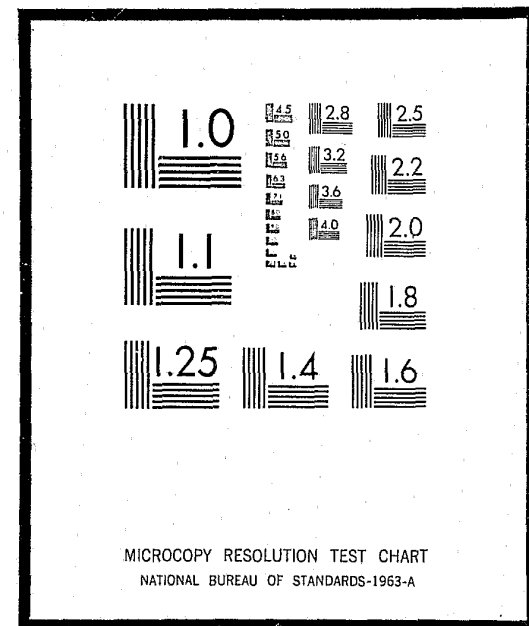


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U.S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE
WASHINGTON, D.C. 20531

Date filmed

6/28/76

ARREST WARRANTS

A SYSTEM FOR MANUAL PROCESSING

The Commission on
Peace Officer Standards and Training
State of California

TABLE OF CONTENTS

	Page
Introduction	1
Definitions	1-2
Warrant System Policy and Procedure	3-5
A Proposed Manual Warrant Processing System	6
Records/Warrant Unit – Pre-Service Responsibilities	6-10
Patrol Responsibilities	10-11
Records/Warrant Unit – Post-Service Responsibilities	11-14
Alternative Processing Methods	15
Automated Systems	16
Conclusion	17
Appendix: Departmental Directive on Warrant System	18-20
Illustrations:	
Illustration 1. Warrant Log	7
Illustration 2. Manifold Form for Preparing Warrant Service Information Card, Alpha Index Card, Courtesy Warning Notice, and Warrant Envelope Identification Card.	8
Illustration 3. Warrant Processing System Flow (with warrant alpha card) . . .	13
Illustration 4. Warrant Processing System Flow (without warrant alpha card)	14

FOREWORD

This document represents research and evaluation by Center for Police Management staff. An effort has been made to develop model procedural guidelines that will have broad application to police and sheriff's departments of varying sizes. This material is published and made available to law enforcement personnel concerned with improving existing procedures in their departments.

Prior to publication this document was reviewed by members of the California Law Enforcement Warrant Officers Association. They made several suggestions which were incorporated in this final draft. POST staff greatly appreciates the assistance provided by the Warrant Officers Association.

The described system for processing arrest warrants is intended for testing and development in law enforcement agencies. Any suggestions for further improvement of this document will be gratefully received.

Staff members who were assigned principal responsibility for developing this document were Consultants Jan P. Deveny and John B. Davidson.

December 23, 1974

INTRODUCTION

Management studies indicate that many law enforcement agencies are in need of an effective system to process arrest warrants. Some agencies now accomplish this task by means of an automated system. However, since automated systems are presently not practical for all law enforcement agencies, an effective manual system is necessary.

Analysis of the arrest warrant problem shows that the service of warrants occupies a low priority in many law enforcement agencies. This may be due to the fact that most arrest warrants are issued for violations of minor misdemeanor crimes and infractions. Regardless of the reason, treatment of the warrant service process as a low priority issue can cause significant problems for law enforcement managers. These include:

- Creation of an unmanageable backlog of unserved warrants.
- Less attention given to the service of outside warrants.
- An increase in the number of wanted persons who are encouraged to ignore an official summons and avoid the judicial process.
- An increase in lost warrants, and
- The possibility of arrests made on invalid warrants.

These factors combine to create unnecessary problems and a reduction in the effectiveness of the warrant system.

The purpose of this publication is to assist law enforcement agencies to improve their systems for processing arrest warrants. To accomplish these objectives, law enforcement managers must make serious efforts to implement an efficient processing system and serve every legal warrant received.

DEFINITION OF TERMS

It is important that the terms used in the system carry the same meaning for each reader. For that reason, each major term will be identified and explained as it relates to the proposed system.

Abstract -- An abstract is a summary of an existing warrant, which is communicated by telegraphic or other electronic means to other peace officers for service, and which contains all the information required by Penal Code Section 850.

