Other warrants are sent by the court to the MCPD Warrant Control Section, where they are recorded. Any that are determined to be the responsibility of the Transit Police are then mailed to the Warrant and Fugitive Apprehension Unit at the Transit Police headquarters.

### **Are any officers specifically assigned to serve the adult arrest warrants? If so, how many? If not, how are officers apprised of outstanding warrants?**

There is no unit of officers dedicated to serving arrest warrants. Warrants acquired in connection with investigations are served by the investigating officers. Warrants received from the County police are reviewed for the seriousness of the alleged crimes and the dangerousness of the subject of the warrant, so Transit officers can be immediately informed of the more serious warrants. Transit officers will be specifically assigned to serve the warrants.

In addition, some of the warrants received from the County police may be served by one of the four officers in the Warrant and Fugitive Apprehension Unit. This occurs when a unit officer is familiar with a wanted person and knows where the person is located

Otherwise, Transit police officers are apprised of outstanding warrants when they call a Transit police dispatcher while investigating an incident or conducting a routine inquiry. At that time, the dispatcher will search MILES for information on outstanding warrants. The dispatcher may also contact the Montgomery County Police to check their warrants database.

### **Are summonses handled by a different set of personnel? Please explain.**

Summonses are handled and served by the officer originally responsible for the case

### **Do you have a unit of personnel (aside from officers who serve warrants/summonses) that record and track activity? How many personnel?**

There is no separate unit of personnel to record and track activity. An officer in the Warrant and Fugitive Apprehension Unit enters warrant data into the Maryland Interagency Law Enforcement System (MILES) and tracks activity through that system..

### **How do you track warrants/summonses? Do you have an automated system for tracking the documents? Does the system electronically receive or send information to a State, Federal, or County automated system? What systems are these?**

When warrants are received, an officer in the Warrant and Fugitive Apprehension Unit completes a criminal history check and enters the information into the MILES database. The warrant documents are then forwarded to the Communications Unit where they are filed. This system provides officers with 24-hour access to the documents for serving.

When warrants are served and the dispatchers are notified, they mark that the warrant was served in the file, remove the record from MILES, and notify the officers in the Warrant and Fugitive Apprehension Unit of the service.

**Over a year's time, do you receive more warrants than you are able to serve? How many warrants were received in 1994? How many were served or closed out?**

Since 1990 the Transit Police have received 617 warrants from Montgomery County, which averages about 110 warrants per year. Of the warrants received, a little more than half have been served or closed out. The following figures show the number of Montgomery County warrants closed each year since 1990.

<u>Calendar Year</u>	<u>Number of Warrants Closed</u>	<u>Cumulative Number</u>
1990	27	27
1991	70	97
1992	83	180
1993	63	243
1994	70	313
1995	33	346

(As of 9/5/95)

**How many summonses were received in 1994? How many were served?**

The number of Montgomery County summonses received and served is not tracked, but it is estimated that about 520 are received in a year (10 per week).

**What was the estimated number of adult arrest warrants that remained unserved as of December 31, 1994? June 30, 1995?**

Transit police could not report on either of these two periods. However, a count that was taken on June 5, 1995, showed that there were 190 unserved Montgomery County warrants on hand.

**If you have a growing backlog of unserved warrants, do you have any special steps or programs to specifically deal with or reduce this backlog?**

In order to avoid a backlog, an officer periodically searches for warrants that are not likely to be served. These tend to be older warrants for less serious crimes or for individuals who are known to reside outside the metropolitan region. These warrants are reviewed by the lieutenant in the Warrant and Fugitive Apprehension Unit and sent to the States Attorney to be re-evaluated.

**How do you research a warrant/summons? Do you have access to any of the County's databases (WARS, CJIS)?**

The Warrant and Fugitive Apprehension Unit research various databases maintained by Virginia, Maryland, Washington, D.C., and the Federal governments. Research may include queries of state and city motor vehicle records, the National Crime Information Center database (NCIC), the FBI's Interstate Identification Index, the Maryland Criminal Justice Information System (MD-CJIS) and Judicial Information System (JIS), a Virginia automated system containing warrant information, and Washington, D.C. system containing warrant information. In some cases the research includes a credit history and car insurance check. There is no access to warrant or summons databases maintained by the County. There is indirect access to the County's CJIS database through the Maryland Judicial Information System.

