

**SENECA FALLS POLICE DEPARTMENT
GENERAL ORDER**

General Order: 421	Rescinds: New Issue
Subject: Warrant Procedures and Legal Processes	NYS Accreditation: 8.12, 8.13
Effective Date: 07/01/13 By Order Of: Stuart W. Peenstra, Chief of Police	

I. PURPOSE

- A. To establish procedures for the receipt and service of legal processes.
- B. To establish the procedure for when it becomes necessary to request the issuance of an Arrest Warrant from the Seneca Falls Justice Court.
- C. To establish the procedures for when the Seneca Falls Police Department receives a Bench and/or Arrest Warrant from the courts.

II. POLICY

- A. The Seneca Falls Police Department will serve all legal processes pursuant to applicable statutes.
- B. The Seneca Falls Police Department will use due diligence in its efforts to serve legal processes.
- C. All members will have 24 hour access to all warrants.
- D. All efforts to serve legal processes will be documented on reports prescribed by this order. Reports should include but not be limited to:
 - 1. Date and time received
 - 2. Type of legal process (civil or criminal)
 - 3. Nature of the document
 - 4. Source of the document
 - 5. Name of plaintiff/complainant or defendant/respondent
 - 6. Officer assigned for service
 - 7. Date of assignment
 - 8. Court docket number
 - 9. Date that service is due.

III. PROCEDURES FOR REQUESTING ARREST WARRANTS

When an investigation requires the issuance of a Warrant, officers will submit the necessary and applicable Felony Complaint/Misdemeanor Information/ or other Information's Supporting Deposition to the Seneca Falls Justice Court.

IV. PROCEDURES UPON RECEIPT OF AN ARREST/BENCH WARRANT

A. WARRANT RECEIPT

- 1. The warrant is placed in the warrant box to await further action by the Warrant Control Officer.

- B. WARRANT CONTROL OFFICER** - The Warrant Control Officer will be designated by the Chief of Police. The Warrant Control Officer shall:
1. Initiate the warrant processing by obtaining a warrant number.
 2. Enter the defendant into the local wanted system and the statewide/nationwide system if there is sufficient personal data to do so. If there is no height, weight, race, etc. known, the entry is only a county-wide one via the local system. A Warrant Table should be printed for inclusion in the warrant envelope. Warrants will be scanned and emailed to all SFPD members.
 3. Complete the appropriate report form, forwarding one copy to the investigating officer and one copy to the case management coordinator.
 - a. Incident Report for Warrants of Arrest when the Seneca Falls Police Department is the original reporting agency.
 - b. Incident Report for Warrants of Arrest issued AFTER the defendant has been arrested, issued an Appearance Ticket, but failed to appear in Court.
 - c. Incident Report for all Bench Warrants, Traffic Warrants, Town Code based Warrants and all Warrants forwarded to the Seneca Falls Police Department for service from other agencies.
 4. Complete a Warrant Jacket and place the original warrant therein along with a copy of the report showing issuance and the Warrant Table. Note the following on the face of the warrant Jacket:
 - a. The system(s) warrant was entered into
 - b. The CR number
 - c. Defendant's name and date of birth
 5. File the statewide and local acknowledgements of the warrant entries.
 6. Forward the warrant to another police agency for service if appropriate. For example, if a warrant is issued for a defendant who resides in Wayne County, the warrant may be mailed or personally forwarded to the Wayne County Sheriff's Department for service. If a copy is forwarded to another agency, note on the outside of the envelope: when, how and to what agency it was sent.
 7. File the Warrant Jacket in the warrant drawer in alphabetical order located in SFPD ROOM 112 File/Supply.
- B. Warrant Control Officer Responsibilities**
1. Review the warrant to be sure it can be executed within our jurisdiction. If a local criminal court endorsement is required (C.P.L. 120.70), forward the warrant to Seneca Falls Town Court and request same.
 2. Initiate the warrant delegation process by obtaining an original CR number.
 3. Take no computer entry action, leaving warrant entry up to the originating agency.
 4. Complete a warrant envelope by recording the necessary information on the warrant Jacket and place the warrant (copy) therein.
 5. File the warrant Jacket in the warrant drawer in alphabetical order.

