OLO MEMORANDUM REPORT

NOVEMBER 25, 1998

UPDATE ON WARRANT PROCESSING
IN MONTGOMERY COUNTY

TABLE OF CONTENTS

EXECUTIVE SUMMARY

In April 1996, OLO issued a report on warrant processing in Montgomery County. This memorandum report provides the Council with updated information regarding the current status of warrants management. Highlights of the report include:

- information on the number of arrest warrants managed by the County Police and Sheriff in calendar years 1995, 1996, and 1997,

- detail on criminal, civil, and traffic warrants outstanding as of October 1, 1998,

- Police and Sheriff resources currently devoted to managing warrants, and

- changes implemented since September 1996 to ensure efficient management of outstanding warrants.

At July 1, 1995, the County's warrant database contained 19,069 open items (16,839 Police items and 2,230 Sheriff items). By October 1, 1998, open items in the warrant database had increased to 22,661 items (20,828 Police items and 1,793 Sheriff items).

The number of outstanding warrants managed by the Sheriff declined 20 percent since last reported by OLO. Examination of activities from calendar year 1993 through 1997, showed that the Sheriff's Office closed 101 percent of the warrants received. Sheriff deputies were able to devote more time towards decreasing the backlog because they received fewer new warrants to serve than experienced in previous years.

The number of outstanding warrants managed by the Police increased 24 percent since last reported by OLO. Examination of activities from calendar year 1993 through 1997, showed that MCPD closed 74.5 percent of the warrants received. This closure rate represents an improvement over the 65 percent rate previously reported by OLO. Although the MCPD warrants backlog grew over the five-year period, the rate of increase began to decline as a result of initiatives taken by the MCPD Warrant Control and Fugitive Units.

In a combined effort, the Fugitive and Warrant Control Units took a more proactive approach and coordinated their efforts to locate persons wanted on charges within the County. With the help of temporary additional staffing, the MCPD Warrant Control Unit made phone calls and sent notices to individuals requesting them to contact the police to arrange for officers to serve the warrants. In addition, officers in the MCPD Fugitive Unit were assigned to concentrate on serving selected County warrants. Prior to these warrant reduction initiatives, the Fugitive Unit located about 175 subjects of County warrants per year. Under the warrant reduction initiative the Fugitive Unit closed 1,200-1,500 warrants per year. These efforts resulted in a 33 percent increase in the number of warrants closed in calendar year 1997.

I. AUTHORITY, SCOPE, METHODOLOGY, AND ACKNOWLEDGMENTS

A. Authority

Council Resolution No. 13-1388, FY 1999 Work Program of the Office of Legislative Oversight, adopted August 4, 1998.

B. Scope and Methodology

OLO Report 96-4, Description and Evaluation of Warrant Processing in Montgomery County, reviewed jurisdictional and agency responsibilities for recording, tracking, and serving arrest warrants. This memorandum report provides an update to the County Council on the status of outstanding arrest warrants; current resources devoted to recording, tracking, and serving warrants; and changes implemented or planned to ensure efficient management of the processes. The report also provides information on several questions raised by the Chair of the Council's Public Safety Committee.

This project was conducted by Joan M. Pedersen, with significant contributions from Scott L. Goldman, OLO research assistant. Activities for the project included reviews of reports and other written materials relating to handling of warrants, review and analysis of data acquired from the Warrants database, and interviews with administrators and staff in several of the County's criminal justice departments and offices.

C. 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, Department of Correction 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.

D. Organization of the Report

The remainder of this report is organized as follows:

Chapter II, Warrants Management by Police, Sheriff, and Corrections

Describes how the Montgomery County Police Department, Sheriff's Office, and Department of Correction and Rehabilitation meet their responsibilities to manage and serve arrest warrants.

Chapter III, Update on Unsaved Warrants in Montgomery County

Examines the number of outstanding warrants currently being managed by the County's Police Department and Sheriff's Office.

Chapter IV, Questions Raised by Council's Public Safety Committee

Contains the criminal justice agencies' responses to 14 questions raised by the Chair of the Public Safety Committee in a memorandum sent to OLO on August 8, 1998.

II. WARRANTS MANAGEMENT BY POLICE, SHERIFF, AND CORRECTIONS

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

A. Department of Correction and Rehabilitation, Central Processing Unit

The County has a Centralized Processing Unit (CPU) in Rockville to serve warrants and process arrestees, so police officers and sheriff deputies may return to the field sooner. Among other duties, CPU staff locate and serve any outstanding warrants on subjects brought in, fingerprint and photograph arrestees, arrange for appearance before a district court commissioner, and return completed warrants to the Sheriff's Office or MCPD for final disposition.

Police officers and Sheriff deputies, who detain persons in conjunction with investigations or locate subjects of arrest warrants, transport the individuals to the CPU for processing. The apprehending officer prepares any applicable paperwork (i.e., statement of charges, event report) and returns to duty. Staff in the CPU record and package evidence and personal property, take fingerprints and photographs of the arrestee, and take the arrestee before a district court commissioner.

All MCPD arrestees are transported to the CPU for processing, but only a limited number of Sheriff arrestees are processed centrally. Criminal and civil 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. In addition, Sheriff deputies do not use the CPU to process individuals arrested for child support cases. Therefore, only a limited number of individuals arrested by Sheriff deputies are being processed at the CPU.

B. Montgomery County Sheriff's Office

Although funded locally, the Office of the Sheriff was established by the State of Maryland. 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 (see organization chart at Attachment A). 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.

There are two units in the Sheriff's Office that manage papers referred by the courts for serving. These units record, track, and serve summonses, subpoenas, warrants, and notices of eviction issued by the courts or referred by other jurisdictions to the Sheriff for serving. The Civil Unit manages and serves all the court papers that are not warrants. The Warrant Unit handles the warrants referred by the courts and other jurisdictions for serving.

Sheriff's Warrant Unit

Personnel resources in the Sheriff's Warrant Unit have not changed significantly since last reported by OLO in 1996. The FY 99 approved personnel complement for the Unit includes 18 positions for a total of 18.9 workyears. This includes 16 sworn officers and 2 administrative aides. Deputies assigned to the Unit are responsible for locating the subjects of all arrest warrants received from the circuit court in Montgomery County and civil arrest warrants issued by the Montgomery County district court. The Unit also handles district court civil warrants sent from other jurisdictions and 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. Staff record all warrant in the County database and MILES/NCIC. The MILES/NCIC entries require periodic validation, which entails fully researching the warrants for validity and updating the database with current information. Each month the State sends a validation list of warrants to all agencies entering warrants into the MILES database. Any agency that does not complete and update information on their warrants could be denied access to the system. Currently, the Sheriff's Office is validating in excess of 100 warrants per month.

The flowchart on the next page shows steps taken by personnel in the Sheriff's Warrant Unit to track and serve arrest warrants.

WARRANTS PROCESSING BY THE SHERIFF'S OFFICE

```
Receive warrants          Type warrant           Review warrant          Check open and
from courts and    →      index card and    →    documents for      →    closed files for
other jurisdictions       start file folders     completeness            other warrants on
                                                                          subjects
                                                                              │
                                                                              ▼
Return the          Indicate closed status in   Detain and process      Copy information
completed           the Warrants Index          subjects or             from warrants and
warants to     ←    System and remove      ←    transport them to       files to warrant
courts or           records from                the CPU for             worksheets
jurisdictions       MILES/NCIC                  processing                  │
     ▲                     ┊                        ▲                       ▼
     ┊                     ┊                        ┊                   Run queries of
     ┊                     ┊                        ┊                   MILES/NCIC and
     ┊                     ┊                  Assign warrants with      CJIS databases
     ┊                     ┊                  photos of subjects to     amd research
Review                     ┊           ┄┄┄►   deputies or forward to    through surronding
closures                   ┊                  other jurisdictions for   MVA's
daily                      ┊                  serving                       │
                           ┊                        ▲                       ▼
               Weekly review         Enter warrants data       Add information to
sheriff.flo    County police mug  ← into the Warrant      ←    worksheets and
               shots to locate photos Index System and         review for quality
                                      MILES/NCIC               control
```

C. 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. Organizationally, MCPD is comprised of the office of the Police Chief at headquarters and three major bureaus: Field Services, Investigative Services, and Management Services (see organization chart at Attachment B). Various staff in each of the bureaus are involved in obtaining, managing, or serving arrest warrants.