**In what capacity do you use volunteers in relation to tracking, researching, or serving warrants or summonses?**

No volunteers are used by the Transit Police.

**What interactions do you have with County police, Sheriff, or other law enforcement agencies (in relation to serving of warrants/summonses)?**

Transit police officers interact with police departments in the District of Columbia, Montgomery County, Prince George's County, the State of Virginia, and several Virginia counties and cities. There is also limited contact with sheriff offices in these jurisdictions. By law, Transit police officers may serve warrants in any Metro zone, which encompasses all Metro rail lines, bus routes, terminals, parking lots, and maintenance depots. When Transit officers locate a person wanted in another jurisdiction, they serve the warrant, arrest the individual, and contact the jurisdiction that issued the warrant.

If an officer from another jurisdiction locates a person wanted by Transit police, the officer contacts the Metro police to retrieve the individual and serve the warrant. Transit Police also may receive backup assistance from officers in other jurisdictions.

There are also some interactions with these and other area jurisdictions in researching and attempting to locate subjects of warrants because there is a lot of migration of wanted individuals throughout the metropolitan region.

The dispatchers also interact with these jurisdictions. When an officer calls in a subject to the dispatchers for a search of MILES, the dispatcher may also contact the Montgomery County Police for a wanted check of the Montgomery County system.

**What is the staffing for this organization?**

As of September 6, 1995 there were 286 sworn personnel, including four individuals in the Warrant and Fugitive Apprehension Unit, and 15 dispatchers.

**Maryland-National Capital Park & Planning Commission - Park Police**

**How are warrants and summonses received by your agency?**

Park officers and detectives apply to district court commissioners for issuance of warrants and summonses as part of investigations. However, the agency also receives summonses from the courts for persons who fail to appear in relation to citations issued by Park officers. These citations relate to municipal infractions, which are non-criminal law violations. Examples are: possession of alcohol in a park; hunting on park property; parking after hours. The municipal infractions all carry fines, and the collection rate is about 85 percent. Park police do not handle any circuit court warrants or summonses (Sheriff responsibility) or any traffic warrants that the court issues (County police responsibility).

**Are any officers specifically assigned to serve the adult arrest warrants? If so, how many? If not, how are officers apprised of outstanding warrants?**

There is no specific unit responsible for serving warrants or summonses at this time. If a summons or warrant is acquired as part of an investigation, the acquiring officer is responsible for serving the warrant or summons. Since Park police issue citations for municipal infractions, the officers who wrote the original tickets are easily identified and assigned responsibility for serving any related warrants or summonses. Summonses that are unserved after 30 days are returned to the courts. Unserved warrants are forwarded to the Communications Section for entry into MILES/NCIC (entry is accomplished within 48 hours).

**Are summonses handled by a different set of personnel? Please explain.**

Summonses always go to the originating officer for serving and are later returned to the courts.

**Do you have a unit of personnel (aside from officers who serve warrants/summonses) that record and track activity? How many personnel?**

The Park police do not have a unit dedicated to recording and tracking warrant and summons activity at this time. The Communications Section, with a workforce of nine persons, handles this responsibility as one of its duties. This unit performs research associated with warrants and summonses and monthly validates 1/12th of all Park police records maintained in the State automated tracking system.. The Maryland Department of Public Safety and Correctional Services randomly selects which warrants are to be validated and sends a listing to the agency.

**How do you track warrants/summonses? Do you have an automated system for tracking the documents? Does the system electronically receive or send information to a State, Federal, or County automated system? What systems are these?**

Park police use the Maryland Interagency Law Enforcement System and the National Crime Information Center databases (MILES/NCIC) to record and track warrants. Because summonses are time sensitive and Park police only receive about 100-120 per year, they are not tracked. The department is currently evaluating the feasibility of implementing a tracking system for the warrants and summonses that are maintained in the Communications Section.

