



ADULT ARREST WARRANT/DCS PROCESSING AND SERVICE

FC No.: 536

Date: 06-23-04

If a provision of a regulation, departmental directive, rule, or procedure conflicts with a provision of the contract, the contract prevails except where the contract provision conflicts with State law or the Police Collective Bargaining Law. (FOP Contract, Article 61)

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I. Policy (CALEA 74.1.2)

The Warrant Control Section (WCS) is responsible for the entry, maintenance, faxing, and canceling/clearing of all adult arrest warrants issued in Montgomery County. The processing and service of District Court Summonses is the responsibility of the Rockville District Station.

II. Warrant Entry

A. Arrest Warrants - Criminal and Traffic

The employee receiving the warrant from the commissioner will:

1. Complete an MCP 72, "Warrant/DCS Control," entering all available information. The following information is required: CR#, date, defendant's name, **document number**, charge(s), **employee's** name, and district.
2. Attach the MCP 72, a copy of the incident report pertaining to the charge, and all related documents to the original arrest warrant and forward the package to the WCS via interoffice mail.
 - a. The original arrest warrant will be filed at the WCS.
 - b. Officers will note in the additional information section of the MCP 72:

- *If the warrant is being served by a plain clothes unit.*
- *A contact name and phone number of the investigating officer if notification is requested when the defendant is arrested, before or after transportation to CPU.*
- *If the officer does not want the WCS to attempt contact with the subject listed on the warrant/ DCS.*

- c. Forwarding the warrant to the WCS does NOT relieve the obtaining officer from attempting to serve the warrant.
- d. Employees will not call the Emergency Communications Center (ECC) for the purpose of making a MILES/NCIC computer entry on wanted persons.
- e. When an immediate computer entry of a warrant is desired, **the warrant** must be hand carried to the WCS for processing.

B. District Court Bench Warrants (DCBW's)

All DCBW's, criminal and traffic, are forwarded directly by the District Court to the WCS where they are to be researched, entered, and maintained.

III. Warrant Confirmation

A. A computer "hit" alone is not probable cause for arrest until the originating agency has confirmed the existence of the warrant. The WCS must be contacted to review the computer "hit" and confirm the existence of that warrant and any additional warrants on file which may not yet be entered into MILES/NCIC.

B. All out of county warrants must be confirmed with the issuing agency via MRC/ECC.

IV. Warrant Cancellation (CALEA 82.3.8.e)

All cancellations of wanted persons (adult warrants) will be accomplished through the WCS. Cancellation of the computer "hit" is not to be made through the ECC dispatcher.

V. Warrant Service by Fax

A. The faxing of arrest warrants for the purpose of service will be between the WCS and the Central Processing Unit (CPU) only. Faxing warrants between districts/units for the purpose of service is prohibited.

The following faxing procedure will be followed:

1. Warrants will not be faxed from the WCS until the arrested person is in the CPU facility.
2. The faxed warrant package will include an MCP 215, "Warrant Transmittal Sheet." The MCP 215, along with only the cepi page of each warrant served, will be faxed back to the WCS by the CPU staff immediately after arraignment. If fax facilities are inoperative, the arresting officer will respond to the WCS and pick up the warrant(s). Officers should not respond to the WCS to pick up warrants unless the fax service is inoperative.
3. When the return cepi and transmittal sheets cannot be returned via fax, CPU staff will **contact WCS for other arrangements.**

VI. District Court Summons (DCS) Service

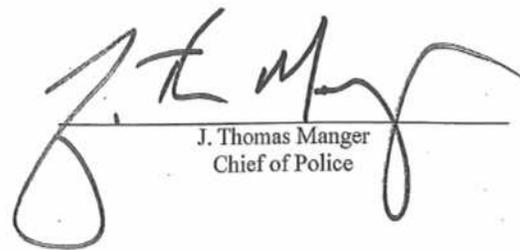
- A. Whenever a DCS is issued by a Commissioner and turned over to department personnel, the receiving employee will ensure completion of the following:
1. MCP 72
 2. Applicant's Questionnaire (District Court form)
 3. Event Report (or a supplement report if an event report was completed for the crime on a previous occasion). Occasionally, a person originally listed on the event report as a suspect obtains a "cross charge." When this occurs, an additional shaded event report must be written listing the DCS applicant as the victim and the DCS defendant as the suspect.
- B. The entire package, including the face sheet only of the event or supplement report(s), will be returned to the Commissioner. An officer assigned to the Rockville District is responsible for serving DCSs and completing all subsequent paperwork. A warrant is issued for those persons who do not appear.
- C. Any officer who wishes to personally serve a DCS will inform the Commissioner of this when

delivering the application. The Commissioner will then return the completed DCS to the applying officer who will attempt personal service and write the necessary supplemental reports.

VII. **Proponent Unit:** *Major Crimes Division* and the Rockville District Station.

VIII. **Cancellation**

This directive cancels Function Code 536, dated 06-21-99.



J. Thomas Manger
Chief of Police