However, there are two primary units in the Management Services Bureau's Records Division that manage the majority of arrest warrants: the MCPD Warrant Unit and the Fugitive Unit. Warrants and summons sent to MCPD by other jurisdictions are managed and served by staff in the Fugitive Unit. Warrants acquired by MCPD officers or detectives in the course of investigations are managed by the individual officers, who actively pursue serving the warrants. These warrants are forwarded to the MCPD Warrant Control Unit for centralized management when the investigating officers or detectives are unable to locate the subjects of the warrants.
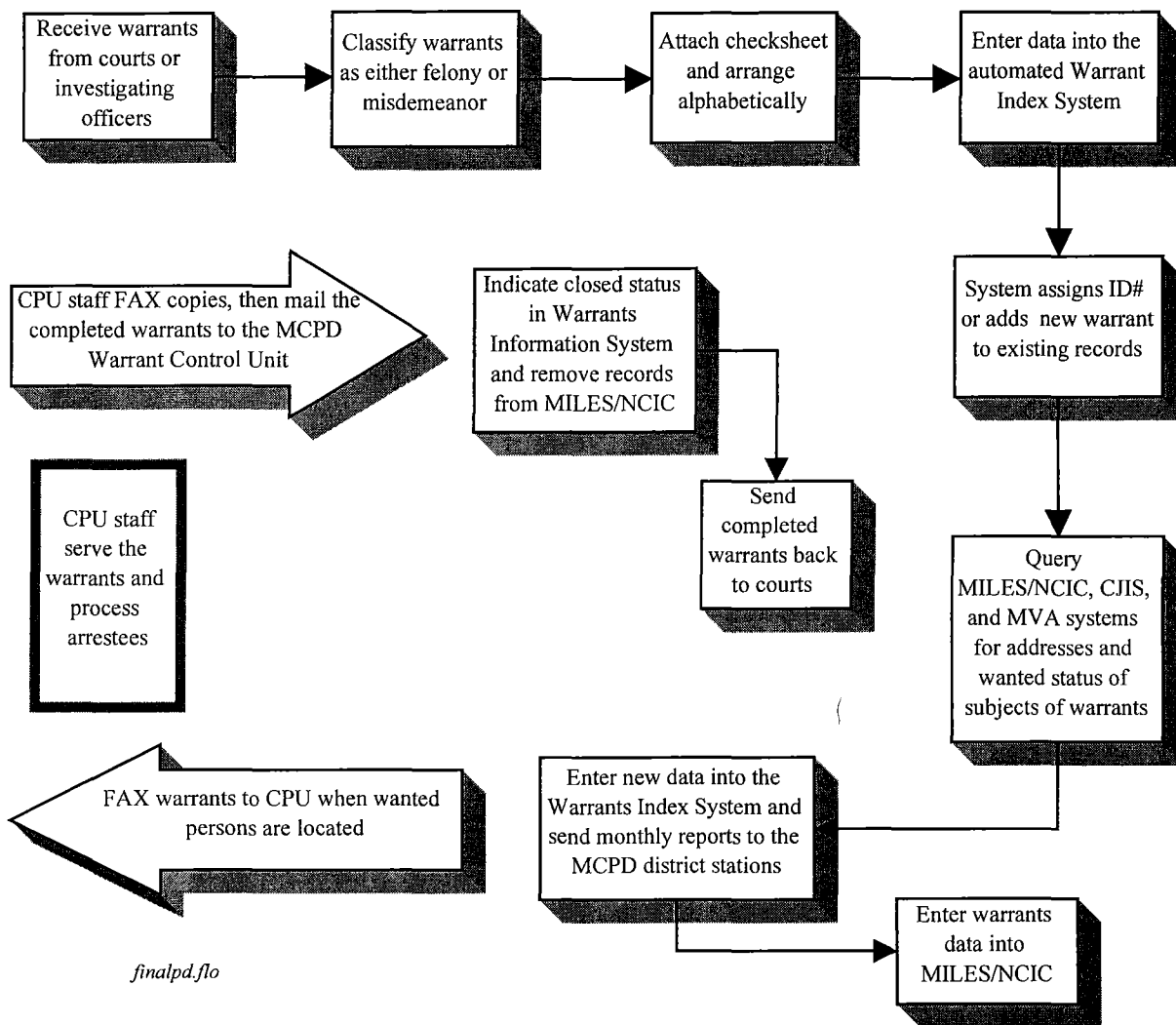
Patrol officers, working out of five district police stations located throughout the County, are apprised of or assigned outstanding warrants. Officers who locate the subjects of warrants detain and transport the individuals to a Central Processing Unit (CPU), where the individuals are served the warrants and brought before a district court commissioner.

1. MCPD Warrant Control Unit

Personnel resources in the MCPD Warrant Control Unit increased by one and a half civilian positions since last reported by OLO in 1996. The FY 99 approved personnel complement for the Unit includes seven and a half positions (5.5 permanent and 2.0 contractual staffing) for a total of 8.5 workyears. This Unit 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.

The flowchart on the next page shows the steps taken by personnel in the MCPD Warrant Control Unit to record and track warrants.

TRACKING WARRANTS BY THE MCPD WARRANT CONTROL UNIT

Receive warrants from courts or investigating officers → Classify warrants as either felony or misdemeanor → Attach checksheet and arrange alphabetically → Enter data into the automated Warrant Index System

CPU staff FAX copies, then mail the completed warrants to the MCPD Warrant Control Unit

Indicate closed status in Warrants Information System and remove records from MILES/NCIC

System assigns ID# or adds new warrant to existing records

CPU staff serve the warrants and process arrestees

Send completed warrants back to courts

Query MILES/NCIC, CJIS, and MVA systems for addresses and wanted status of subjects of warrants

FAX warrants to CPU when wanted persons are located

Enter new data into the Warrants Index System and send monthly reports to the MCPD district stations

Enter warrants data into MILES/NCIC

finalpd.flo

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. Warrants that are not validated are periodically purged from the database by system administrators. If jurisdictions fail to perform the majority of validations required, they risk being precluded from entering information into the database. The verification process takes approximately 50 minutes per warrant. The MCPD Warrant Control Unit only maintains information in MILES on between 50 and 60 percent of its warrants, partly due to the time it takes to meet the validation requirements.

The MCPD Warrant Control Unit receives about 10,100 warrants per year that must be researched and entered into the Warrant Index System, which takes approximately 50 minutes (.83 hours) per warrant. An additional 15 minutes (.25 hour) per warrant is needed for each of the 50 to 60 percent that are also maintained in MILES. Validation for each warrant maintained in the MILES database requires an additional 50 minutes of effort (time estimates were derived from data provided by the MCPD Warrant Control Unit).

Conservative 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:

	(1) All Entered into the Warrant Index System	(2) 50% Entered into MILES and Validated	(3) 60% Entered into MILES and Validated	(1) + (2) Total Time Needed with 50% in MILES	(1) + (3) Total Time Needed with 60% in MILES
Time needed to research and record	.83 hour each warrant received	1.08 hours each warrant entered	1.08 hours each warrant entered	.83 hour for each plus 1.08 hours for 50%	.83 hour for each plus 1.08 hours for 60%
Time needed: 10,100 warrants received	8,383 hours	5,454 hours	6,545 hours	13,837 hours	14,928 hours

The MCPD Warrant Control Unit currently has one part-time and five full-time career employees and two contractual positions (7.5 positions) that spend about 75 percent of their time on research and data entry activities. From time to time, light duty officers are also temporarily assigned to the Unit. The maximum number of hours available for these staff to perform research and enter warrants into the Warrant Index System and MILES may be conservatively calculated as follows:

1709163	Hours Available per Position	Hours x 7.5 Positions Budgeted	Hours x 1 Positions Assigned	Total Hours for Budgeted and Assigned
7.5 career and 1 temporarily assigned positions	2,080	15,600	2,080	17,680
Less: 10 holidays	80	600	80	680
21 days average leave	168	1,260	168	1,428
Total hours available	1,832	13,740	1,832	15,572
Maximum time spent on research and data entry activities = 75 %	1,374	10,305	1,374	11,679

From time to time, light duty officers are assigned to the MCPD Warrant Control Unit, which does not otherwise have sufficient personnel to enter and maintain 50-60 percent of the warrants in the MILES/NCIC databases (14,928 hours required and 11,679 hours available, representing a shortage of about 2.4 workyears).