**Over a year's time, do you receive more warrants than you are able to serve? How many warrants were received in 1994? How many were served or closed out?**

Park police deal with about 20-30 warrants per year, and approximately ten summonses per month. These numbers include warrants and summonses acquired by officers and detectives as part of ongoing investigations. Since park officers actively serve warrants and summonses, any backlog is due to an inability to locate the subject of the warrant or summons.

**How many summonses were received in 1994? How many were served?**

The Park police receive about ten summonses per month, and the number of received versus served is not currently tracked.

**What was the estimated number of adult arrest warrants that remained unserved as of December 31, 1994? June 30, 1995?**

The agency could not report on past periods. However, when contacted on July 18, 1995, there were 17 outstanding arrest warrants, as follows:

Number	Year Issued	Offense	Status	Notes
1	1980	Battery	Open	
3	1984	1-Sex, 2-Traffic	Open	One individual
2	1984	Traffic	Open	
1	1985	Traffic	Open	
3	1987	2-Theft, 1-Traffic	Open	
1	1988	Theft	Open	
1	1991	Controlled Substance	Open	
1	1991	Attempted Robbery w/ Deadly Weapon	Detainer	Incarcerated elsewhere
1	1993	Theft	Open	
1	1993	Theft	Detainer	Incarcerated elsewhere
1	1995	Battery	Open	
<u>1</u>	1995	Theft	Detainer	Incarcerated elsewhere

17 Open warrants on 15 individuals

**If you have a growing backlog of unserved warrants, do you have any special steps or programs to specifically deal with or reduce this backlog?**

From time to time Park police set up special details that are tasked to aggressively pursue sitting warrants.

**How do you research a warrant/summons? Do you have access to any of the County's databases (Warrant Index System, WARS; Criminal Justice Information System, CJIS)?**

Criminal history on wanted persons is researched using the various automated systems available - MILES/NCIC, WARS, MVA, County and State CJIS systems, and FBI databases. Officers, detectives, and Communications personnel have access to the various automated systems for inquiry.

**In what capacity do you use volunteers in relation to tracking, researching, or serving warrants or summonses?**

Volunteers do not directly assist with tracking, researching, or serving warrants or summonses. They are used to assist dispatch with clerical duties. The Criminal Investigations Unit also uses volunteers who have passed background investigations and been trained to perform some research activities relating to an investigation.

**What interactions do you have with County police, Sheriff, or other law enforcement agencies (in relation to serving of warrants/summonses)?**

When Park officers need to serve warrants outside of Park property, they make arrangements to be accompanied by an officer from the law enforcement agency that has responsibility for the area where the warrant is to be served. If Park officers stop an individual and discover there is a warrant outstanding in another jurisdiction, the law enforcement agency for that jurisdiction is called to come and serve the warrant. If the person stopped has an outstanding criminal warrant and is considered a fugitive from another jurisdiction, a Park officer will take the individual into custody and process the person. If the warrant may be served locally, the Park officer will obtain a FAX copy, serve the warrant, and take the individual before a district court commissioner. The person is then turned over to the originating jurisdiction. If the warrant cannot be served locally, the jurisdiction responsible for the warrant is requested to retrieve the individual. Between January and June of 1995, Park Police served 39 warrants for other jurisdictions, arising from traffic stops or other incidents.

**What is the staffing for this organization?**

When interviewed by OLO on July 18, 1995, there were 102 positions, including about 82 officers.

**Chevy Chase Village Police Department**

**How are warrants and summonses received by your agency?**

Warrants and summonses are usually acquired in conjunction with investigations conducted by Chevy Chase Village police officers. Our officers thoroughly investigate all incidents to which they are dispatched, and are expected to serve the warrants acquired in conjunction with their investigations. Sometimes the officers are unable to locate a suspect to execute the warrant. These warrants are sent to the MCPD Warrant Control Section.

**Are any officers specifically assigned to serve the adult arrest warrants? If so, how many? If not, how are officers apprised of outstanding warrants?**

The officers investigating crimes and incidents are responsible for serving any warrants obtained in connection with the investigations. Chevy Chase Village police are not normally sent other warrants for serving.

