



WARRANT & SUMMONS SERVICE

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I. POLICY

The Anne Arundel County Police Department will assist the Anne Arundel County Sheriff's Office in serving all warrants and summonses that come into our possession or attention, regardless of circumstance.

II. PURPOSE

The purpose of this directive is to establish guidelines for the service of all warrants and summonses by departmental personnel.

III. DEFINITIONS

A. Arrest Warrant - A written order by a judicial officer commanding a law enforcement officer to arrest a specific person.

B. Criminal Summons - A written order by a judicial officer commanding a person to appear for trial on a specified date and time, and at a specified location.

C. Judicial Officer - A judge, magistrate, or District Court commissioner.

IV. PRIMARY RESPONSIBILITY FOR WARRANT AND SUMMONS SERVICE

The Anne Arundel County Sheriff's Office holds primary responsibility for the service of all Police Department warrants and summonses. The Department's District Court warrants/summonses and Circuit Court warrants are delivered to the Anne Arundel County Sheriff's Office for processing and service.

In the event that an Anne Arundel County Police Officer needs to obtain a warrant or criminal summons and attempt to serve it personally for investigative purposes, the Anne Arundel County Sheriff's Office will be notified immediately by phone (410-222-1570) upon issuance of the warrant/summons and a copy of the warrant/summons will be scanned and emailed to the Anne Arundel County Sheriff's Office (aacoso-return-of-service@aacounty.org) within three (3) hours from the time it is received by this Department. The scanned copy will only serve as temporary documentation for the existence of a warrant/summons.

Note: The scanned copy of the warrant is not sufficient for Warrant Control to enter it into MILES and NCIC. The original Law Enforcement copy of the actual warrant/summonses must be placed in the Commissioners/Sheriffs Pick-up Bin at the Commissioner's Office, for Sheriffs to pick up. The Sheriff's Office **MUST** have the Law Enforcement Copy of the actual warrant for entry into MILES and NCIC. This is extremely important for the warrant confirmation process.

V. PROCEDURES FOR SERVING ARREST WARRANTS AND SUMMONSES

A. From time to time, warrants and summonses will come into the possession of this Department for service. This may happen when an officer arrests an individual on an outstanding warrant, or discovers an open warrant as the result of another arrest.

B. This Department does not, as a matter of policy, serve civil process. Service of civil process is the responsibility of the Anne Arundel County Sheriff's Office.

C. Arrest warrants and criminal summonses will be served only by sworn members of this Department possessing full power of arrest. Officers whose power of arrest has been suspended administratively may not serve arrest warrants.

D. Officers will not attempt to serve a warrant or summons outside the confines of Anne Arundel County, unless accompanied by an officer of the jurisdiction in which the process is to be served. In such cases, prior approval of a supervisor is required.

E. All arrest warrants will, unless an immediate arrest is necessary to prevent escape, be executed by a sufficient number of officers to effect the arrest in a safe and efficient manner.

F. When a warrant is given to an officer, the officer is not bound to inquire into the particulars of the complaint giving rise to the warrant. If the warrant is in correct form and issued by proper authority, the officer shall execute it without further inquiry.

G. If confirmation of a warrant is received through Teletype, but the personal information provided by the Anne Arundel County Sheriff's Office or another jurisdiction does not sufficiently match the information of the subject being detained, other avenues of positive identification should be explored (i.e., fingerprint comparison, mug shot review, contacting the charging officer/agency, etc.). Officers will notify a supervisor for approval before releasing the subject without arrest.

H. Arrests based on warrants will be made only when notified the original or the law enforcement copy of the warrant is available. The arresting officer need not possess the warrant in order to carry out the arrest, but must be able to obtain it subsequent to an arrest for presentation to commissioner or the court.

I. When a person is in the custody of the Department on a warrant issued from another jurisdiction, the Department will notify, via teletype, the issuing department of the arrest and the arresting officer will obtain a copy of the warrant for service.

J. All persons arrested on a warrant will be transported to the Anne Arundel County Central Holding and Processing Center (CHPC) for processing. The only exception would be for a person wanted in another jurisdiction (who does not have local charges), who must have an initial appearance in that jurisdiction, and law enforcement from that jurisdiction can respond immediately to take custody of the prisoner. Upon arrival at the CHPC, the officer will serve/sign the warrant and ensure that return of service is made to the originating agency. The CHPC Booking Officer will assist with the return of service.

K. All served Criminal Summonses will be scanned and emailed to the Anne Arundel County Sheriff's Office (aacoso-return-of-service@aacounty.org). The original served copies will be placed in the served summons bin at each district station.

L. A Show Cause Order is handled in the same manner as a Criminal Summons. It has a return date of five (5) days before the trial date. Show Cause Orders must be canceled upon service, or returned to the court if unserved.