2. MCPD Fugitive Unit

Personnel resources in the MCPD Fugitive Unit have not changed since last reported by OLO in 1996. The FY 99 approved personnel complement for this Unit includes six positions for a total of 6.0 workyears. This includes five law enforcement officers and one administrative position. 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 five 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. The Fugitive Unit does not have a backlog of outstanding warrants. If Unit officers cannot locate an individual to serve a warrant or summons, they return the unserved document to the originating jurisdiction.

Officers in the Fugitive Unit also handle the extradition of any persons apprehended in other jurisdictions and wanted by MCPD. Unit officers 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 MCPD traffic and criminal warrants selected from the Warrant Index System. These warrants are distributed among the officers in the Fugitive Unit and for additional researching and serving.

Under a warrant reduction initiative, which was established in 1996, the Fugitive Unit places top priority on serving MCPD warrants. Officers in the Fugitive Unit locate about 175 subjects of County warrants per year.

Since the initiative was established, Fugitive Unit officers have been closing 1,200 to 1,500 warrants per year. These closures represent a vast improvement over the 175 to 200 warrants per year that were being closed out by the Unit prior to establishing the warrant reduction initiative.

3. MCPD District Stations

MCPD divides the County into five districts; each of which is further divided into a number of beats for patrol purposes. There is currently one full-service County police station located in each police district with additional satellite stations dispersed throughout the County. The five police districts are named: Rockville, Germantown, Wheaton-Glenmont, Silver Spring, and Bethesda.

Before the Central Processing Unit (CPU) was established in September 1995, patrol officers working out of the five district stations served the warrants that were sent to MCPD from the district courts in Montgomery County. The warrants are still sent by the district courts to the MCPD Warrant Control Unit, but patrol officers working out of the district stations no longer serve warrants. Subjects of warrants located by officers are detained and transported to the CPU, where the warrants are served and the arrestees are processed.

The MCPD Warrant Control Unit generates lists of outstanding warrants for printing at the district stations, and the lists are separated by beat and distributed for review. 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. When patrol officers locate and apprehend individuals with outstanding warrants, they contact the Warrant Control Unit to fax the warrants to the CPU. The patrol officers transport the wanted individuals to the CPU for processing, and return to their patrols.
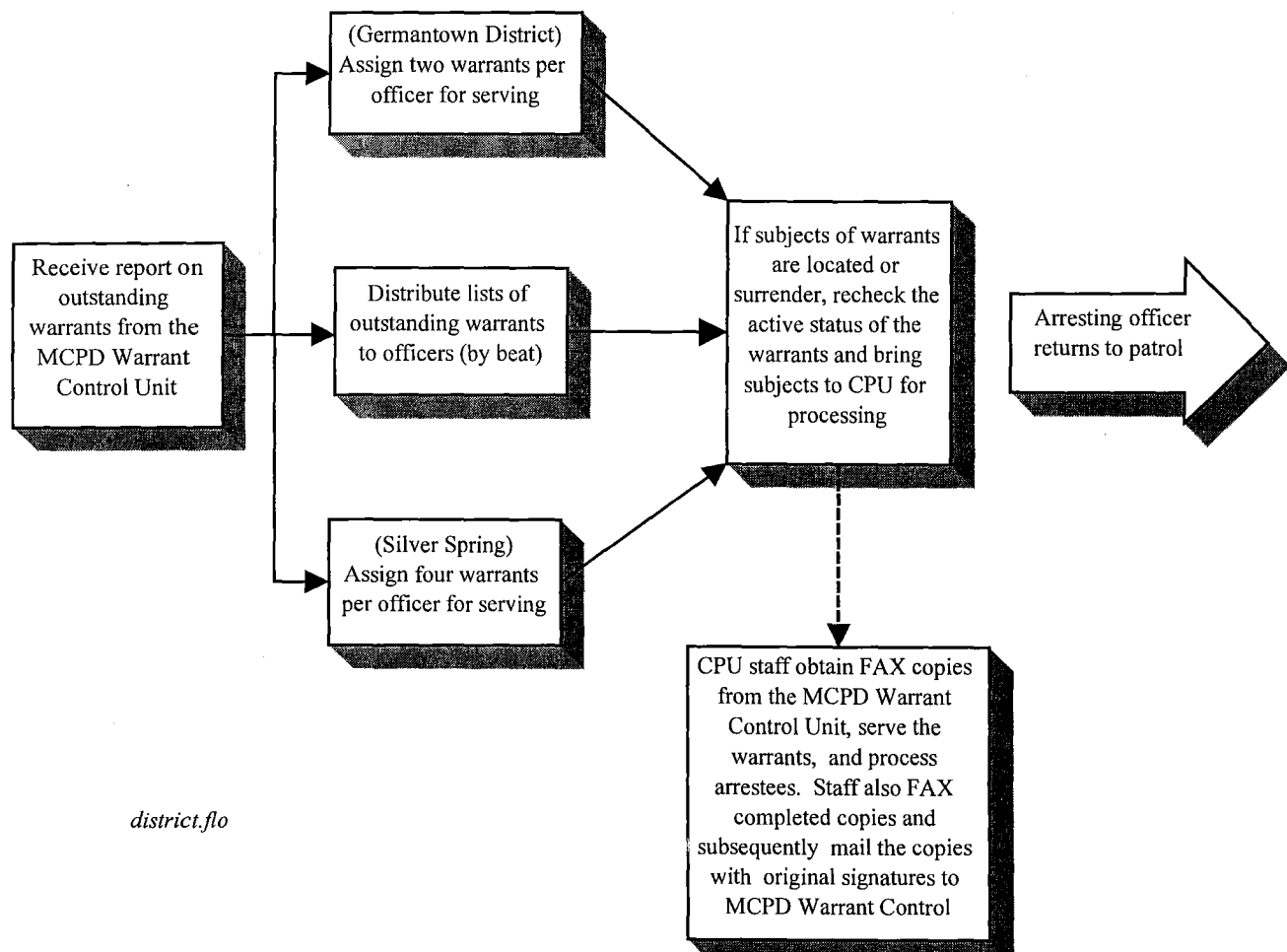
Prior to the CPU's establishment (September 1995), warrant officers in four of the district stations periodically sent letters to notify the subjects of warrants and request that they call the station to make arrangements to be served. This letter-writing effort was generally limited to warrants for misdemeanors and traffic offenses. The warrant officers processed those individuals who voluntarily responded to the letters, and actively pursued other warrants as time allowed. The warrant officer in the Germantown district also began assigning one or two warrants per month for serving by each patrol officer.

During FY 96, the warrant control officers were reassigned to other duties and the positions have not been re-established in the district stations. There is now a sworn officer or member of the district station administrative staff who coordinates patrol officer efforts on locating the subjects of outstanding warrants.

This effort has generally been limited to distribution of warrant listings and encouragement to officers to be on the lookout for or to locate individuals as time allows. In the Germantown district, the warrant coordinator (an Americorps volunteer) assigns two warrants per month to the patrol officers for serving. In October of this year (1998), additional Americorps volunteers were began working in the other police districts to assign two to four warrants per month to individual officers. These programs were put into effect as an extension of the warrant reduction initiative.

The flowchart below shows the steps taken in the MCPD district stations to manage outstanding warrants.

MANAGING WARRANTS IN THE MCPD DISTRICT STATIONS

(Germantown District) Assign two warrants per officer for serving

Receive report on outstanding warrants from the MCPD Warrant Control Unit

Distribute lists of outstanding warrants to officers (by beat)

(Silver Spring) Assign four warrants per officer for serving

If subjects of warrants are located or surrender, recheck the active status of the warrants and bring subjects to CPU for processing

Arresting officer returns to patrol

CPU staff obtain FAX copies from the MCPD Warrant Control Unit, serve the warrants, and process arrestees. Staff also FAX completed copies and subsequently mail the copies with original signatures to MCPD Warrant Control

district.flo

III. UPDATE ON 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.

In 1996, OLO issued a report that examined and expanded upon the McKeehan findings. This chapter summarizes and updates information presented by Mr. McKeehan and in the first OLO report, and reviews data contained in the Warrant Index System as of October 1, 1998.

A. Montgomery County Sheriff's Office

As outlined in Chapter II the Sheriff's Warrant Unit is responsible for managing 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 locating the subjects of 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.