Citizen Courtesy Warning Notice -- This is a written notification that an outstanding warrant exists. It is mailed to the person named on the warrant in minor misdemeanor cases or infractions.

Warrant Alpha Index Card -- The warrant alpha index card contains the wanted person's name, date of birth, and date of the warrant. It may be filed in the master alpha file or in a separate want/warrant alpha file.

Warrant Envelope – A warrant envelope is an envelope in which incoming warrants are placed prior to filing.

Warrant File – The warrant file is a file containing all the original arrest warrants and warrant abstracts in the possession of the department.

Warrant Log – The warrant log is a chronological listing of all warrants and abstracts received by the department.

Warrant Service Information Card – The warrant service information card is a card containing pertinent information concerning the wanted person which is carried in the field by the assigned officer in lieu of the warrant.

WARRANT SYSTEM POLICY AND PROCEDURE

To maintain process warrants with maximum effectiveness, the law enforcement administrator must carefully evaluate the warrant function, develop written directives, and assure that everyone in the organization is aware of the directives and adheres to them.

Needed Directives may be divided into three functional areas:

I. MANAGEMENT

- Clearly define authority and responsibility for the various aspects of the warrant system.

The actual service of warrants is usually regarded as a line function while the associated records-keeping work is a staff function.
- Coordinate warrant activities with other criminal justice agencies.

The establishment of a good working liaison with the courts. Can assist in the solution of problems which may arise.
- Establish bail acceptance policies.

Who may accept bail and under what circumstances? Strict controls should be established for the disposition of all bail money.
- Require management reports on warrant activities.

These reports should include the number and types of warrants served and the current backlog of unserved warrants.
- Provide a retention policy for the various classes of warrants.

Warrants should not be allowed to accumulate indefinitely within the agency. Policies should be established for the recall of warrants to the court which issued them after reasonable periods of time.
- Assume transportation costs for persons arrested on local warrants.

A warrant or warrant abstract should not be sent to another agency for service unless the forwarding agency is willing to assume the cost of returning the wanted person.
- Provide assistance to field officers.

Provide items such as photographs and physical descriptions of wanted persons. The more information provided, the better the chances a warrant will be served.

2. RECORDS

- Establish strict control and accounting procedures.

These are necessary to provide accurate warrant status information on a 24-hour basis.

- Retain original warrants in the warrant file until served or returned.

Develop procedures which describe the circumstances under which an officer is allowed to check out a warrant prior to having the wanted person in custody. (Dated notation should be made in the warrant file identifying the officer and explaining the absence of the warrant.)

- Use of courtesy or warning notices.

Warnings have proven effective in serving misdemeanor warrants. They save personnel time and are generally well received by the public. Courtesy or warning notices should be concise and meaningful. Avoid the use of legal terms as they are frequently misunderstood by the average citizen.

- Transmit adequate information to other agencies.

This is necessary so that they may assist in serving local warrants.

- Limit to one, the number of warrant abstracts outstanding on a warrant at one time.

If conditions require a second warrant abstract to be sent, cancel the initial abstract and await confirmation before issuing the new warrant abstract.

- Receive and process warrants and warrant abstracts from other law enforcement agencies.

Warrants or warrant abstracts from other agencies should receive the same effort for service as local warrants as long as they meet legal requirements.

- Do not transfer other agencies' warrants or warrant abstracts.

If the subject of a warrant or warrant abstract is determined to be in another jurisdiction, the originating agency should be informed and requested to cancel their abstract. Do not transfer their warrant or warrant abstract to another agency. Control is thereby maintained by the originating agency.

- Notify outside agencies of arrested persons.

Whenever an arrest is made on an outside warrant, immediately notify the originating agency.

3. WARRANT SERVICE

- Document attempts at service.

Recent court cases have indicated that "due diligence" is required with regard to attempts to serve a warrant. To satisfy legal challenges that such requirements have been met, attempts to serve warrants should be documented and filed.

While certain portions of these procedures may apply specifically and uniquely to individual organizations, most of them have a broad, general application and may be considered as a base upon which a manual warrant system should be founded.

A PROPOSED MANUAL WARRANT PROCESSING SYSTEM

The warrant processing system suggested in this publication may be utilized by many law enforcement agencies. However, it is important to recognize that individual differences in departmental size, organization, and differing local court requirements may dictate minor changes. As long as the basic policies and principles, stated previously, are adhered to, these changes may be made with a minimum of disruption.

