

SALINA POLICE DEPARTMENT GENERAL ORDER		Number O2305
SUBJECT: LEGAL PROCESS		
EFFECTIVE: 01/01/2026 ISSUED: 01/01/2026 CANCELS:		
AMENDS: O2305 ISSUED: 02/23/2018		
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CALEA References: 74.1.1		

POLICY

The prompt, accurate service of court directed criminal and civil processes effects the functioning of the legal system. In many cases the Department gains assets derived from seizures of property at the direction of the court. Thus, the effectiveness and image of the legal system are dependent, in part, upon the effective service of court documents, warrants and seizures.

DEFINITION

D1 **Arrest Warrant** - A written order made by a magistrate, directed to any sworn law enforcement officer, commanding the officer to arrest the person named on the warrant, and to bring him before the magistrate without delay.

PROCEDURE

1. **Responsibilities**

- 1.1. Municipal Court personnel shall enter warrants into the Court's Records Management Software and the Police Department's Records Management Software and email the entered warrants to dispatch personnel. The date/time the warrants are activated in MSP will serve as the date/time stamp standard because of the paperless process. Dispatch personnel will enter the warrants into NCIC. When an agency contacts dispatch to confirm a warrant, dispatch will confirm the warrant is "in hand" from viewing it in MSP.
- 1.2. The Court Officer is responsible for serving the following Municipal Court documents:
 - 1.2.1. Subpoenas
 - 1.2.2. Notices of Hearings
 - 1.2.3. Contempt of Court Motions and Citations
 - 1.2.4. Warrants
- 1.3. All sworn Department personnel may be responsible for serving all of the above listed documents, in addition to District Court search and arrest warrants.
- 1.4. Upon execution or attempted service of a Municipal Court document, the officer executing or attempting service will note on the document the information listed below.
 - 1.4.1. Date and time service was attempted or executed
 - 1.4.2. Name of Officer executing/attempting service
 - 1.4.3. Name of person on whom legal process was served/executed
 - 1.4.4. Method of service or the reason for non-service
 - 1.4.5. Address of service or attempt
 - 1.4.6. Once the service or attempt is completed, the officer shall supply Communications with the following information:
 - a. Method of service, i.e., arrest, or reason for non-service, (i.e., not located).

- b. Any other pertinent information such the suspect has moved, etc.
- c. Name of person on whom warrant service was attempted/served.

1.4.7. When applicable, all officers shall contact dispatch prior to attempting service to confirm the warrant and to check on any additional information that may be available in the CAD system

1.4.7 Officers shall complete all necessary reports upon successful warrant service.

1.5. District Court Warrants

1.5.1. When an officer attempts service of all District Court warrants, an incident number will be made in the Computer Aided Dispatch (CAD) computer initiated either by the officers' mobile data computers or by notifying Dispatch. This entry records:

- a. The date and time
- b. Officer attempting or executing service
- c. Address of the service or attempt

1.6. All arrest warrants shall be executed by sworn personnel only.

2. **Criminal Process Warrants**

2.1. All sworn personnel are commissioned in Salina and Saline County and may serve warrants within those boundaries. Officers attempting to serve warrants outside the Salina city limits, but within Saline County, should first notify Saline County Sheriff's Office personnel for assistance, when feasible.

2.2. A warrant does not have an expiration date. If the person named cannot be found after checking all leads, the warrant can be returned to the court. It will, however, remain active and can be served if further information is obtained.

2.3. The decision to issue a summons in lieu of a custodial arrest is determined by the County Attorney, City Prosecutor, or Judge.

2.4. Arrest by law enforcement officer - A law enforcement officer may make an arrest under any of the circumstances stated in KSA 12-4212 or 22-2401(a).

3. **Seizure**

3.1. When items are seized, other than evidence, for forfeiture proceedings, the DTF Supervisor shall be advised and his notification recorded in the narrative of the Standard Offense Report. The DTF Supervisor will record all items seized in the database maintained by DTF.

3.2. Disposal of items seized will proceed in accordance with the Attorney General's Guidelines on Seized and Forfeited Property.

3.3. When illicit drugs are seized and a Drug Tax Assessment is to be done, the Kansas Department of Revenue, Criminal Fraud Unit, shall be contacted. Assessment and collection shall proceed under their direction.

BY ORDER OF

CHIEF OF POLICE