

# BERKELEY POLICE DEPARTMENT

DATE ISSUED: April 27, 2010

GENERAL ORDER W-4

SUBJECT: ARREST WARRANTS

## PURPOSE

- 1 - The purpose of this General Order is to establish policy and procedures for the assignment, service, and administration of arrest warrants.

## POLICY

- 2 - Service of criminal processes associated with arrest warrants shall be executed only by sworn peace officers.
- 3 - Officers shall follow statutory and case law guidelines, and local rules and regulations when executing criminal processes associated with arrest warrants.

## PROCEDURES

### General

- 4 - Arrest warrant inquiries shall be made via computer-based, automated wanted persons databases (e.g., Arrest Warrant System (AWS), California Law Enforcement Telecommunications System (CLETS), National Criminal Information Center (NCIC), etc.).
  - (a) Arrest warrants entered into AWS as "active" shall be considered valid and available for service without further confirmation action, unless otherwise indicated on a particular AWS record.
  - (b) When an arrest warrant appears in AWS in a status other than "active", or is not in AWS, but appears as "active" in a wanted persons system other than AWS, the validity of that warrant shall be confirmed with the issuing agency prior to its service.
- 5 - Communication Center personnel shall be responsible for the following activities related to arrest warrants:
  - (a) Respond to field requests for computer checks regarding outstanding arrest warrants.
  - (b) Facilitate status confirmation of outside agency arrest warrants.
  - (c) Request or communicate teletype abstracts regarding arrest warrants.
- 6 - Officers involved in transportation of prisoners arrested pursuant to warrant shall adhere to procedures set forth in General Orders H-6 and T-2.
- 7 - Officers who engage in the planned service of an arrest warrant shall adhere to operational planning and execution protocols described in General Order S-6.

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- (a) A supervisor and appropriate number of officers shall be employed to ensure the safe and successful service of an arrest warrant.
- 8 - Citation release of a person arrested pursuant to arrest warrant shall conform to procedures set forth in General Order C-10.

### Arrest Warrant Administration

- 9 - The Warrant/Court Liaison Detail shall be responsible for the service coordination of adult arrest warrants.
- 10 - The Youth Services Detail shall be responsible for the service coordination of juvenile arrest warrants.
- 11 - Planned service of arrest warrants should be prioritized by type of warrant (Original, Bench, Traffic) and severity of offense (felony, misdemeanor, infraction).
- (a) Notwithstanding standard considerations, service of arrest warrants involving potentially dangerous offenders should be given priority.
- 12 - Arrest warrants issued by the Alameda County Superior Court, and assigned to the Berkeley Police Department shall be processed into AWS by the Service Bureau.
- (a) Arrest warrants that do not include the following information will not be entered into AWS:
    - (1) Date and time received;
    - (2) Date of issuance by the Court;
    - (3) Nature of document (i.e., Penal Code offense);
    - (4) Source of document (i.e., Original or Bench warrant);
    - (5) Name of and identifying information for the defendant;
    - (6) Court docket/warrant number;
    - (7) Amount of bail; and,
    - (8) Whether or not endorsed for night service.
- 13 - The Communication Center shall be responsible for warrant confirmation liaison with, and communication of teletype abstracts to, outside agencies serving local arrest warrants.

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- 14 - Jail staff shall be responsible for update of computer records (i.e., AWS, CLETS, etc.) regarding the service of arrest warrants and related custodial status of the subject person who is booked into the Jail facility.
- 15 - Jail and Communication Center personnel shall forward all records that relate to the service of arrest warrants to the Warrant/Court Liaison Detail.
- 16 - Warrants/Court Liaison Detail shall have administrative due diligence responsibility regarding service of arrest warrants assigned to, or requested of, this Department.
  - (a) When the subject of a local arrest warrant lives in a jurisdiction other than Berkeley, the Warrants/Court Liaison Detail may communicate the warrant information to and request service assistance from the involved outside agency.
  - (b) When notified of warrant service activity, Warrants/Court Liaison Detail shall update AWS or, if regarding an outside agency warrant, communicate the service activity to the responsible agency.
  - (c) As necessary, Warrants/Court Liaison Detail shall assist Youth Services Detail in managing administrative due diligence activity regarding service of juvenile arrest warrants.
- 17 - Warrants/Court Liaison Detail shall send a courtesy notice regarding the issuance of an arrest warrant assigned for service by this Department to the address indicated on the warrant.
  - (a) As necessary, Warrants/Court Liaison Detail should research for a current or accurate address for the subject of an arrest warrant, and send a courtesy notice to that location.
- 18 - "Custody Option Program" booking and release of eligible persons subject to arrest upon warrant shall be accomplished by the Warrant/Court Liaison Detail.

References: Penal Code §§813 – 817.5, 827.1, 840, 848, 1427, 1524, 1525 and 1530  
General Orders C-10, H-6, S-6 and T-2