**Are summonses handled by a different set of personnel? Please explain.**

Summonses are handled by the same set of personnel as warrants.

**Do you have a unit of personnel (aside from officers who serve warrants/summonses) that record and track activity? How many personnel?**

There is no separate unit of personnel to record and track warrants and summonses. The investigating officers are able to keep track..

**How do you track warrants/summonses? Do you have an automated system for tracking the documents? Does the system electronically receive or send information to a State, Federal, or County automated system? What systems are these?**

No automated systems are used to track summonses or warrants. Since summonses are rarely received and warrants are generally acquired as part of investigations, the investigating officers manually keep track of warrants and summonses

**Over a year's time, do you receive more warrants than you are able to serve? How many warrants were received in 1994? How many were served or closed out?**

The Chevy Chase Village police do not have a backlog of warrants because any unserved warrants are sent to the County police for entry into the Warrant Index System. Chevy Chase Village police acquired approximately 15-20 warrants during 1994. The number served is not tracked.

**How many summonses were received in 1994? How many were served?**

No summonses were received during 1994.

**What was the estimated number of adult arrest warrants that remained unserved as of December 31, 1994? June 30, 1995?**

Information from prior periods is not available. Unserved warrants are sent to the MCPD Warrant Control Section.

**If you have a growing backlog of unserved warrants, do you have any special steps or programs to specifically deal with or reduce this backlog?**

There is no backlog of unserved warrants at the Chevy Chase Village police station because all unserved warrants are forwarded to the County police.

**How do you research a warrant/summons? Do you have access to any of the County's databases (Warrant Index System, WARS; Criminal Justice Information System, CJIS)?**

Officers inquire by telephone with the MCPD Warrant Control Section or the Emergency Communication Center.

**In what capacity do you use volunteers in relation to tracking, researching, or serving warrants?**

The Chevy Chase Village police do not use volunteers for any of these purposes.

**What interactions do you have with County police, Sheriff, or other law enforcement agencies (in relation to serving of warrants/summons)?**

**What is the staffing for this organization?**

There are nine positions: one chief, one captain, and seven officers.

**City of Gaithersburg Police Department**

**How are warrants and summonses received by your agency?**

Warrants and summonses are generally acquired by officers or detectives in conjunction with investigations. If a warrant has not been served in five or six days, it is delivered to the Records Division at the County's Police Department. Gaithersburg police officers serve warrants for other jurisdictions, including Montgomery County, if they encounter an individual with an outstanding warrant.

**Are any officers specifically assigned to serve the adult arrest warrants? If so, how many? If not, how are officers apprised of outstanding warrants?**

There is no specific warrant unit in the Gaithersburg Police Department to serve warrants. Warrants are either served by the officer or detective who applied for the warrant or by the station's midnight shift (8 p.m. to 6 a.m.). Warrants are given to officers on the midnight shift because individuals who work can be found at home during the evening hours. If the address for the subject of a warrant is at a business, the warrant is passed on to a daytime officer for serving.

**Are summonses handled by a different set of personnel? Please explain.**

Summonses are handled by the same personnel as warrants and any that are not served within 30 days are returned to the courts.

**Do you have a unit of personnel (aside from officers who serve warrants/summonses) that record and track activity? How many personnel?**

There is no unit of personnel assigned to record and track warrant/summons activity. The Services Bureau Commander records and tracks all warrants and summonses.

**How do you track warrants/summonses? Do you have an automated system for tracking the documents? Does the system electronically receive or send information to a State, Federal, or County automated system? What systems are these?**

Gaithersburg police enter information from any document received into an automated Master Name Index, which may be viewed by any officer in the station. The Bureau Services Commander also enters warrant data into a WordPerfect 6.0 template to track activity related to the status of the outstanding warrants. Access to this warrant information is limited to only a few personnel in the police department.

**Over a year's time, do you receive more warrants than you are able to serve? How many warrants were received in 1994? How many were served or closed out?**

The Gaithersburg police do not have a backlog of warrants because any unserved warrants are sent to the County police for entry into the Warrant Index System. Gaithersburg police receive approximately 12-15 warrants per year. The number served is not tracked.