The McKeehan study examined the issue of unserved warrants for which the Sheriff 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. For the first report on warrants management, OLO staff reviewed data for calendar years 1993 and 1994 and updated the McKeehan findings based on the aggregate five years of data. For the current effort to update the Council on warrants management, OLO staff acquired data on warrants for calendar years 1995, 1996, and 1997.
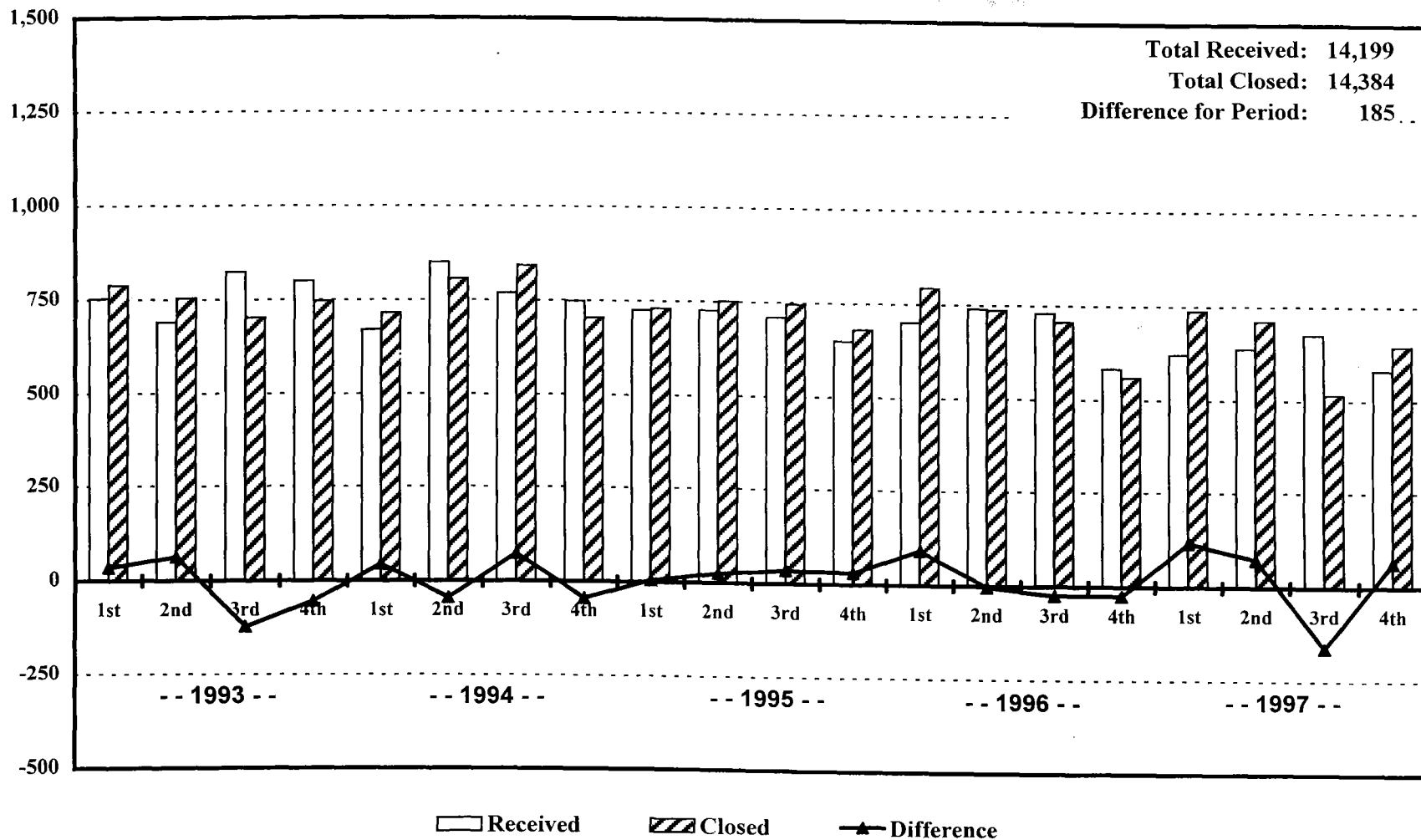
The McKeehan findings and OLO updates on Sheriff warrants are as follows:

	1992 McKeehan Study 3 years of data (90-92)	OLO Report 96-4 5 years of data (90-94)	1998 Update Last 5 years (93-97)
Volume of warrants received	about 400 per month	about 320 per month	about 237 per month
Volume of warrants closed	about 300 per month	about 300 per month	about 240 per month
Increase to backlog	about 100 per month	about 20 per month	about - 3 per month
Unserved warrants	2,184 at 3/9/93	2,230 at 6/30/95	1,793 as of 10/01/98
Predicted backlog	3,300 by 1/1/94	2,350 by 6/30/96	1,750 by 1/1/2000
Current resources for serving warrants	16 deputies	no change	no change

As shown below, the number of outstanding warrants decreased by 185 over the last five calendar years. The closure rate for the five-year period was 101 percent of the warrants received for serving. Information on the warrants received and closed quarterly during the five years is depicted in the chart on page 13; detail by year is shown below.

	1993	1994	1995	1996	1997	Totals	Averages
Received	3,067	3,040	2,815	2,758	2,519	14,199	2,840
Closed	2,992	3,069	2,911	2,799	2,613	14,384	2,877
Effect on Backlog	+ 75	- 29	- 96	- 41	- 94	- 185	- 37

Warrants Processed by the Sheriff's Office
Quarterly for Calendar Years 1993-1997

Total Received: 14,199
Total Closed: 14,384
Difference for Period: 185

Legend: Received, Closed, Difference

B. Montgomery County Police Department

The MCPD Warrant Control Unit controls access to all the warrant documents and records and tracks warrant data in the County's Warrant Index System. Personnel in the Unit 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 locating the subjects of 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 have been assigned specific warrants for serving since 1995, and the program was extended to the other districts in October 1998.

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 the 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.

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. For the first report on warrants management, OLO staff reviewed data for calendar years 1993 and 1994 and updated the McKeehan findings based on the aggregate five years of data. For the current effort to update the Council on warrants management, OLO staff acquired information on calendar years 1995, 1996, and 1997.

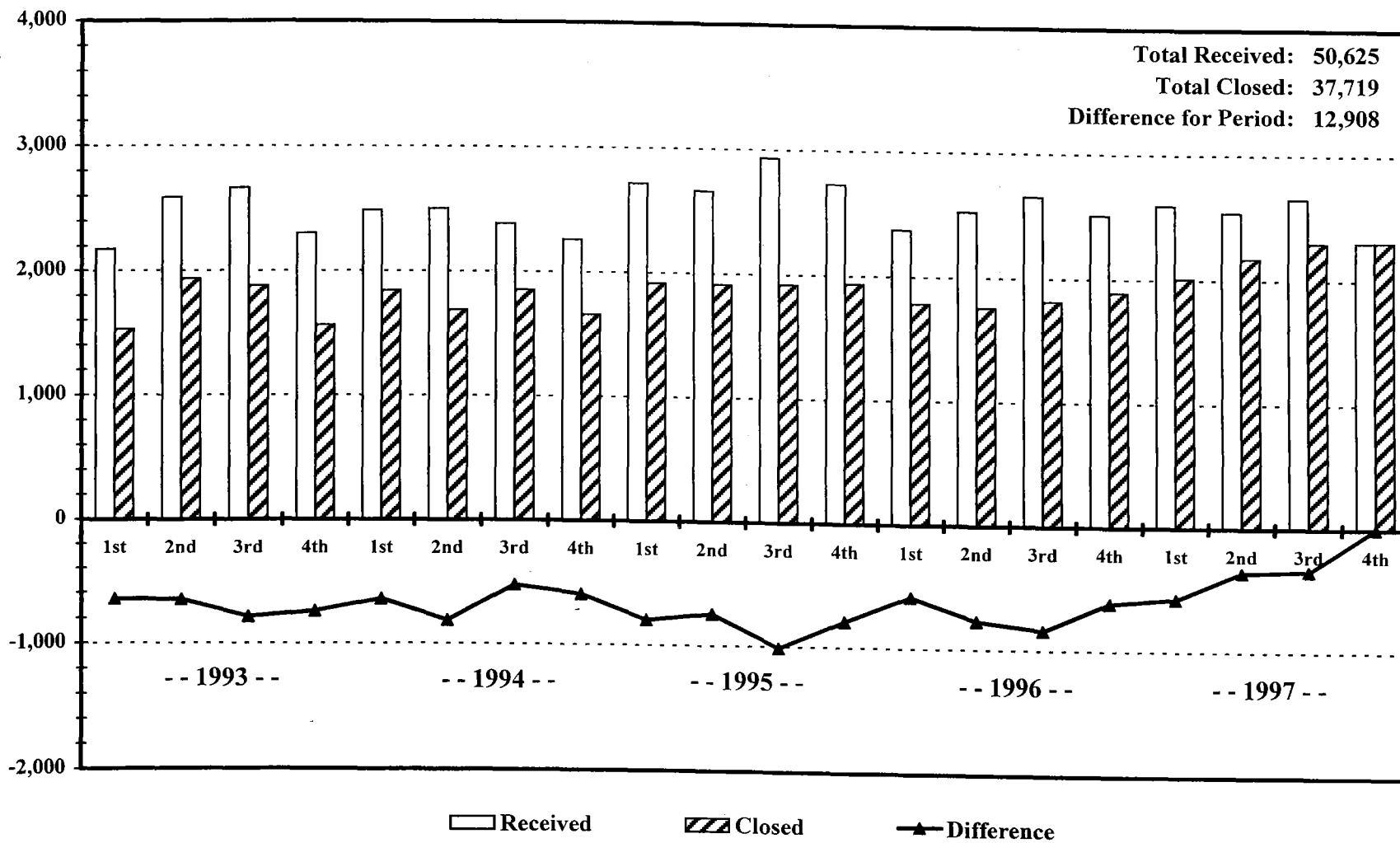The McKeehan findings and OLO updates on MCPD warrants are as follows:

