

<b>NORTHAMPTON POLICE DEPARTMENT</b>  <b>Administration &amp; Operations Manual</b>		
<b>Policy: Warrants &amp; Wanted Persons</b>		<b>AOM: S-205</b>
Massachusetts Police Accreditation Standards Referenced: [82.3.8.e], [82.2.3.c], [82.3.8.d], [82.3.8.f], [82.3.8.b]		Issuing Authority  <hr/> Jody Kasper Chief of Police
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**I. Introductory Discussion**

This directive establishes department policy relative to the maintenance of warrants, through the Warrant Management System (WMS), and when warrants are placed into the Criminal Justice Information System (CJIS) and the National Crime Information Center (NCIC) system for service by this Department, local or national.

**II. Definitions**

The following are two types of wanted person records:

1. Legacy Warrants: warrants that were issued before the WMS came into effect in June 1995. Individual agencies maintained these warrants and entered the wanted person records into the CJIS and/or NCIC computer system.
2. WMS Warrants: warrants which are maintained by the courts. The courts enter the wanted person record entry into the WMS system and the CJIS system.

*Note: The WMS does not have the capability to enter records into the NCIC computer system. The wanting police department must enter these records into the NCIC system.*

### III. Warrant Management System (WMS)

- A. Warrants issued in Massachusetts are entered into the WMS by the issuing court (M.G.L. Ch. 276 §23A). The WMS warrant contains data provided by the wanting police department. See the [AOM 0110 Arrest](#), for procedures to follow when obtaining an arrest warrant.
  - 1. Warrants appearing in the Warrant Management system are accessible to law enforcement agencies via the Criminal Justice Information System (CJIS).
  - 2. Warrants in WMS will be electronically transferred to CJIS. If the record entry passes a CJIS edit, the record is entered into the CJIS system. If it fails the CJIS edit, it is rejected.
    - a. Warrants rejected by the CJIS system will not appear on the CJIS candidates' list. A copy of the warrant may be obtained through the WMS by the use of the WMS message key (see "How to Query the WMS" in the *CJIS Operating Manual*).
- B. A WMS wanted person record will remain in WMS/CJIS indefinitely or until one of the following occurs:
  - 1. A locate is placed against it; or
  - 2. The issuing court places a recall against it or cancels the record. [82.3.8,e]

### IV. National Crime Information System

- A. The WMS cannot enter wanted person records into the NCIC wanted person file. Therefore, the individual agency for which the warrant was issued must enter the wanted person record into the NCIC system. Wanted person records may be entered into the NCIC system once the following criteria have been met: [82.3.8,a]
  - 1. If the individual is located in another state, and the agency has determined extradition through contact with the prosecutorial authority (District Attorney's Office).
  - 2. If the whereabouts of the individual are unknown, and one of the following criteria exists:
    - a. The individual (including a juvenile who will be tried as an adult) has an outstanding felony or serious misdemeanor warrant;
    - b. The juvenile has been adjudged delinquent and is subject to the jurisdiction of the court making such adjudication, or to the jurisdiction or supervision of an agency or institution pursuant to an order of such court said:

- 1) Who has escaped from an institution or agency vested with the legal custody or supervision of such juvenile; or
  - 2) Who has absconded while on probation or parole.
- c. The juvenile has been charged with the commission of a delinquent act that would be a crime if committed by an adult, and who has fled from the state where the act was committed;

#### B. Rendition

1. Records will be forwarded to NCIC only if the entering agency indicates that the subject will be renditioned. This is accomplished by entering a “Y” in the rendition (REN) field when entering a warrant.
2. Warrants may be entered into NCIC by their Department only after rendition limitations have been established by the D.A.’s Office and approved by the Detective Bureau Commander or other authorized department official.
3. If, at the time of entry, there is a limitation on the rendition of the wanted person, this limitation must be placed as the first item in the remarks (REM) field of the record. In many cases, no forecast on rendition can be made at the time the warrant record is entered because rendition is usually not a law enforcement decision. If the agency that entered the record later learns that the wanted person will not be renditioned, the CJIS and NCIC records must be modified to indicate no rendition (“NO EX”). [82.3.8,e]

#### C. Temporary Felony Warrant Records

1. A temporary felony record may be entered without a warrant if a law enforcement agency has to take prompt action to apprehend a person who has committed, or an officer has reasonable grounds to believe has committed, a felony. This temporary felony record must be identified as such by placing the “3” in the wanted type field (WTF).
2. Temporary felony records are automatically purged 48 hours after entry. It is important, therefore, to obtain a warrant as soon as possible. Once a warrant has been obtained, the temporary felony record must be replaced with a permanent wanted person record.
3. The letter “X” must be placed in the caution indicator field (CAU) when it is known that the wanted subject is armed and dangerous, has suicidal tendencies, has previously escaped custody, is a drug addict, or when another reason exists for using extra care when approaching the individual. The reason for the use of caution must then be entered in the REM field.

#### D. Department Documentation Procedures [82.3.8,c]

1. When an NCIC inquiry yields a hit, the terminal produced printout showing the inquiry message transmitted and the record(s) on file in NCIC shall be retained.
  - a. The dispatcher/station officer making the inquiry shall note on the terminal produced printout precisely how and when the information was given,

initial and date the notation, and forward the printout to the requesting officer for inclusion in the case file.

- b. Operational inquiry messages shall be printed and forwarded to the officer for inclusion in the case file. The dispatcher/station officer shall note how, when, and to whom the information was given, along with the call for service number on the printed copy.

E. Verifying Information [82.3.8,d]

1. All NCIC records must be verified by a certified NCIC operator. That verification shall include assuring that the available cross-checks (i.e. VIN/License Numbers) were made, and that the data in the NCIC record matches the data in the investigative report.
2. The NCIC user agreement requires that the department have personnel available seven days a week, 24-hours a day to make any required corrections. [82.3.8,f]

## V. WMS Wanted Person Record Inquiries

- A. The purpose of a wanted person record inquiry is to determine if there is a record in WMS, CJIS, and/or NCIC for an individual who has committed a federal or state felony or misdemeanor. Inquiries should be made on, but not limited to: [82.3.8,b]

1. Individuals who have been temporarily detained.
2. All persons charged with a crime (booked).
3. Suspects developed through criminal investigations.
4. Suspicious individuals who have been required to show identification; and
5. Suspicious juveniles who may have run away/absconded.

- B. When an arrest warrant is served, the arresting officer will sign and date the return of service on the warrant. The original warrant will then be placed in the proper box on the line desk for the Court Officer for the next scheduled court sitting.

1. Immediately upon a warrant being served, the on-duty Officer-in-Charge shall cause a locate to be entered for that warrant. [82.3.8, e]

*Note: For further details on warrants refer to the CJIS Manual Part 8, Wanted Person File.*