**How many summonses were received in 1994? How many were served?**

Approximately 50 summonses are received per year. The number served is not tracked.

**What was the estimated number of adult arrest warrants that remained unserved as of December 31, 1994? June 30, 1995?**

Information from prior periods is not available. Unserved warrants are sent to the MCPD Warrant Control Section.

**If you have a growing backlog of unserved warrants, do you have any special steps or programs to specifically deal with or reduce this backlog?**

There is no backlog of unserved warrants at the Gaithersburg police station because all unserved warrants are forwarded to the County police.

**How do you research a warrant/summons? Do you have access to any of the County's databases (Warrant Index System, WARS; Criminal Justice Information System, CJIS)?**

Gaithersburg police have access to various databases to perform criminal history checks and query for current addresses and identifying characteristics. Research often includes inquiry of the County's warrants and criminal justice databases, the Maryland Interagency Law Enforcement System and the National Crime Information Center databases (MILES/NCIC), FBI databases, and state motor vehicle records.

**In what capacity do you use volunteers in relation to tracking, researching, or serving warrants?**

There are two senior citizen volunteers who assist the department with administrative activities. In addition, the Gaithersburg police participate in an intern program that employs a student in exchange for college credit. Although they do not specifically deal with warrants or summonses, work accomplished by the volunteers and the intern frees up time for the detectives and officers.

**What interactions do you have with County police, Sheriff, or other law enforcement agencies (in relation to serving of warrants/summonses)?**

Other jurisdictions send warrants and summonses to Gaithersburg for serving. Also, when the subject of an outstanding warrant or summons is encountered within the city limits, the Gaithersburg police will detain the individual and contact the issuing jurisdiction.

**What is the staffing for this organization?**

When interviewed by OLO on July 18, 1995, there were 31 officers authorized, with 29 positions filled; four full-time and one part-time administrative position; one student intern; and two senior citizen volunteers.

## **City of Rockville Police Department**

### **How are warrants and summonses received by your agency?**

Rockville police serve traffic and criminal warrants and summonses, but no civil warrants or summonses. About 95% of the warrants received by the Rockville Police Department's are bench warrants for individuals who failed to appear in court, and most of these warrants relate to traffic cases. These warrants are sent from the district court to the Warrants Section of the MCPD, where they are entered into the Warrant Index System. The warrants for Rockville City cases are then sent to the Rockville Police Department via interoffice mail. Other warrants are obtained directly from a district court commissioner by a Rockville officer or detective in conjunction with investigations.

Rockville police receive very few summonses. Most of them are acquired from a court commissioner in relation to a specific investigation.

### **Are any officers specifically assigned to serve the adult arrest warrants? If so, how many? If not, how are officers apprised of outstanding warrants?**

No officers are specifically assigned to serve adult arrest warrants. If a warrant is related to a specific investigation, the Communications Supervisor will notify the investigating officer or detective of the outstanding warrant or summons and ask the officer to serve it.

Officers are not formally apprised of warrants that are not related to a specific investigation. Officers become aware of these warrants during routine traffic stops and other incidents. At that time, an officer can call Rockville dispatchers to get information from MILES/NCIC on the wanted status of individuals. In addition, if an officer has encountered the subject before and believes the County may have an outstanding warrant on the subject, the officer may call the MCPD dispatchers for an inquiry of the warrants system.

Files on outstanding warrants are kept in the Rockville dispatcher offices and are available for review by the officers. Approximately 10 percent (three officers) at the Rockville station actively serve warrants. They make a point of studying the files periodically and pursuing wanted individuals as time allows.

### **Are summonses handled by a different set of personnel? Please explain.**

Summonses are not handled by a different set of personnel. When a summons is related to a specific investigation, the investigating officer or detective serves the summons. If not related to an investigation, the summons is served in conjunction with another incident, investigation, or routine traffic stop.

**Do you have a unit of personnel (aside from officers who serve warrants/summonses) that record and track activity? How many personnel?**

Five dispatchers in the Communications Unit enter warrant and summons information into MILES/NCIC as one of their duties.