	1992 McKeehan Study 3 years of data (90-92)	OLO Report 96-4 5 years of data (90-94)	1998 Update Last 5 years (93-97)
Volume of warrants received	about 900 per month	about 825 per month	about 845 per month
Volume of warrants closed	about 500 per month	about 535 per month	about 630 per month
Increase to backlog	about 400 per month	about 290 per month	about 215 per month
Estimated unserved warrants	about 14,500 at 3/93	about 16,840 at 7/1/95	about 20,870 at 10/1/98
Predicted backlog	about 19,000 by 1/1/94	about 19,000 by 6/30/96	about 23,900 by 1/1/2000
Current MCPD Warrant Control Unit resources for tracking warrants	1 sworn, 3 civilian, and 1 temporary duty	1 sworn, 5 civilian, and 2 temporary duty	1 sworn, 6.5 civilian, and 1 temporary duty

As shown below, the number of unserved MCPD warrants increased by 12,908 between 1993 and 1997. The closure rate was 74.5 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 16; information by year is shown below.

	1993	1994	1995	1996	1997	Totals	Averages
Received	9,743	9,649	11,046	10,081	10,108	50,627	10,125
Closed	6,910	7,049	7,694	7,253	8,813	37,719	7,544
Effect on Backlog	+ 2,833	+ 2,600	+ 3,352	+ 2,828	+ 1,295	+ 12,908	+ 2,581

Warrants received from other jurisdictions are not managed by the MCPD Warrant Control Unit and are not recorded into the County's Warrant Index System. The numbers shown in this chapter of the report for arrest warrants received and closed by County police represent only County documents for which the MCPD Warrant Control Unit is responsible.

Warrants Processed by the Police Department
Quarterly for Calendar Years 1993-1997

Total Received: 50,625
Total Closed: 37,719
Difference for Period: 12,908

	Received	Closed	Difference

-- 1993 --   -- 1994 --   -- 1995 --   -- 1996 --   -- 1997 --
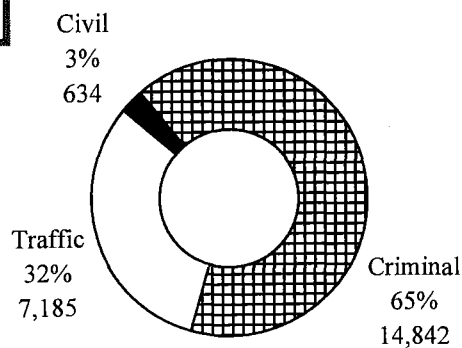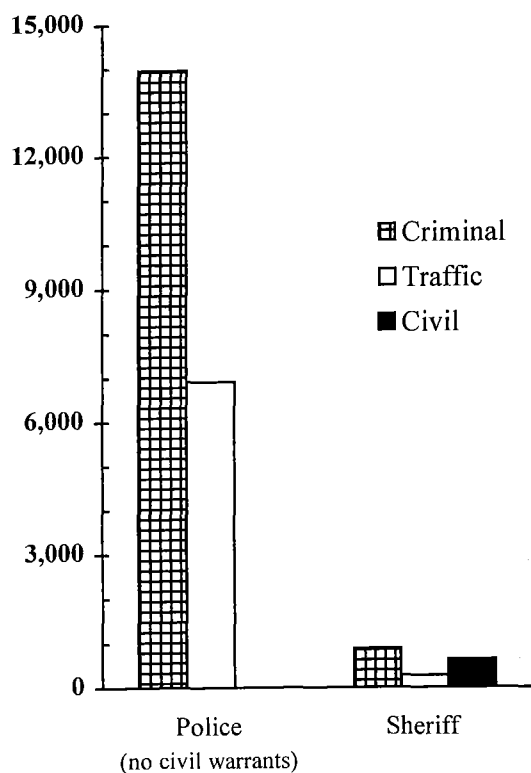
C. Snapshots of the Warrant Index System Database

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 October 1, 1998. The information extracted by DIST provides numerous views of the data contained in the warrants database. This Section of the report presents several views as snapshots to provide detail on the workload associated with recording and serving warrants.

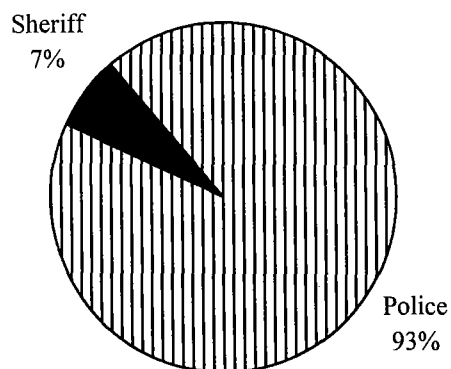The snapshots on pages 18-21 graphically display the following detail:

- There were a total of 22,661 open and unserved items in the Warrant Index System as of October 1, 1998. Of this number, 22,652 items were unserved warrants and 9 were district court criminal summonses. (County police currently have about 2,000 warrants waiting to be entered into either the Warrant or MILES databases).

- Of the open items, 65 percent were issued in relation to criminal cases, 32 percent were issued in relation to traffic cases, and 3 percent were issued in relation to civil cases.

- 19,242 (85 percent) were issued for persons with different names, which means that 15 percent of the individuals in the database have more than one warrant outstanding.

- MCPD is responsible for managing 20,840 (92 percent) of the open items, which include: 13,694 warrants and 9 summonses issued in relation to criminal cases, and 6,903 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 1,793 (8 percent) of the open items, which include: 886 warrants issued in relation to criminal cases; 273 warrants issued in relation to traffic cases; and 634 warrants issued in relation to civil cases.

- MCPD and the Sheriff's Office recorded 11,551 arrest warrants in the Warrant Index System during calendar year 10/1/97 through 9/30/98, which included: 7,952 items issued in relation to criminal cases; 2,751 warrants issued in relation to traffic cases; and 848 warrants issued in relation to civil cases.

- Of the items issued during FY 98, the agencies closed 7,305 (63 percent) of the warrants. In addition, the subjects of another 183 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 98, 4,063 arrest warrants without detainers remained open at October 1, 1998.