An effective manual warrant processing system must accomplish at least six basic tasks:

- Receive and record all incoming warrants.
- Identify the location of each warrant.
- Identify the status of each warrant.
- Guard against the loss of any warrant.
- Provide a record of the attempts to serve each warrant.
- Show the final disposition of each warrant.

The system outlined below and on the following pages accomplishes these tasks effectively and in an orderly and efficient manner.

I. RECORDS/WARRANT UNIT PRE-SERVICE RESPONSIBILITIES

When a warrant or abstract is received, it should be routed immediately to the records/warrant unit where the following tasks must be accomplished:

- A. **Entry in the Warrant Log** – The Warrant Log documents the current status of a warrant, whether it is in file, served, or returned to court. It can also be used to provide the basis for management reports on the warrant function. Like other control logs, the information it contains should be concise and meaningful.

Some examples of the type of information which the log may include are: Date the warrant was received; name of the wanted person; type of warrant; charge; bail; issuing court and jurisdiction; warrant number; disposition of the warrant; booking number; if the wanted person is arrested; and the date of disposition. (See Illustration 1, Page 7)

The date the warrant was received is particularly important since a warrant may not be served for many months after its receipt, and without the date, the entry would be difficult to locate and update. Also, many courts are now processing warrants by "Date/Batch Number." Warrants issued on a given day are listed alphabetically under the number of that day, i.e., 04-06-74. This makes it much easier for the court to keep track of and recall warrants.

- B. **Preparation of the Warrant Processing Forms** – All of the forms which are necessary for the processing of a warrant, with the exception of the warrant log, may be prepared from one typing. This is accomplished by using carbon-stuffed manifold form sets as shown on page 8 . If a form is needed to control the Warrant Service Information Card when it is sent to the patrol division for service, it also may be prepared at this time . The manifold form set may include some or all of the following forms:

California Police Department

ARREST WARRANT LOG

Date Received	Name	Warrant Number	Received From	Date		
				Served	Returned	Recalled
7/2/73	Harold L. Brown	F25601	Anyville Police Dept.		8/1/73	
7/2/73	James P. Johnson	M87441	Municipal Court			
7/2/73	Norbert J. Simpson	M87492	Municipal Court	8/4/73		
7/3/73	Charles J. Bledsoe	M87423	Municipal Court			
7/5/73	Richard A. Jones	F24065	Mountain County SD	7/7/73		
7/5/73	Paul (nmn) William	M87521	Municipal Court			

NOTICE OF WARRANT		THIS CERTIFIES THAT A WARRANT OF ARREST EXISTS FOR:					
<p>Dear Sir / Madam: This department has a warrant for your arrest. The violation charged, location of the court, and the amount of bail are set forth on the right side of this notice. Your cooperation in depositing the required bail with the Court of Jurisdiction within ten days is requested; otherwise, it will be necessary to issue a warrant of arrest. YOU MUST RETURN THIS MATTER AT ONCE BY ONE OF THE METHODS LISTED ON THE BACK OF THIS FORM.</p> <p style="text-align: center;">SHERIFF'S DEPARTMENT CALIFORNIA 93526</p>		NAME		WARRANT NUMBER			
		AKA					
RACE		SEX	HEIGHT	WEIGHT	HAIR	EYES	DATE OF BIRTH
WARRANT ADDRESS							
BUSINESS ADDRESS							
DATE RECEIVED		RESPONSIBLE DEPT.					
DATE OF WARRANT		CIT. REP. NUMBER					
JUDICIAL DISTRICT							
COUNTY OF ISSUE		ISSUING MAGISTRATE		BAIL			
CODE VIOLATED	SECTION(S)						
BAIL FORFEITURE	DATE OF VIOLATION	PLACE VIOLATIONS OR INSTRUCTIONS					
NIGHT SERVICE AUTHORIZED	TIME OF VIOLATION						
OPERATOR'S LIC. NO.	VEHICLE MAKE / YEAR / BODY STYLE	VEHICLE LICENSE NO / STATE					
WARRANT ALPHA INDEX CARD		WARRANT SERVICE INFORMATION CARD		WARRANT ENVELOPE IDENTIFICATION CARD		CITIZEN'S NOTICE OF OUTSTANDING WARRANT	

1. *The Courtesy Warning Notice* - The Courtesy Warning Notice is a form used in the case of minor misdemeanors and infractions to provide written notification to the wanted person that a warrant has been issued for that person's arrest. This notice has been used successfully by many departments to clear a large number of warrants without the expenditure of additional manpower.
2. *Warrant Envelope* - It is anticipated that many of the agencies to which this system is directed will not require the preparation of a Warrant Alpha Index Card. Instead, they will use the warrant file itself to check for outstanding warrants on named persons.