**How do you track warrants/summonses? Do you have an automated system for tracking the documents? Does the system electronically receive or send information to a State, Federal, or County automated system? What systems are these?**

The dispatchers enter warrants into MILES/NCIC and remove them when they are served. The Communications Supervisor verifies the information entered by the dispatchers. They do not have access to the Warrant Information System or the Circuit Court system, and Rockville Police Department information is not electronically sent to the County systems. There is access to the District Court's Judicial Information System for inquiry purposes.

The Communications Supervisor also tracks warrants and summonses on 5x8 cards. The cards are attached to envelopes containing additional information on the subject uncovered during department research (i.e. FBI identification number, address, previous record).

**Over a year's time, do you receive more warrants than you are able to serve? How many warrants were received in 1994? How many were served or closed out?**

The number of outstanding warrants is gradually increasing. Approximately 350 warrants are received in a calendar year. Rockville police served 298 warrants in calendar year 1994.

**How many summonses were received in 1994? How many were served?**

Between 20 and 30 summonses are received by the Rockville police Department in a calendar year. The number of summonses served is not tracked.

**What was the estimated number of adult arrest warrants that remained unserved as of December 31, 1994? June 30, 1995?**

The agency could not report on past periods. However, when contacted on August 29, 1995, there were 500 outstanding arrest warrants.

**If you have a growing backlog of unserved warrants, do you have any special steps or programs to specifically deal with or reduce this backlog?**

Last year the Department engaged in a letter writing effort to make subjects aware of their wanted status, encourage them to turn themselves in, and to increase the number of warrants served. A letter was sent to the subjects of every outstanding Rockville warrant informing them of their wanted status and asking them to report to the station. Approximately ten percent of the letter recipients turned themselves in.

The Communications Supervisor is also sending warrants back to the court in an effort to reduce the backlog. All three years or older misdemeanor warrants are taken out of MILES and returned to the court to be re-evaluated.

**How do you research a warrant/summons? Do you have access to any of the County's databases (WARS, CJIS)?**

The Rockville station does not have access to the County databases. They use State and Federal systems to research warrants and summonses instead. These include Motor Vehicle Records, the Judicial Information System, MILES/NCIC, Parole/Probation Records, the Drinker Driver Monitor Program, the Department of Corrections Database, and the FBI's Interstate Identification Index.

**In what capacity do you use volunteers in relation to tracking, researching, or serving warrants or summonses?**

The Rockville Police occasionally have volunteers to assist with receptionist duties. Volunteers have not been assigned any duties related to warrants and summonses because they have not had background checks or training.

**What interactions do you have with County police, Sheriff, or other law enforcement agencies (in relation to serving of warrants/summonses)?**

The Rockville Police can serve all MCPD and Sheriff warrants. If indicated on the warrant, the Rockville Police can serve warrants for other jurisdictions as well.

**What is the staffing for this organization?**

When interviewed on August 29, 1995, there were 35 sworn officers (this includes one detective), five dispatchers, one Communications Supervisor, and ten civilian employees (administrative positions) at the Rockville Police Department.

**City of Takoma Park Police Department**

**How are warrants and summonses received by your agency?**

Takoma Park police receive and serve warrants and summonses for both Prince George's and Montgomery Counties. The warrants and summonses are received from the courts or other jurisdictions. The Department handles the warrants and summonses for every Takoma Park case, including felonies and misdemeanors.

**Are any officers specifically assigned to serve the adult arrest warrants? If so, how many?  
If not, how are officers apprised of outstanding warrants?**

There are no officers specifically assigned to serving warrants. Officers are briefed about serious offense warrants when they are received by the station. Officers are apprised of warrants having less serious offenses by consulting the MILES/NCIC databases during an investigation or routine traffic stop.

**Are summonses handled by a different set of personnel? Please explain.**

Summonses are handled by the same set of officers, but are distributed to patrol squads by beat. If summonses are not served within 30 days, they are returned to the courts (Note: Takoma Park police handle district court summonses only).

