



# MONTGOMERY COUNTY ARREST WARRANT DATABASE

**FC No.:** 534

**Date:** 11-27-18

If a provision of a regulation, departmental directive, or rule 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 Arrest Warrant Database**

- A. The Montgomery County Computer Arrest Warrant *Database* is contained *in the department's Records Management System (RMS)*. *The database is* designed to maintain an automated file of criminal/traffic arrest 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 Unit Responsibilities**

- A. The Warrant Control *Unit (WCU)*, located in the *Information Management and Technology Division (IMTD)*, is responsible for researching, entering, validating, and maintaining District Court criminal and *traffic warrants* on a 24- hour basis.
- B. Warrants received by the *WCU* will be entered into *the Arrest Warrant Database* as soon as practical. All warrants will be researched, and *extraditable warrants will be entered into METERS/NCIC*.
- C. Validation  
Warrants maintained in the *WCU* will be periodically validated per *METERS/NCIC* guidelines. This process includes but is not limited to the verification of the warrant status, researching and updating information on the defendant.

E. MVA Outstanding Arrest Warrant Program

The **WCU** 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.

III. **Access to Warrant Inventory**

A. Queries of *outstanding arrest warrants* can be accomplished through an *electronic* inquiry of *the MCPD Dashboard* or by contacting the **WCU**. Officers will not use "hits" obtained through the *MCPD Dashboard* as probable cause for arrest, but will first confirm the existence of a warrant through the **WCU**.

B. Electronic Inquiries

*An electronic inquiry* can be accomplished by simply accessing the *warrants portal on the MCPD Dashboard*. *Searches may be conducted by district, beat, date issued, or other search parameters. Data may be downloaded and printed.*

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 *MCPD Dashboard*, officers must confirm the status of that warrant by contacting the **WCU**, directly. Once a warrant has been confirmed as being active, the officer may attempt service of it.

B. Deconfliction

*Before attempting service of a warrant listed on the MCPD Dashboard for serious or violent felonies, officers should de-conflict with the proper investigative unit responsible for such crimes. (e.g. warrants for homicide or armed robbery should be de-conflicted through the Major Crimes Division to ensure investigators are not actively working those cases).*

C. Arrest of Wanted Person

The discovery of the existence of a warrant through the *MCPD Dashboard* 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 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 **WCU or by contacting the WCU directly**.

D. 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 **WCU** 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 **WCU**.
3. *Whenever possible, officers should attempt to serve warrants they obtain.*

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

**V. Entry of Updated Information**

- A. Officers are responsible for notifying the **WCU** of any updated information obtained on any outstanding warrant. *Officers should e-mail or call the WCU, with any updated information.*
- B. The **WCU** is responsible for entering the updated information into the **arrest warrant database** 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 **METERS/NCIC** guidelines, the **WCU** cannot make an entry into the **Arrest Warrant Database** nor **METERS/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 affected within seven days of warrant issuance, the original warrant will be forwarded to the **WCU** without exception.

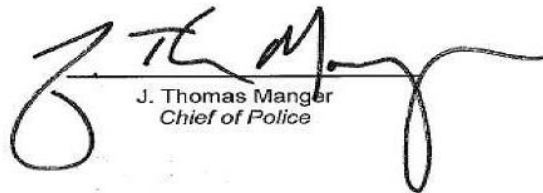
**VII. Vehicle Information on Warrants**

- A. Officers requiring vehicle information to be entered into the **Arrest Warrant Database** and/or **METERS/NCIC** in relation to a wanted subject *must contact the WCU directly.*
- B. **METERS/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.

**VII. CALEA Standards: 1.2.5, 74.1.1, 74.1.2, 74.1.3, 74.3.1, 81.2.9**

**VIII. Proponent Unit: Warrant Control Unit**

**IX. Cancellation: This directive cancels Function Code 534, effective date 04-27-05.**



J. Thomas Manger  
Chief of Police