VI. PROCEDURES UPON WARRANT SERVICE

The below listed procedures shall be followed for all warrants served/recalled/lodged at the Seneca County Jail:

- A.** Complete an Incident Report detailing the action taken on the warrant.
- B.** If the warrant is lodged at the Seneca County Jail, notify the court. If the warrant is lodged at any other jail, the Seneca Falls assigned Assistant District Attorney may need to be contacted for further assistance.
- C.** After processing the defendant, forward the warrant information to the Seneca County 911 Center that will ensure the cancellation of all local and statewide computer entries. The warrant information will indicate what computer systems the warrant was entered into. If the defendant is remanded, computer entries will be automatically removed during booking.
- D.** If there is no trained employee to remove the entries, forward the warrant information to the first available source for removing the entries.
 - 1. The Seneca County 911 Center must be contacted to remove WANTED PERSON entries.
 - 2. Served warrants must be removed promptly to avoid the unnecessary detainment of defendants who have already been processed.
- E.** Endorse the warrant indicating that the defendant was arrested and the court in which the defendant was arraigned, if such endorsement is contained on the warrant.
- F.** Return the warrant to the issuing court, or if from another jurisdiction, to the agency that sent the warrant to the Seneca Falls Police Department for service.
- G.** Forward the warrant jacket to the warrant control officer. The Warrant Control Officer will check that all computer entries were cancelled and attach the local acknowledgements of service to the original acknowledgements showing the warrant was removed from the system.

VII. CASE MANAGEMENT

- A.** Warrant of Arrest - Case management for investigations in which a warrant of arrest is requested from the court will be handled as follows:
 - 1. When an officer is notified of the issuance of an Arrest Warrant which he or she has applied for, due diligence must be shown in attempting to serve same. The officer should attempt the first service within ten days of issuance. Two more attempts should occur within ninety days of the date of issuance. Simply applying for a warrant

in G.O. 401.

2. Case management will keep warrants of arrest even when all leads as to the location of the defendant are exhausted. Due diligence must be used in reviewing the case periodically for new leads.
3. A periodic review of the warrant will be made, (i.e. a review of DMV records, contacting possible friends or relatives and/or following other investigative techniques), in an effort to obtain an address and to serve the warrant. All efforts should be documented appropriately and copies of I/A's placed in the warrant envelope. This should occur approximately every six months. All relevant data on the suspect should be recorded on the Warrant Table.
4. Officers will return active Arrest Warrants to the warrant drawer by the end of their shift. An officer shall not hold warrants for extended periods of time.

B. Bench Warrants of Arrest

1. Bench Warrants will be handled as a new case and be assigned as such by the Warrant Control Officer to an officer for follow-up. Bench Warrants will typically be assigned to the officer who handled the initial investigation due to his or her familiarity with the case.
2. Upon assignment by the Warrant Control Officer, Bench warrants will be investigated for leads as outlined in G.O. 401. The assigned officer should attempt service within ten days of issuance. If that attempt is unsuccessful then the warrant will be marked for follow-up every six months until served or otherwise terminated.
3. Officers will return active Bench Warrants to the warrant drawer by the end of their shift. An officer should not hold Bench Warrants for extended periods of time.

VIII. SERVICE OF LEGAL PROCESSES

- A.** The Seneca Falls Police Department receives legal processes (such as Family Court Orders of Protection) that require officers to serve them to defendants/respondents living in Seneca Falls.
- B.** Upon receipt of a legal process that directs a Seneca Falls Police Officer to serve same, members will document their efforts on an Incident Report.
- C.** Members will also fill out the Affidavit of Service that accompanies the legal process. The Affidavit of Service and Incident Report shall be submitted for supervisory approval.
- D.** The officer will email, fax or mail the completed Affidavit of Service to the directing authority.