There were 22,661 open (unserved) items in the database at 10/1/98, including nine district court summonses recorded by the police Warrant Control Section. Of these open items:

14,842 were issued in relation to criminal cases
7,185 were issued in relation to traffic cases
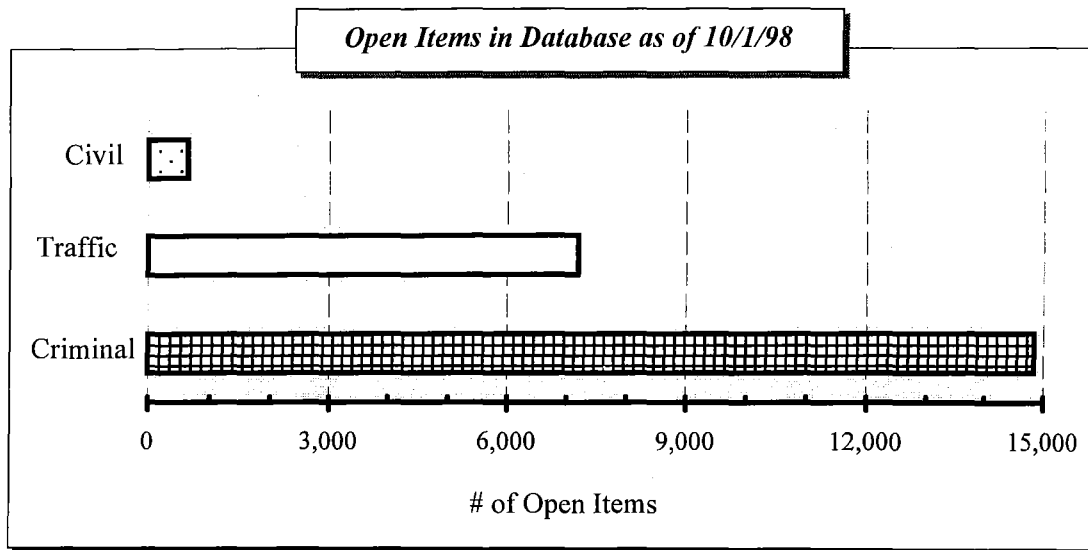   634 were issued in relation to civil cases

Civil
3%
634

Traffic
32%
7,185

Criminal
65%
14,842

⊞ Criminal
☐ Traffic
■ Civil

15,000

12,000

9,000

6,000

3,000

0

Police
(no civil warrants)

Sheriff

Responsibility to manage and serve:
    County police   =   20,828
    Sheriff's office   =   1,793
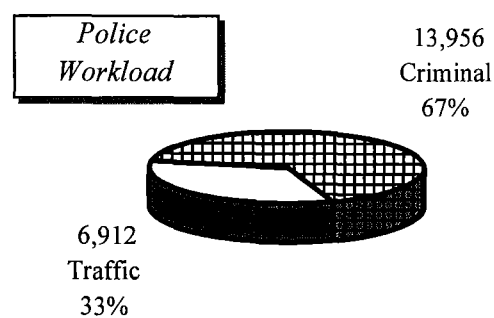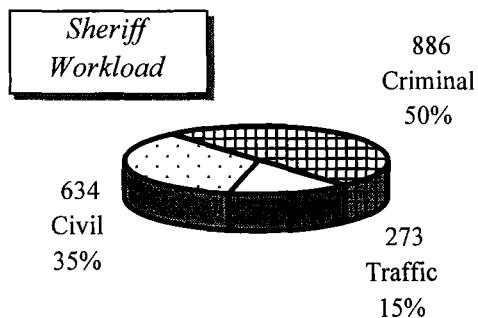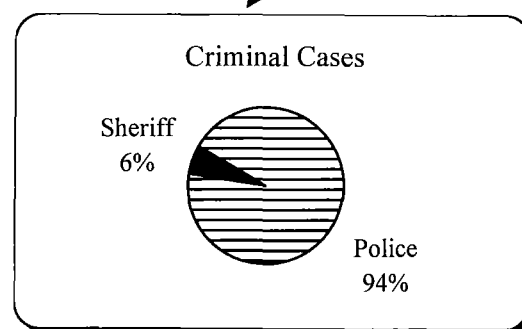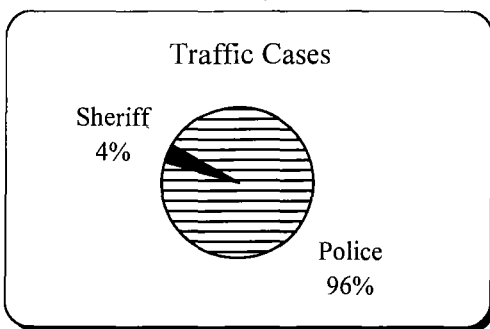
Sheriff
7%

Police
93%

19,242 (84.9 percent) of the unserved items were issued for persons with different names

Open police warrants include:
Failure to pay fines   =   2.9 percent   5,917
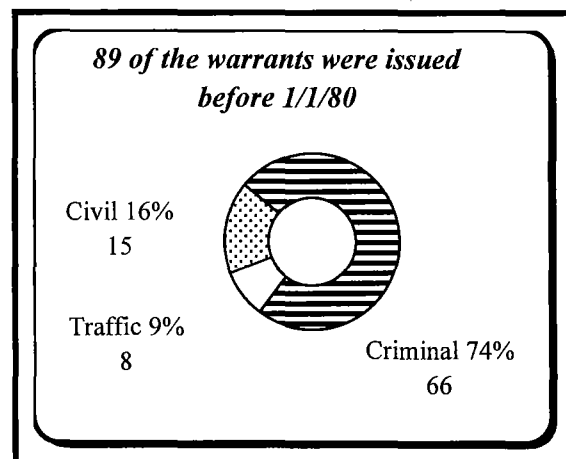*Failure to appear   = 57.1 percent   12,936*

Open Items in Database as of 10/1/98

Civil

Traffic

Criminal

| 0 | 3,000 | 6,000 | 9,000 | 12,000 | 15,000 |

# of Open Items

Detail of Unserved Items in Database

	Traffic Cases	Civil Cases	Criminal Cases
Police	6,912	none	13,956
Sheriff	273	634	886
Total	7,185	634	14,842

Traffic Cases

Sheriff
4%

Police
96%

Criminal Cases

Sheriff
6%

Police
94%

Sheriff Workload

886
Criminal
50%

634
Civil
35%

273
Traffic
15%

Police Workload

13,956
Criminal
67%

6,912
Traffic
33%

18,415 of the Unserved Warrants at 10/1/98 Were More Than One Year Old

7,257 of the warrants were issued between 1/1/95 and 9/30/97

Civil 3%
217

Traffic 34%
2,458

Criminal 63%
4,582

9,235 of the warrants were issued between 1/1/90 and 12/31/94

Civil 2%
171

Traffic 36%
3,309

Criminal 62%
5,755

1,806 of the warrants were issued between 1/1/85 and 12/31/89

Civil 2%
29

Traffic 13%
234

Criminal 85%
1,543

28 of the warrants were issued between 1/1/80 and 12/31/84

Civil 46%
13

Traffic 7%
2

Criminal 46%
13

89 of the warrants were issued before 1/1/80

Civil 16%
15

Traffic 9%
8

Criminal 74%
66

There Were 11,551 Items Issued From 10/197 Through 9/30/98

Status of Items Issued During 10/1/97 Through 9/30/98

☐ Criminal

☐ Traffic

▨ Civil

Closed: Criminal 5,069; Traffic 1,577; Civil 659
Open: Criminal 2,883; Traffic 1,174; Civil 189
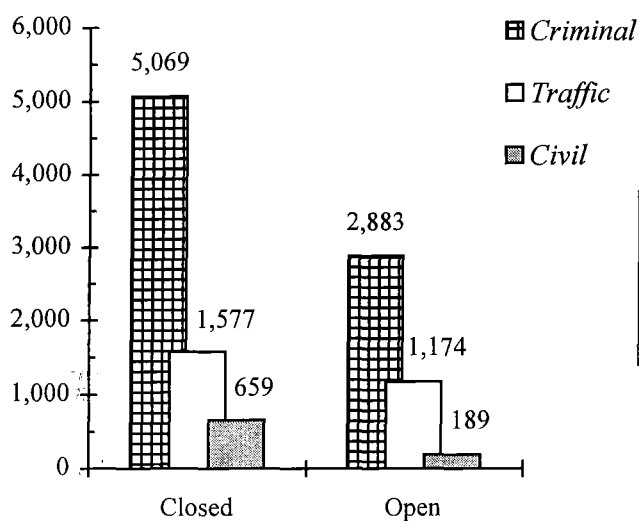
Open items include:		
Failure to pay fines	=	947
Failure to appear	=	666

Detail of Items Issued 10/1/97 Through 9/30/98 by Case Type

Type	Closed	Open	Detainer	Total
Ciminal	5,069	2,714	169	7,952
Traffic	1,577	1,164	10	2,751
Civil	659	185	4	848
Total	7,305	4,063	183	11,551

4,246

Ciminal 69%

Traffic 24%

Civil 7%
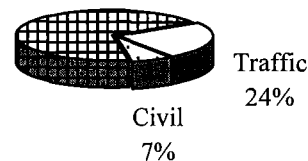
Detail of Items Closed 10/1/97 Through 9/30/98