When the warrant file is used in such a manner, it may be necessary to enclose the warrant in some kind of protective covering to prevent unnecessary wear and tear during file searches. This may be done by filing the warrant in a reusable paper envelope and attaching to the front a copy of the carbon form set containing the warrant identification information.

3. *Warrant Service Information Card* - The Warrant Service Information Card contains information about the existence of the warrant and further information regarding the person wanted. Its primary use is as a working investigative document for the line officers attempting to serve the warrant. The record of service attempts on this form may serve to document that "due diligence" was exercised by the department.
4. *Warrant Alpha Index Card* - The use of an Alpha Index Card in the warrant processing system is dependent on the volume of warrants processed and the manner in which the system is checked to determine the existence of possible outstanding warrants.

When warrants are filed alphabetically, and the warrant file is conveniently located, an alpha index card is generally unnecessary. Many departments can establish an effective warrant processing system without the costly maintenance of index files. Others will require the use of an index card for effective operations. When used, the warrant alpha index card may be filed either in the master alpha card file or in a special warrant index file. Warrant cards should be color coded if used in the master alpha card file.

A separate warrant index card file will generally be required only when security or building layout serves to demand maintenance of a remote file. The manager will most likely be confronted with a need to decide between two alternatives: (1) file a warrant index card in the Master Alpha File, or (2) use no index card at all.

The use of a Warrant Alpha Index Card, filed within the Master Alpha Index, holds certain advantages. These include:

- The concept of the master name file is kept intact. If the agency has any information concerning a person, his name will be in the Master Alpha File.
- Every time an officer requests a check for "record and wants," the check may be made by searching only one file, thereby saving time for both the officer and the records clerk.

- The warrant file does not have to be used as an alpha file. This means less wear and tear on the warrants.

There are also disadvantages to the use of a warrant alpha card within the Master Alpha File. These include:

- The alpha card must be pulled when a warrant is served, returned to court or returned to the originating jurisdiction. If this step is overlooked, staff effort may be expended in searching for warrants which have already been served.
- Since Warrant Index Cards are subject to a higher turnover rate than other alpha cards normally indexed in the master alpha index file, a significant amount of file purging may be necessary.
- It is more work to prepare and file an alpha card which must later be pulled and destroyed, than it is to omit preparing one.

C. Enter Appropriate Warrants in Automated Systems.

- If transportation will be provided from any location within the state, the warrant should be entered into the State Wanted Person System.
- If the District Attorney's Office will authorize extradition on a felony warrant, the warrant should be entered into N.C.I.C.

D. Warrant Control

Controls must be established to assure that prompt attention is given to service attempts and to the return of the Warrant Service Information Card to file or returning the warrant to the originating agency whenever the wanted person cannot be located.

Warrant/records unit personnel must establish a tickler file or other control device for the accurate accounting of the Warrant Service Information Cards forwarded to patrol personnel. In addition, controls must provide for accurate status reporting of all local warrants and warrant abstracts forwarded to other agencies for service.

E. Filing of Warrants

Warrants should be filed in a location providing security under the control of designated personnel. A separate warrant file is preferable with filing of warrants in alphabetic order.

F. Routing for Service

The Warrant Service Information Card should be routed to the line unit responsible for warrant service.

II. PATROL RESPONSIBILITIES

A. Warrant Service Responsibility

It is recommended that the Warrant Service responsibility be assigned to the patrol function. Patrol personnel are normally available 24 hours per day, 7 days per week. This flexibility greatly increases the chance of apprehending a wanted person.

Some administrators have expressed the opinion that the expenditure of patrol time required to accomplish warrant service is not cost-effective, and that other, more pressing duties require their officers' attention. However, if it becomes known in a community that there are few attempts to follow-up with warrant service, it can reasonably be expected that there will be a failure on the part of many persons to respond properly to citations or warrant notices which they receive.

- B. Cards should be turned in to the watch supervisor at the end of each watch and returned to the records section after a stipulated time period, during which every attempt is made to serve the warrant. Depending upon department size and warrant volume, a formal system may be required to control assignment and return of the cards.