VI. JUVENILE WARRANTS

An order will be attached to the juvenile warrant indicating where the juvenile is to be held (usually Boys Village in Cheltenham, MD or the Waxter Children's Center in Maryland City). The juvenile will be processed as a juvenile at the CHPC, the Department of Juvenile Services (DJS) will be contacted, and the juvenile will be transported to the indicated facility.

VII. EXECUTION OF ARREST WARRANTS AT PRIMARY RESIDENCES

Officers have authority to enter, search for, and arrest subjects with an active arrest warrant inside their primary residence, if the officer has reasonable belief that the subject lives in and is inside the residence. Absent extenuating circumstances, officers must provide occupants an opportunity to comply by “knocking” and audibly declaring their intentions. Except when extenuating circumstances require immediate action, a supervisor must be on scene when forcible entry of any premise made solely to effect an arrest. The supervisor will make the final decision based on the totality of the circumstances. A police report will be written listing the justification for the entry and the approving supervisor. *If the warrant is related to an offense previously reported with an Anne Arundel County Report Number, a Supplement Report will be used referencing the original Report Number.*

VIII. ARREST WARRANT OR CRIMINAL SUMMONS FOR A MEMBER OF THE DEPARTMENT

A. When an arrest warrant or criminal summons is received for service on a member of the Anne Arundel County Police Department, it will be turned over to the Bureau Commander of the bureau to which the member is assigned.

B. The Bureau Commander will determine as much information about the circumstances as possible and will brief the Chief of Police. The Bureau Commander will forward the warrant or summons to the Internal Affairs Section for service on the officer.

C. The Commander of the Office of Professional Standards will initiate an internal investigation of the matter and will inform the Chief of the progress and outcome of the investigation and any subsequent judicial action against the member.

IX. BAIL BONDSMAN RETAKES

Bail Bondsmen have a unique authority under the laws of this state and can exercise considerable control over an individual they have bonded. The court has likened their authority to that of a sheriff seeking to rearrest an escaping prisoner. Due to these unique powers granted to a bondsman, police officers should never use a bondsman as an extension of their own police powers. When requested by a bondsman to assist in retaking a defendant, officers will ensure that there is a valid warrant for the defendant (execution of warrants at primary residences will follow Section VII above). Officers will arrest any defendant, who has a valid warrant, surrendered to them by a bondsman. The prisoner will be transported to the CHPC.

On occasion, a bail bondsman may decide that he/she no longer wishes to continue a bond on a defendant. If the defendant is voluntarily surrendering themselves on the bond, then the bondsman will be advised to transport the defendant to Court Commissioner's Office at the CHPC to obtain a commitment. Officers will take no further action. If the defendant is not voluntarily surrendering themselves on the bond, then the officer will recommend that the bondsman obtain an arrest warrant on the defendant. Officers will take no further action.

X. REPORTING REQUIREMENTS

A. *A Report will be submitted in the records management system anytime a person is taken into custody for the purposes of serving an adult arrest warrant or juvenile warrant. The circumstances surrounding how the subject was encountered, how they were identified, confirmation of the warrant and the physical arrest and transportation of the subject will be included on the Narrative Card. A copy of the served warrant/return of service will be scanned as a PDF and added as an attachment to the report.*

B. *If the warrant is related to an offense previously reported with an Anne Arundel County Report Number, a Supplement Report with Supplement Type, “Warrant Arrest (AAPD Case)” being indicated will be*

completed using the original Report Number, to include the person arrested being added as an “Involved Profile.”

In these circumstances, if other offenses occur during the encounter with the subject, a Supplement Report with the original Report Number related to the warrant and an Offense/Incident Report with a new Report Number related to the new offense(s) must be written (i.e. A subject has an arrest warrant for a robbery previously reported to AAPD and is found to have a firearm in their possession when they are arrested. A Supplement Report is written using the original Report Number to document the service of the warrant related to the robbery; and an Offense/Incident Report with a new Report Number is written related to the “FIREARM/WEAPON OFFENSE” that occurred on date the subject was arrested.)..

- C. *If the warrant is not related to an offense previously reported with an Anne Arundel County Report Number (i.e. other jurisdiction warrant), an Offense/Incident Report will be written with a new Report Number. The Offense/Incident Type will be, “WARRANT ARREST (Other Jurisdiction Warrant).”*

In these circumstances, if other offenses occur during the encounter with the subject, they may be added to the same report (i.e. A subject is arrested for possession of drugs and it is discovered the subject has an out of jurisdiction warrant. An Offense/Incident for “WARRANT ARREST (Other Jurisdiction Warrant) and an Offense/Incident for “DRUG/NARCOTICS OFFENSE” would be added to the same report.)

X. **PROPONENT UNIT:** Bureau of Patrol.

XI. **CANCELLATION:** This directive cancels Index Code 2110, dated 06-15-20.