

## SCRANTON POLICE DEPARTMENT POLICY

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**October 1, 2019**

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**07-009**

*Policy Subject:*  
**Warrant Control/Service**

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*PLEAC Standard(s):*  
**2.7.1, 2.7.2, 2.7.5, 2.7.6**

### **I. PURPOSE**

The purpose of this policy is to provide members of the Scranton Police Department with guidelines for the handling, filing, storage and service attempts on all arrest warrants that have been issued, upon application, to members of the Scranton Police Department.

### **II. POLICY**

It shall be the policy of the Scranton Police Department to ensure the efficient handling, filing, storage and service of all arrest warrants issued to the members, upon application, of the Scranton Police Department. It shall be the policy of this department to ensure that documented due diligence is completed on each criminal warrant. It shall also set guidelines for collecting, handling and documenting payments on summary warrants.

### **III. PROCEDURES**

#### **A. Criminal Warrants**

1. When an officer applies for and is issued a warrant of arrest for any individual(s) it shall be the responsibility of that officer or his/her designee, who must also be a sworn officer, to attempt to serve the warrant as soon as practical on the defendant.
2. In the event that the warrant cannot be immediately served on the subject(s) the affiant shall complete a "Wanted Person-Clean/NCIC Entry Worksheet" and turn this over to the desk officer. The desk officer shall enter the wanted person(s) into the Clean/NCIC System. The desk officer

shall also attach a Warrant Service Attempt Form (SPD 08-011) to the back of the warrant, and the criminal warrant shall be placed in the box at the patrol desk area labeled “New Criminal Warrants”.

3. The Administrative Assistant to the Captain shall be the administrator of the criminal warrants tracking system. He/she shall maintain the criminal warrants files and the criminal warrants database.
  - a. The criminal warrant database computer file shall be a “read only” file for everyone except for the Administrative Assistant to the Captain and the Captain (access from “Warrant” folder on F550 server). No changes can be made to this computer database by any other individual. The Administrative Assistant to the Captain shall be responsible for updating this database and filing/auditing new, as well as existing, criminal warrants in the criminal warrants drawer on a daily basis.
  - b. The warrant database will include:
    - 1) Name of defendant
    - 2) Date of birth of defendant
    - 3) Charges
    - 4) Officer who obtained the warrant
    - 5) Date of warrant
    - 6) Date of last attempt/service
    - 7) Magistrate who issued the warrant
    - 8) Docket number
    - 9) Status
    - 10) Reference number
4. When an officer is listed as an affiant on any criminal warrant it shall be that officer’s responsibility to ensure that due diligence is accomplished for that warrant.
5. The affiant on the criminal warrant shall make every effort, using all available tools and resources, to serve the criminal warrant on the wanted person. **The affiant shall attempt warrant service on all of the warrants in which he/she is listed as an affiant as many times as possible, but no less than once per month, until the warrant is successfully served on the wanted person.**
6. Whenever an officer attempts to serve **any** criminal warrant in which **any** Scranton Police Officer is an affiant, he/she shall document this warrant service attempt on the Warrant Service Attempt Form (SPD 08-011) which is attached to the back of the criminal warrant. Information recorded on the form includes:
  - a. Date and time of service or attempted service;
  - b. Name of officer(s) executing/attempting service;

- c. Name of person on whom the legal process was served/executed;
  - d. Method of service/reason for non-service; and
  - e. Address of service/attempt.
7. Every officer, who is an affiant on an active warrant, shall maintain a Criminal Warrant Service Log (SPD Form 08-044). This log documents all the officer's warrants and their current status as well as the offender's name, primary charge, issuing officer's name, last service attempt, and date warrant served.
  8. The officer shall submit an updated Criminal Warrant Service Log (master log) to a Patrol Lieutenant or Detective Sergeant no later than the **first day of every month**.
  9. When a criminal warrant is served, the officer serving the warrant shall sign the warrant (indicating service) and notify the desk officer that the warrant has been served. The desk officer shall immediately remove the wanted person from the Clean/NCIC system.
  10. The warrant shall not be considered served until the suspect is in the custody of the Scranton Police Department. The warrant shall remain in NCIC until then.
  11. When a **criminal warrant is served** it shall be the responsibility of the officer serving the warrant to place a **copy** of the face sheet of the served criminal warrant in the box behind the patrol desk labeled "served criminal warrants".
  12. The arresting officer shall forward the Warrant Service Attempt Form (SPD 08-011) (which was attached to the back of the warrant) to Central Records.
  13. The arresting officer shall complete a **supplemental report to the original case report** which resulted in the issuance of the criminal warrant or complete an initial report if the warrant is from an outside agency. The narrative shall document the warrant service and indicate the current custody status of the defendant, the exact charges that the warrant was issued for, and the circumstances which led to the warrant being served on the wanted subject.
  14. When any officer request the desk officer to check an individual(s) for criminal warrants, the **desk officer shall** be responsible for checking the subjects name in the computerized warrant database file, as well as the "new criminal warrants" and "served criminal warrants" box behind the patrol desk.

- B. When a defendant has been arrested with a warrant outside the judicial district of issuance, the defendant shall be afforded the right to be taken without unnecessary delay to the proper issuing authority where the arrest occurred for the purpose of a posting bail. A defendant may waive his/her right to post bail. If that right is waived, the officer shall complete Waiver of Rule 517 Rules of Criminal Procedure (SPD Form 08-034) and forward the form to Central Records.
- C. When a defendant has been arrested with a warrant from an agency outside of Pennsylvania, a criminal complaint will be prepared charging the fugitive with 42 Pa. C.S. 9134. This charge will be on a separate criminal complaint from all other charges involved. An affidavit of probable cause will accompany the criminal complaint. The defendant will then be brought for arraignment on the fugitive from justice charge.
- D. Summary Warrants
1. When an officer serves a summary traffic/non-traffic warrant on the individual listed as the defendant on the warrant, the officer shall sign the warrant (indicating service) and notify the desk officer that the warrant has been served.
  2. When an officer is accepting full or partial payments for fines that are listed on a summary traffic/non-traffic warrant, the officer shall use the Scranton Police Department "money collection envelopes".
  3. All the required data shall be entered on the defendant's copy, police copy and magistrate's portions of the envelope.
  4. The officer shall place (witnessed by a supervisor) the money into the envelope and:
    - a. Give the defendant a receipt for the payment (top portion of envelope).
    - b. Detach the Police Copy (middle portion of envelope) and attach this to a copy of the arrest warrant. Both the police receipt and the **copy** of the warrant (stapled together) shall be forwarded to Central Records.
    - c. The envelope containing the monies shall be placed into the "magistrate's money box" at the police desk along with the original copy of the warrant that the money was applied to.
  5. A case report shall be completed by the arresting officer. The report shall document exactly what each warrant was for, the current custody status of the defendant and the circumstances which led to the warrant being served on the wanted person.
  6. When any monies are collected and applied towards a fine, the officer shall indicate in his/her report the exact amount of money that was collected as payment for said fine.

By Order Of:

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Chief Carl R. Graziano  
Superintendent of Police  
Scranton Police Department