**Do you have a unit of personnel (aside from officers who serve warrants/summonses) that record and track activity? How many personnel?**

When received, the warrants and summonses are logged into a hard copy folder and an in-house automated CAD system. The warrants and summonses are then sent to the Communications Office where a file is created, warrants data is entered into MILES/NCIC, and the original documents are filed. After a warrant or summons is served, details of the service are noted in the hard copy log and in the CAD system, including the date of service and the officer who served the document.

**How do you track warrants/summonses? Do you have an automated system for tracking the documents? Does the system electronically receive or send information to a State, Federal, or County automated system? What systems are these?**

Warrants and summonses are tracked in hard copy and in a CAD database system, as well as in MILES/NCIC. There is no access to the County's WARS or CJIS systems.

**Over a year's time, do you receive more warrants than you are able to serve? How many warrants were received in 1994? How many were served or closed out?**

There is a backlog, but it is not considered severe. Approximately 20 arrest warrants are received per month (240 per year) from both Montgomery and Prince George's Counties. Between one-third and one-half of these warrants are estimated to be related to Montgomery County cases. The CAD system cannot generate information on the numbers that were served or closed out.

**How many summonses were received in 1994? How many were served?**

Approximately ten summonses are received per month (120 per year) from the two counties. It is estimated that one-third to one-half of the summonses relate to Montgomery County cases. The number served is not available.

**What was the estimated number of adult arrest warrants that remained unserved as of December 31, 1994? June 30, 1995?**

This information is not available

**If you have a growing backlog of unserved warrants, do you have any special steps or programs to specifically deal with or reduce this backlog?**

The Department is currently reviewing the active warrants that are on file in the Communications Office for possible recall or re-issuance by the courts. Recently, 250 warrants were sent to the States Attorney to be reviewed. These warrants are for misdemeanors, and the majority are for traffic cases. All the warrants relate to cases investigated by Takoma Park officers who are no longer with the department, with some of the warrants issued 15 years ago.

**How do you research a warrant/summons? Do you have access to any of the County's databases (WARS, CJIS)?**

Warrants and summonses are not centrally researched. The serving officer is responsible for any research required in serving warrants and summonses. If there is a specific question about the warrant or summons (i.e., is the case still active), then an officer at the Takoma Park station will call the court for more information.

**In what capacity do you use volunteers in relation to tracking, researching, or serving warrants or summonses?**

Takoma Park police use volunteers (when available) to perform data entry and filing of warrants and summonses. Currently there is a part-time staff person to perform these administrative tasks.

**What interactions do you have with County police, Sheriff, or other law enforcement agencies (in relation to serving of warrants/summonses)?**

Other jurisdictions send warrants/summonses to Takoma Park for serving and vice versa. Also, when the subject of an outstanding warrant or summons is encountered within the city limits, Takoma Park police officers will routinely detain the individual and contact the issuing jurisdiction.

**What is the staffing for this organization?**

When interviewed by OLO on July 31, 1995, there were 42 sworn officers and six communications dispatchers.



**SHERIFF**



Raymond M. Kight  
Sheriff  
301-217-7000

Montgomery County, Maryland

September 18, 1995

**M E M O R A N D U M**

**TO:** Karen Orlansky, Director  
Office of Legislative Oversight

**FROM:** Raymond M. Kight, Sheriff 

**SUBJECT:** Staffing Projections for a Warrant Section Serving Both  
District and Circuit Court Warrants

You office has been conducting a study of warrant service within the county for the last several months. Currently responsibility for warrant service is bifurcated between the Sheriff's Office and the Montgomery County Police Department. The Sheriff's Office serves Circuit Court Warrants and the Police Department serve District Court Warrants. As part of this study, Joan Pederson requested this office to project staffing requirements if one agency was to have sole responsibility for warrant service.

There are major differences in the way the Sheriff's Office and the Police Department address warrant service. The staffing projections for the Sheriff's Office are using the following assumptions:

- The Sheriff's Office will continue to actively pursue all warrants as we do for Circuit Court Warrants now.
- The Sheriff's Office would only take over warrants as of a specified date and would not take over the backlog, which would have to remain with the Police Department until resolved.
- All warrants will be entered or cleared into MILES, NCIC, and WARS computer systems within 24 hours.
- All warrants will be validated in accordance with the NCIC operating manual 3.3.1 and Section 4, IV, C. Warrants are subject to MD State Police and FBI audit. Failure to comply with these rules can result in losing access to the MILES and NCIC systems.