The Warrant Service Information Card should be treated by line officers as a field copy of the warrant. However, a file check should be conducted to ascertain that the warrant is in file prior to an arrest being made.

III. RECORDS/WARRANT UNIT -- POST-SERVICE ATTEMPT RESPONSIBILITIES

When a warrant is served, or after a specified period of time even if unserved, the Warrant Service Information Card will be returned to the Records Section. At this point the warrant unit of the Records Section should perform the following tasks:

A. **Served Warrants** -- When the warrant has been served:

- Pull and destroy the alpha card (if used);
- If previously entered, clear the warrant from NCIC or other automated system;
- Update the warrant log; and
- Place the Warrant Service Information Card in the inactive file. (In the case of an outside warrant, send the warrant or warrant abstract and the completed Warrant Service Information Card to the agency from which the warrant was received.) The card should be retained for a period of time in case notations regarding source attempts are necessary to establish "due diligence."

B. **Unserved Local Warrants** -- When the warrant is a local warrant, and it is unserved by reason of the wanted person having moved:

- If no new address is located, file the Warrant Service Information Card with the warrant in the warrant file.
- If a new address is located within the local jurisdiction, resubmit the Warrant Service Information Card to patrol for additional service attempts at the new address.
- If a new address is located in another jurisdiction, mail the warrant or send an abstract to the new jurisdiction with a request for service. File the Warrant Service Information Card in the warrant file. The Warrant Service Information Card must contain proper notations (or another device must be utilized) to insure a record of the exact location of the warrant.

C. **Unserved Outside Warrant** -- When the warrant is received from an outside agency and it is unserved by reason of the person having moved:

- If no new address is located, return the warrant and completed Warrant Service Information Card to the originating agency. Update the warrant log, and update or destroy any alpha index card used.
- If a new address is located within the local jurisdiction, resubmit the Warrant Service Information Card to patrol for additional service attempts at the new address.

D. **Recalled Warrants** -- The same steps described in III. A. should be followed when unserved warrants are recalled by the court.

E. **Purging of Files** -- A retention policy must be established to provide for timely purging of the warrant file. Such a policy should be worked out with the local courts and District Attorney. A policy recommended by the California Law Enforcement Warrant Officer's Association is:

Parking Warrants -- Recall after 1 year

Traffic Warrants -- Recall after 5 years

Misdemeanor Criminal Warrants -- Recall after 5 years

Felony Warrants -- Recall after 10 years (exceptions - murder and escape)

Warrant system flow charts in Illustrations 3 and 4 (see following pages) show the basic work flow involved in the processing systems recommended. Illustration 3 shows the system using an alpha card, and Illustration 4 without an alpha card.