▨ Returned

▨ Recalled

▨ Countermanded

▨ Surrendered
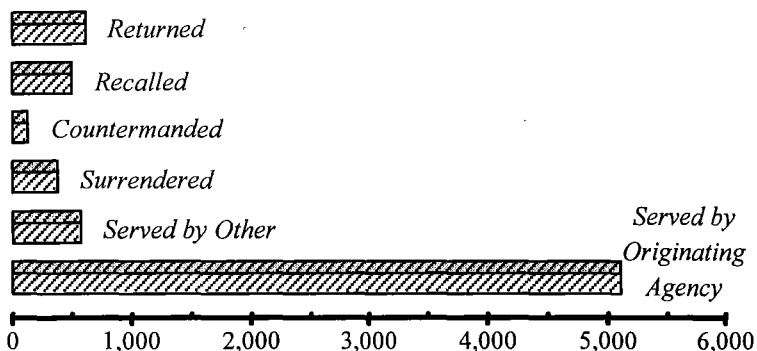
▨ Served by Other

Served by Originating Agency

83 percent Served /Surrendered	
380	
572	
5,109	
6,061	
17 percent Other Closure	
127	
500	
617	
1,244	

IV. QUESTIONS RAISED BY COUNCIL'S PUBLIC SAFETY COMMITTEE

1. What special initiatives have the Sheriff or Police used since September 1996 to reduce the number of outstanding warrants?

The Sheriff's office puts weekly notices of wanted persons in the Gazette newspaper, features a wanted person on Channel 21, posts wanted persons for child support cases on the Internet, and deputies conduct sweeps from time to time. Staff also examine older warrants for viability and request the State's Attorney to review certain cases.

Americorps volunteers coordinate assignment of two to four warrants to patrol officers in the district stations. The program has been operational in the Germanown station since 1995, and was extended to the other police districts in October 1998. In addition, MCPD features wanted persons on the Internet and four to six wanted persons in the Capital Crusader, a free newspaper produced by a non-profit organization. Staff in the MCPD Warrant Control Unit also examine older warrants for viability and request the State's Attorney to review certain cases.

During FY 97 and part of FY 98, MCPD concentrated efforts in the Warrant Control Unit and the Fugitive Unit to reduce the number of outstanding warrants. This "warrant reduction initiative" was made possible because both units had additional temporary personnel for a period of time. In a combined effort, the Warrant Control and Fugitive Units took a more proactive approach and coordinated their efforts to locate persons wanted on charges within the County. As part of the initiative, staff in the MCPD Warrant Control Unit made phone calls and sent notices to individuals requesting them to contact the police to arrange for officers to serve the warrants. In addition, officers in the Fugitive Unit were assigned to concentrate on serving selected County warrants. As a result of these efforts, 33 percent more warrants were served in calendar year 1997. The additional staffing has since been reassigned. Although the Fugitive Unit officers have been able to continue concentrating their efforts on serving MCPD warrants, the MCPD Warrant Control Unit is beginning to have difficulty keeping up with the notification campaign.

2. What have been the results/outcomes from using newspaper ads and the Internet to try to serve outstanding warrants?

The Sheriff's Office cannot quantify the results of using newspaper ads and the Internet as a means of locating the subjects of outstanding warrants. The office has not made a point of asking the informants whether they are responding to a newspaper or Internet feature.

MCPD has used media sources for a period of time with mixed results, but have not quantified whether additional warrants have been served as a result of their postings in newspapers and on the Internet.

3. What actions have been taken to reduce the number of warrants issued?

The district court often issues warrants rather than summonses in criminal cases. However, for non-criminal and misdemeanor cases, the court generally issues a show cause request instead of a bench warrant. The district court then issues a bench warrant only if the subject does not respond or appear as requested.

In the circuit court's Differentiated Case Management plan, a scheduling order indicating all the hearing dates is served, along with the summons and information/indictment, on the defendant. The court, when holding these hearings, can ascertain from the court file whether or not the defendant was served. If the defendant was not served, then the court reissues the summons, along with a new scheduling order, to be served on the defendant. The circuit court believes this process has helped alleviate many unnecessary bench warrants.

4. Have the courts implemented any amnesty programs?

Neither the district nor circuit court has implemented an amnesty program. However, cases with warrants older than three years are reviewed periodically to determine the probability of successful prosecution.

5. Have Police used any long-term temporary personnel, retired officers, or volunteers to assist with data entry in the warrant control unit?

The Police use civilians, temporary personnel, and volunteers. The MCPD Warrant Control Unit currently has two contractual personnel and one temporarily assigned employee. Additional temporary staffing last year enabled the Unit to catch up with some of the data entry backlog. As currently staffed, however, the Unit will not be able to meet its goal of entering 100 percent of the warrants in the County's database and maintaining 50-60 percent of the warrants in the State/Federal databases. The latest Federal audit gave the Unit low marks and if this trend continues, the County risks being precluded from maintaing warrant information in the Federal and State databases.

6. Have the Police or Sheriff tried using other databases (such as tax records) to try to locate wanted persons?

The MCPD Warrant Control Unit subscribes to two of the major consumer credit bureaus to track wanted persons. (Trends Union charges $1.00 per request, and Esperion charges a minimum of $30.00 per month and $1.00 for each additional search.) The Unit also uses phone company records, Haines-Criss Cross, residential phone listings, post office records, wage reporting from the State and several other state and local agencies that have agreed to assist the Warrant Control Unit in locating wanted persons.

The Sheriff's Warrant Unit uses post office records, residential phone listings, Haines Criss Cross Directory, Social Security Administration information, and the Maryland Department of Economic Development databases to locate wanted persons.

7. Have the Police determined whether data entry into warrant system can be done outside the Warrant Unit (such as district stations)?

This has been considered. However, it may not be necessary when the updated CJIS is fully functional. Under the updated CJIS system, the courts would enter the warrants into the database. CJIS implementation is scheduled to begin in January 1999.

8. Has the use of mobile data units by the Police Department (on a pilot basis) improved officer's ability to serve warrants? What are future expectations?

The purpose of the Mobile Data Pilot program is to test the feasibility of the police officer transferring and receiving data in the field. The test is to be used to determine the extent to which data transmission is necessary and appropriate. It also tests the capabilities of various mobile data unit models to meet the needs of the County. Information on warrants is available to officers who have mobile data units, but no data on warrant service has been collected. However, it should be noted that officers cite the capability to look up the wanted status of individuals as one of the reasons they request the units.

9. What effect has the Central Processing Unit had on the number of warrants served per month?

The CPU processes an average of 40 suspects per day, and more directly affects the serving of Sheriff warrants than MCPD warrants. The Sheriff Office has a dedicated unit of deputies for serving County warrants, whereas the Police Department does not. The CPU enables Sheriff deputies and MCPD patrol officers to return to duty sooner. Having the CPU also increases the number of warrants that deputies can serve in a short period of time and allows for more efficient sweeps (concentration of efforts in specific areas). MCPD conducted an informal survey among several officers who are responsible for serving warrants. The officers indicated that the CPU has significantly reduced the time they used to spend processing arrestees and bringing them before the court commissioner. According to these officers, the time saved enables them to more effectively use their time for other duties, including warrants.

10. How will the current recommendations that the Police Warrant and Fugitive Unit and the Department of Correction and Rehabilitation's Records Unit be located at MCDC as a part of reuse affect warrant service?

The current recommendation to co-locate the Police Warrant and Fugitive Units and the Department of Corrections and Rehabilitation's Records Unit at MCDC would increase the level of efficiency through the inevitable reduction in paper consumption and the decrease in the paper trail among all of the units. Thousands of documents are faxed between these units every day, and eliminating this extra step would increase the efficiency and timeliness in the transmission of essential paperwork. Another benefit to co-location is the need for additional space for the units involved. Since the MCPD Records Division operates in cramped quarters, moving the Fugitive and Warrants Units out would free up space for the entire division.

11. Has the CJCC had any further discussions with the Courts, Sheriff and Police about whether it would be more efficient to have a single, centralized warrant unit either in the Sheriff's Office or the Police Department?

