



MONTGOMERY COUNTY COMPUTER WARRANT INDEX SYSTEM

FC No.: 534

Date: 04-27-05

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. **Montgomery County Computer Warrant Index System**
 - A. The Montgomery County Computer Warrant Index System is a computer-based warrant management system designed to maintain an automated file of criminal warrants and criminal/traffic bench warrants.
 - B. The system maintains active warrant files and detailed information about wanted persons such as date(s) of birth, descriptions, addresses, dates of warrants and service, charges, bond, and other personal information. The system also contains historical information on previously issued warrants and wanted persons. This can provide a wealth of information for investigators.
 - C. The system enables the department and the Sheriff's Office to share warrant and wanted persons' data.
 - II. **Warrant Control Section Responsibilities**
 - A. The Warrant Control **Section (WCS)**, located in the **Major Crimes Division**, is responsible for researching, entering, validating, and

maintaining District Court and Juvenile Court warrants on a 24 hour basis. (CALEA 82.3.8.f)

- B. Warrants received by the **WCS** will be entered into the Warrant Index System as soon as practical. All warrants will be thoroughly researched and entered into MILES/NCIC.
 - C. Validation

Warrants maintained in the **WCS** will be periodically validated per MILES/NCIC guidelines. This process includes but is not limited to the verification of the warrant status, researching and updating information on the defendant, and, if appropriate, flagging the warrant for targeting by the Warrant Reduction Initiative (WRI).
 - D. Warrant Reduction Initiative

The WCS coordinates the WRI with other units throughout the department in a combined effort to reduce the number of warrants housed in the WCS. The WRI is the process whereby members of the **WCS** target warrants that are then researched in hopes of locating, contacting, and apprehending suspects named in the court documents.
 - E. **MVA Outstanding Arrest Warrant Program**

The WCS sends information on defendants with outstanding warrants to MVA for the suspension of licenses. This program does not allow defendants to renew drivers' licenses and registrations until the warrant(s) has been satisfied.
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- III. **Access to Warrant Inventory**
 - A. Queries of warrant status can be accomplished through an on-line inquiry or by contacting the **WCS**. Officers will not use "hits" obtained through the Warrant Index System as probable cause for arrest, but will first confirm the existence of a warrant through the **WCS**.
 - B. On-line Inquiry

An on-line inquiry can be accomplished by simply accessing the county CJIS System,

clearing the screen, typing in "WARR" and hitting the "Enter" key.

C. Warrant Lists

A printout of outstanding warrants by beat, PRA, or time frame may be obtained by contacting the **WCS**. These searches are most successful when the information is requested using the PRA.

IV. **Service of Active Warrants**

Officers will adhere to the following procedures once it has been determined, through either an on-line inquiry or by the computer printout list that an active warrant is on file for a person.

A. Confirm Status of Warrant

Before attempting service of a warrant listed on the computer printout, officers must confirm the status of that warrant by contacting the **WCS**, directly. Officers will not confirm the status of a warrant via ECC (refer to FC 252, "Radio Communications"). Once a warrant has been confirmed as being active, the officer may attempt service of it.

B. Arrest of Wanted Person

The discovery of the existence of a warrant through the Warrant Index System should be viewed as if it were an NCIC "hit," and the department will follow NCIC procedures: "An NCIC hit alone is not probable cause to arrest. An NCIC hit furnishes the inquirer the fact that a warrant has been filed and also provides the date of the warrant which are matters to be considered by the receiving officer in arriving at an arrest decision. A hit is one fact which must be added to other facts by the officer in arriving at sufficient legal grounds for probable cause to arrest." Therefore, the officer must confirm the existence of a warrant(s) before effecting an arrest. This confirmation is to be completed by contacting ECC personnel who will confirm the status of the warrant through the **WCS**.

C. Warrant Service

1. Officers will transport all adult suspects, and juvenile suspects charged as adults, with outstanding warrants (criminal or traffic) to the Central Processing Unit (CPU). CPU staff will obtain the warrants from the **WCS** and be responsible for the service and cepi of the warrants.
2. Juvenile suspects with outstanding warrants will be processed and served with

any outstanding warrants at the appropriate district stations by the arresting officer. Officers will cepi the warrants and immediately fax them back to the **WCS**.

3. Under no circumstances will a defendant be served on an original warrant or a court jacket copy without first notifying the **WCS**.

V. **Entry of Updated Information**

A. Officers are responsible for notifying the **WCS** of any updated information obtained on any outstanding warrant.

B. Officers can write any updated information directly on a photocopy of the computer screen printout, adding their name, ID#, and date. Then forward the copy to the WCU via fax, (240) 773-5325, after making contact with the WCU or via inter-office mail.

C. The **WCS** is responsible for entering the updated information into the Warrant Index System as soon as practical after receiving it.

VI. **Withholding Warrant Entry**

Officers who obtain a warrant and intend to effect service themselves may retain control of the original warrant but within the following guidelines:

1. According to MILES/NCIC guidelines, the **WCS** cannot make an entry into the Warrant Index System nor MILES/NCIC unless the original copy of the warrant is in their possession.
2. If an officer chooses to retain possession of the warrant, the original document must be accessible 24 hours a day.
3. The State Warrant System now makes it possible for agencies to query District Court warrants on the day of issuance. For this reason, when service is not effected within seven days of warrant issuance, the original warrant will be forwarded to the **WCS** without exception.

VII. **Vehicle Information on Warrants**

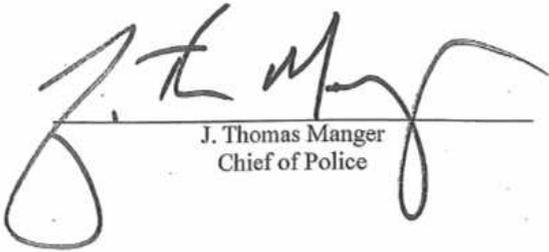
A. Officers requiring vehicle information to be entered into the Warrant Index System and/or Miles in relation to a wanted subject must include this information on the MCP 72, "Warrant/DCS Transmittal Form," or notify the **WCS** in writing.

- B. NCIC policy states that in order for a vehicle or tag to be attached to a warrant, the following criteria must be met:
1. The whereabouts of the vehicle must be unknown, and
 2. The officer must have reasonable grounds to believe that the suspect may be operating the vehicle or a vehicle bearing the referenced tag. Mere knowledge that the suspect is known to operate or be associated with the vehicle/tag is insufficient for entry.

VIII. Proponent Unit: Warrant Control *Section*

IX. Cancellation

This directive cancels Function Code 534, effective date 08-18-99.



J. Thomas Manger
Chief of Police