MANUAL WARRANT PROCESSING
WARRANT ALPHA CARD SYSTEM

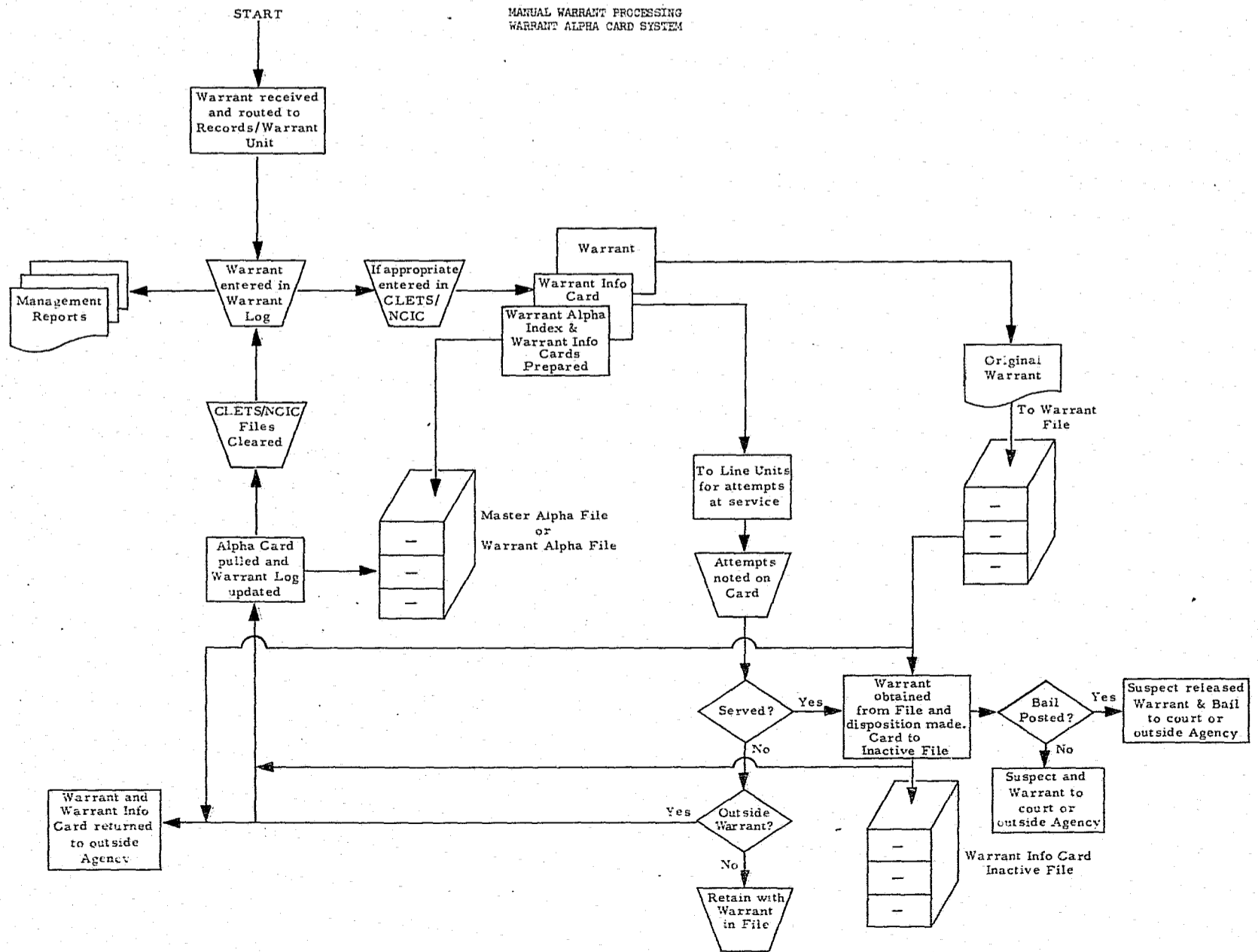


Illustration 3
13

MANUAL WARRANT PROCESSING
WARRANT ENVELOPE SYSTEM

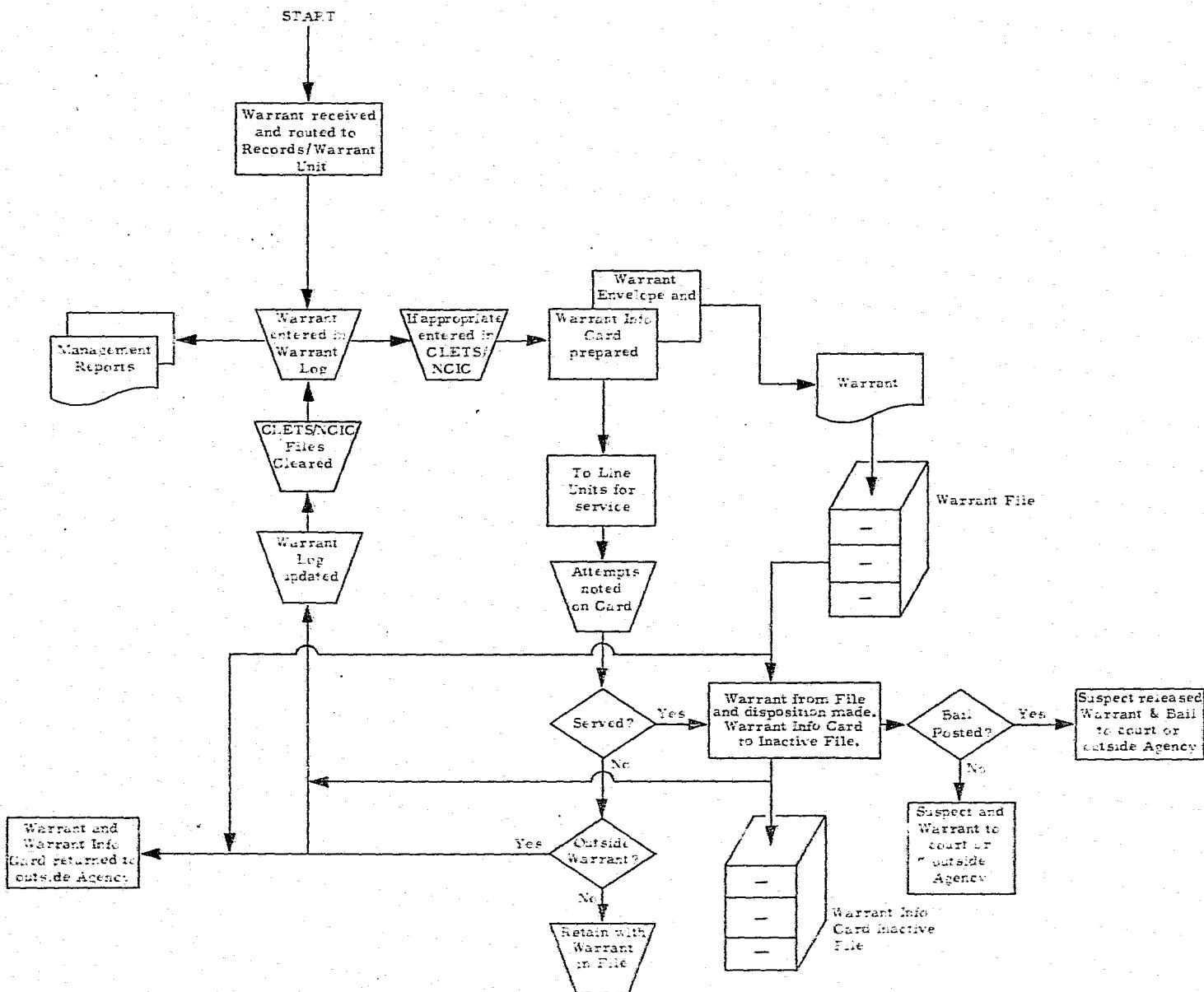


Illustration 4
14

ALTERNATIVE PROCESSING METHODS

There is flexibility within the recommended procedure to allow for other processing methods. Each department's management must study its needs carefully, anticipating its future growth. The processing method selected should consider the following local conditions:

- Size of the law enforcement agency.
- Volume and type of warrants received.
- The records system used by the department and how best to coordinate it with the warrant system.
- Whether there is a specialized warrant unit within the department.
- Whether there are plans to automate the warrant system.
- The quality of the cooperation of other local elements of the criminal justice system.

All of these conditions affect the choice of a processing method.

AUTOMATED SYSTEMS

The discussion to this point has assumed that the department does not use a local or regional automated system to serve its warrants. Automated systems often necessitate many records-keeping and processing steps for the agency. Implementing an automated system is generally time consuming and expensive. However, if it is done well, the potential for return on investment is great.

In a study done by Arthur Young and Company¹, several areas of management concern about automated warrant systems were identified. In the study, it was recommended that local law enforcement agencies evaluate these factors before proceeding with an automated system. The factors are listed here as an aid to those agencies which wish to consider warrant system automation:

- Security of the warrant information and the reliability of the proposed warrant system.