Court, Sheriff and Police administrators have often discussed this with the CJCC. Most administrators believe it would be too expensive for the Sheriff to handle district court warrants in the same way they handle the circuit court warrants, and circuit court warrants should not be handled the way the Police handle the district court warrants. Many of the circuit court warrants are issued in relation to more serious criminal cases, and the subjects of the warrants should be sought out. On the other hand, it may not be cost effective to dedicate officers or deputies to track down traffic offenders. For the first OLO study on warrants, Sheriff staff estimated that their Warrant Unit would need approximately 67 additional deputies to manage the district court criminal and traffic warrants. The Sheriff feels that any suggestions for his taking over the district court warrants should be spread out over five years. A gradual plan to absorb the district court warrants could possibly be accomplished by adding 30 deputies to the unit over a 5-year period.

12. Has the CJCC looked at any other model's for warrant service than that which is currently in place?

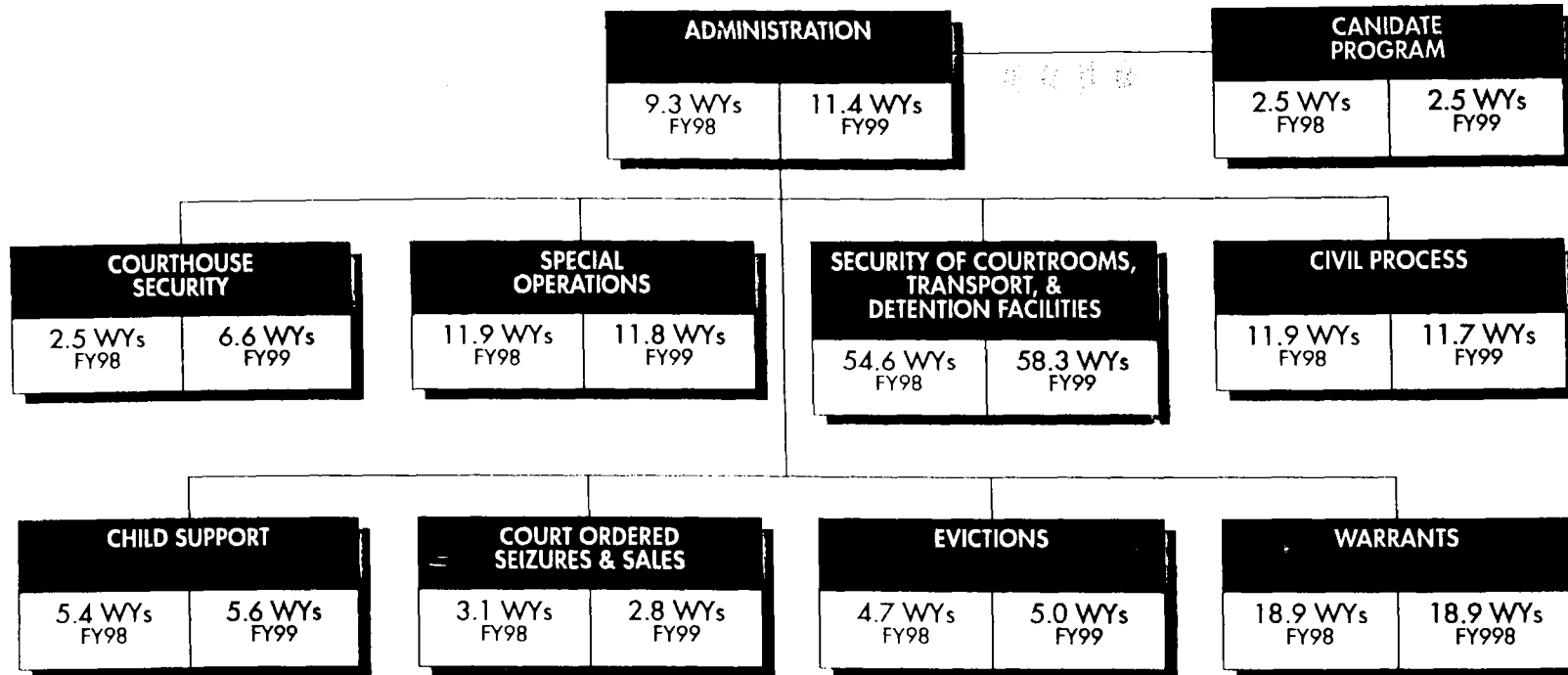The CJCC has not yet examined any other models for warrant service.

13. Has the issue of fees or fines relating to warrant service been looked at by the CJCC?

It is imperative to remember that there is a presumption of innocence – the subjects are only *suspected* of law violations. The CJCC has discussed the notion of fees/fines with the district court administrative judge. It was not generally considered feasible for failures to pay fines, or even failures to appear. However, there is a possibility that it may prove to be a useful tool if a fine can be applied in those cases where bonds have been posted, the subjects fail to appear for their hearings, and/or bench warrants are issued.

14. Has a report been provided to the Courts on the cost of warrant service (as suggested in the discussion of CJCC Task #5)?

The CJCC periodically advises the district court regarding the estimated costs incurred for the Police and Sheriff's warrant service. The circuit court has not received a report on the actual costs of warrant service since sometime in 1996. However, the court is aware that warrant service can be expensive, especially when defendants are located in other jurisdictions. For violation of probation cases, the circuit court has requested that the Sheriff's Office notify the judge that issued the bench warrant when the defendant has been picked up in another state. The judge can then review the severity of the violation and ascertain whether or not it will be cost efficient to bring the defendant from the other jurisdiction to Maryland.

Sheriff

ADMINISTRATION		CANIDATE PROGRAM	
9.3 WYs FY98	11.4 WYs FY99	2.5 WYs FY98	2.5 WYs FY99

COURTHOUSE SECURITY		SPECIAL OPERATIONS		SECURITY OF COURTROOMS, TRANSPORT, & DETENTION FACILITIES		CIVIL PROCESS	
2.5 WYs FY98	6.6 WYs FY99	11.9 WYs FY98	11.8 WYs FY99	54.6 WYs FY98	58.3 WYs FY99	11.9 WYs FY98	11.7 WYs FY99

CHILD SUPPORT		COURT ORDERED SEIZURES & SALES		EVICTIONS		WARRANTS	
5.4 WYs FY98	5.6 WYs FY99	3.1 WYs FY98	2.8 WYs FY99	4.7 WYs FY98	5.0 WYs FY99	18.9 WYs FY98	18.9 WYs FY998

Division Summary	FY98	124.8 WYs	FY99	134.6 WYs

Department of Police

CHIEF OF POLICE

24.0 WYs FY98	25.9 WYs FY99

FIELD SERVICES BUREAU

ROCKVILLE DISTRICT

130.8 WYs FY98	134.5 WYs FY99

BETHESDA DISTRICT

136.6 WYs FY98	134.1 WYs FY99

SILVER SPRING DISTRICT

157.7 WYs FY98	155.1 WYs FY99

WHEATON DISTRICT

156.2 WYs FY98	145.5 WYs FY99

GERMANTOWN DISTRICT

174.4 WYs FY98	183.5 WYs FY99

SPECIAL OPERATIONS

101.6 WYs FY98	108.5 WYs FY99

ANIMAL CONTROL

12.8 WYs FY98	13.1 WYs FY99

ADMINISTRATION

7.2 WYs FY98	9.2 WYs FY99

INVESTIGATIVE SERVICES BUREAU

CRIMINAL INVESTIGATIONS

97.6 WYs FY98	100.1 WYs FY99

MAJOR CRIMES

32.2 WYs FY98	40.5 WYs FY99

SPECIAL INVESTIGATIONS

53.6 WYs FY98	55.0 WYs FY99

YOUTH SERVICES DIVISION

30.4 WYs FY98	32.6 WYs FY99

ADMINISTRATION

3.0 WYs FY98	4.0 WYs FY99

MANAGEMENT SERVICES BUREAU

MANAGEMENT & BUDGET

40.5 WYs FY98	26.6 WYs FY99

PERSONNEL

12.2 WYs FY98	19.3 WYs FY99

RECORDS

55.5 WYs FY98	55.4 WYs FY99

COMMUNICATIONS

96.0 WYs FY98	101.1 WYs FY99

TRAINING

53.6 WYs FY98	63.3 WYs FY99

TECHNOLOGY

7.8 WYs FY98	8.0 WYs FY99

VOLUNTEER SERVICES

4.0 WYs FY98	5.0 WYs FY99

ADMINISTRATION

3.0 WYs FY98	3.0 WYs FY99

Department Summary	FY98	1390.7 WYs	FY99	1423.3 WYs