Ms. Pederson provided the following statistics for comparison:

Agency	Warrants Received in 1994	Warrants Open as of 6/30/95
Sheriff's Office	2,952	2,228
Police Department	10,797	16,826
Total	13,749	19,054
Increase in warrants	3.7 times (10,797/2,952)	19,054

To simplify the staffing projection process, the current Sheriff staffing ratios would be applied to District Court Warrants also. Currently the 12 PM to 8 AM shift is limited to one person, which would be unacceptable with increased warrants and potential arrests. Therefore, an even 4 times increase is assumed as a starting point for staffing. A jailor would be required around-the-clock for prisoner safety since the Warrant Office is not located in the holding facility. This would result in the addition of 4 Deputy Sheriff positions for this duty. In addition, there currently is a lack of clerical backup for the validation data entry clerk and the MILES, NCIC, and WARS data entry clerk. An additional two clerical positions should be factored in as a relief factor. Also, the supervision of this section would be dedicated solely to one Captain, which would require the additional Captain's position.

The total proposed staff would be as follows:

1	Captain
5	Sergeant
15	Corporals
64	Private First Class
12	Clerical
97.0	WY's

The current staffing for the Sheriff's Warrant Section is comprised of a total of 18.5 WY's:

.5	Captain-supervisor
1	Sergeant
3	Corporals
12	Private First Class
2	Clerical
18.5	WYs

Montgomery County Police Department's warrant service is executed by the District Stations. Depending on the location they can be distributed to a number of Police Officers to serve in addition to their daily patrol duties. While the work hours for patrol officers is not readily available, the Police Department has some dedicated Warrant staff as follows:

**County Warrants**

1 Sworn Supervisor???  
5 Clerical

**Other Jurisdictions**

4.5 Police Officers  
1 Clerical  
11.5 WYs

For the Sheriff's Office to achieve Warrant Service to the same level of effort would require an addition of 67.0 WYs, projected staff less Sheriff and Police dedicated staff. There would be many logistical problems with a large increase in staff in the Warrant Section, they are:

- Space to house such a large work force and associated warrants
- Detention space to house arrested individuals between 8 AM to 4 PM and changes in procedures for 4PM and 8 AM, ie., a jailor would be needed.
- Increase in technology for warrant information with computerized fingerprints and photo files, and imaging of warrant records.

How the Sheriff's Office would operate would also be dependant on the outcome of Central Processing. At this point Central Processing is of limited value to the Sheriff's Office. The current Central Processing location would be grossly inadequate to accommodate warrant unit of this size, and would not be acceptable.

Current space within the Sheriff's Office would not house a Warrant Section of this magnitude. However, the Warrant Section needs to be in close proximity to a holding facility. This severely limits the location possibilities. Also, in lieu of the new courtrooms being constructed on the 6th floor, space and the potential possibilities have become very limited in the Judicial Center.

Assuming the Warrant Section was still housed on the Terrace Level, an estimate of the following furniture and equipment is

needed:

	#	Amount	Total
Desks	21	600	\$12,600
Chairs	21	200	4,200
Computer Terminals - Deputies*	8	3,520	28,160
Printers	4	4,860	19,440
Computer Terminals - Validations *	6	3,520	21,120
Printers	6	400	2,400
Workstation Tables	20	200	4,000
Lockers	77	100	7,700
Vehicles**	10	7,680	76,800
Photo ID System***	1		0
Fingerprint System***	1		0
Imaging workstations	3	10,000	30,000
Clothing Allowance	77	840	64,680
Total			\$271,100

\* includes cabling and hardware

\*\* monthly chargeback

\*\*\* Fingerprint system and photo id system would be utilized by both Police and Sheriff. It would be unfair to distribute to Warrant Section.

The above estimates for both staffing and equipment needs are very general and at this point are just broad estimates to help Ms. Pederson explore possibilities with her study. If I or my staff can be of further assistance, please feel free to contact the office.