- Expected changes in the volume and mix of warrants and how these will affect jurisdiction's involvement in the computerized warrant system.
- Internal requirements for user training, reorganization and staffing of the warrant section, conversion of existing files, and continuing operation of the warrant system.
- A clear definition of data elements, input requirements, and output specifications.
- A written agreement as to the responsibilities of all involved agencies in the continuing operation of the computerized system. The establishment of a users group to refine these responsibility statements and monitor the effectiveness of the system would also be advisable.
- An estimate of the one-time costs to install the system and bring it up to an operational basis.
- A definition of the contractual arrangement with the central agency providing the computer and data preparation service and the unit or expected total cost. On-going fixed costs for communications devices, lines, etc., should also be included.
- The development of a regional prisoner transportation system so that all warrants can be served.

If the implementation of an automated warrant system is still feasible and cost justifiable after an evaluation of the above points, then the jurisdiction should proceed with that effort.

¹Arthur Young & Company, Recommended Improvements to Statewide Warrant Processing, Sacramento: Arthur Young & Co. 1973, pp 70-71.

CONCLUSION

The system outlined in this publication is recommended as having the capability to fulfill the basic functions of an effective warrant system. However, it is recognized that no one system can be made to apply exactly alike in all law enforcement agencies. Differences in size and organization will require individual applications of the system presented here.

Regardless of the configuration finally decided upon, the basic principles outlined in the section on "Warrant System Policies and Procedures" must be followed to insure that incoming warrants flow smoothly through the system without mishap. This is particularly important since law enforcement agencies must depend on each other for the service of warrants on individuals who have moved outside their jurisdiction.

To insure the maximum availability of a warrant, it would be advantageous for local agencies to form mutual agreements whereby only the Warrant Service Information Card is routinely sent to another agency; with warrants or abstracts forwarded only when the wanted person is located. This can best be accomplished when each administrator involved in the agreement has confidence in the integrity of the warrant systems employed by the other agencies.

DEPARTMENT GENERAL ORDER

W-1

August 1, 1974

Index as: Warrant Processing Procedure
Processing Procedure, Warrants
Warrants: Receiving, Serving, Returning

WARRANT PROCESSING PROCEDURE

- I. **Purpose** – The processing and service of warrants of arrest is an important function of law enforcement agencies. The objective of this Department is to carry out the warrant function as effectively as possible within appropriate legal, ethical and financial constraints. The purpose of this Directive is to provide an overview of the departmental warrant process. Additional directives on this subject will develop more detailed procedures concerning specific responsibilities (bail acceptance, warrant recall, etc.).
- II. **Responsibilities** – The responsibility for the warrant function is divided between the Records Section and the Patrol Division, and is detailed as follows:
 - A. *Records Section Responsibilities* – The records section is responsible for the establishment, maintenance and updating of the various files and logs associated with the warrant processing functions.

The responsibilities are divided into those which occur before the warrant is served and those which occur after the warrant is served. They are enumerated below:

1. *Pre-Service Responsibilities*

- a. Log the warrant in the warrant log;
- b. Prepare the Warrant Service Information Card and the warrant envelope (or alpha index card, if used);
- c. If appropriate, enter the warrant in NCIC, or other automated systems;
- d. Route the Warrant Service Information Card to the Patrol Division for service;
- e. File the Warrant in the warrant file.

2. *Post-Service Responsibilities*

After service attempts by the Patrol Division, the Warrant Card shall be returned to the Warrant/Records Unit indicating whether or not the warrant was served. The Warrant/Records Unit shall then perform the following tasks:

- a. If the wanted person was arrested:
 - (1) Place the Warrant Service Information Card in the "served" file. (In the case of an outside warrant, send the warrant or warrant abstract, any bail collected and the Warrant Service Information Card, i.e., the record of attempts at service, to the agency which sent the warrant).

- (2) Pull and destroy the alpha card (if used)
 - (3) Update the warrant log
 - (4) Clear the warrant from NCIC or other automated system (if previously entered).
- b. If the wanted person was not arrested:
- (1) On a local warrant, place the Warrant Service Information Card in file with the warrant.
 - (2) In the case of an outside warrant, return the Warrant Service Information Card with the warrant or warrant abstract to the originating agency and update the warrant log.

B. *Patrol Division Responsibilities*

1. When an officer is assigned a Warrant Service Information Card for service, he shall make a serious effort to serve it. All available leads shall be pursued within practical constraints.
2. The assigned officer shall log all attempts at service on the back of the Warrant Service Information Card.
3. When unable to serve a warrant, the card should be turned in at the end of his watch.
4. Whenever it becomes apparent that the wanted person is not available, this information shall be noted on the Warrant Service Information Card and the card returned to the Warrant/Records Unit.
5. The assigned officer may, under unusual circumstances when necessary to facilitate service, take a warrant from Warrant Unit after properly signing for its receipt.
 - a. He shall sign his name and write in the date at the top of the index card or on the warrant envelope referring to the warrant.
 - b. The warrant shall not be removed from file for a period in excess of one normal working shift. If not served by the end of the shift, the warrant shall be returned to file.
6. When a wanted person is arrested on a warrant:
 - a. The officer shall indicate on the back of the Warrant Service Information Card that the warrant was served.
 - b. He shall then turn in the card to the Warrant Unit in exchange for the warrant.

- c. The wanted person shall either be booked at the jail or allowed to deposit bail as appropriate. The officer shall make the return on the back of the warrant, which shall either be deposited at the jail or returned to the Warrant/Records Unit with the bail depending on the disposition.
7. Whenever any person is arrested on another agency's warrant abstract, a teletype shall be sent, notifying the agency that the person is in custody and has either posted bail or is available for release.

END