

# City of Virginia Beach Police Department

## Warrant Tracking and Service Field Guide



### **A Guide for Department Members**

- Tracking and service guidelines for:
  - Warrants
  - Capiases
  - Protective Orders

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## Warrants Overview

All executable documents issued by a magistrate or court that are transferred to the control of the Police Department will be entered into the PISTOL warrant module and tracked accordingly. Personnel encountering situations specific to warrants or warrant tracking not addressed in this document shall contact the Support Division/Records Unit for direction. From this point forward, mention of warrants shall be a generic term used to encompass all the types of court documents listed below (not all inclusive) unless otherwise indicated.

Felony Warrant	Order of Protection (OOP)
Misdemeanor Warrant	Capias
Magistrate's Summons	Juvenile Detention Order
Emergency Protective Order (EPO)	Indictment
Preliminary Protective Order (PPO)	Petition to Appear

## Warrant Service

Warrant service is a primary responsibility of all sworn members of the Virginia Beach Police Department. Service attempts must balance the severity of the charge with the reasonableness of service attempts. While attempting service of documents, sworn members should take into consideration the charge severity, citizen and officer safety, and the reasonableness of the service attempt. Sworn employees are required to place their first initial, middle initial (if they have one) and last name in the arresting officer section when executing a warrant and verify and correct all demographic information.

## Corporate/Registered Agent Service

When a warrant or summons is issued for a corporate violation, the officer shall serve the document on the registered agent. However, the agent shall not be processed nor entered into the PISTOL RMS system. Upon service, update the warrant status to served.

## Warrant Service Notification

Serving officers are cautioned to review the documents to determine if the obtaining officer/detective wishes to be notified PRIOR to service. If so, it is the serving officer's responsibility to make contact with the obtaining officer/detective. If contact cannot be made, the duty detective will be contacted for guidance.

Upon warrant service by a VBPD employee, the serving officer shall notify the obtaining officer/detective of the service. A tracking record shall be added to the warrant module, recording who made the notification, who was notified, and what was the method of notification; ie. (E911 with name of dispatcher, text message, phone, e-mail, etc.) When a warrant is transferred to the jail for service, it will be the transferring person's responsibility to notify the obtaining officer/detective of the transfer and service.

The serving officer shall send a copy of the served document to the obtaining officer/detective.

If the warrant is faxed to another jurisdiction for service, it will be the faxing person's responsibility to utilize the appropriate coversheet and to notify the obtaining officer/detective.

## **Offense Reporting**

Uniform Criminal Reporting (UCR) mandates the reporting of certain offenses. Officers/detectives who obtain a warrant are responsible for submitting the required offense report, or verifying the companion offense report that has otherwise been completed. When a citizen obtains a warrant, the offense report will typically be taken or created by a sworn member of the department when the warrant is transferred to the Support Division, Records Unit. If the offense report has not been submitted, the responsibility falls on the serving officer to complete the report. The serving officer should be able to utilize the criminal complaint worksheet and statements made by the defendant being served.

For officer obtained warrants, it is the obtaining responsibility to complete the offense report. Obtaining officers are required to write the offense report number clearly on the warrant along the bottom edge of the page to facilitate proper offense/arrest linkages.

**Note that the block at the top right of the page, marked “Case No.” is for use by the courts only.**

## **Handling Warrants by Records Unit**

Warrants received by the Records Unit will be entered into PISTOL Records Management System (RMS) Warrant Module on the day the papers are received, in accordance with General Order 16.01, Warrant Tracking and Process.

Warrants that meet the requirements for NCIC/VCIN entry are to be entered in a timely fashion and the NIC number and VIC number that is generated will be noted on the RMS entry.

Warrant location will be accurately reflected in the RMS module at all times. Warrants must be hand delivered between locations and RMS will accurately reflect the documents' exact location at all times.

Original warrants are never transferred to another jurisdiction. If the defendant is located in another jurisdiction, the document must be faxed to that jurisdiction. This should be done by the Records Unit or Precinct Desk Officer (PDO), and the RMS entry must be updated to indicate the situation. The fax should include a request for a copy of the served document to be faxed back.

## **Handling Warrants by Officers/Detectives**

Officers and detectives are responsible for ensuring that all warrant and warrant tracking entries are completed for the documents in their possession. Any warrant issued and given directly to an officer or detective will be brought to the Records Unit or PDO, for data entry. Warrants transferred from officer-to-officer or precinct-to-precinct shall be documented in RMS. All service attempts and outcomes should be noted on the warrant worksheet, and the RMS entry updated appropriately when the warrant is returned to the Records Unit or Precinct prior to the end of an officer's shift.

## **Handling Warrants by a Precinct or Bureau**

Warrants that are not immediately executed when issued are to be entered into RMS by either the Records Unit or a Precinct Desk Officer (PDO). Precinct Desk Officers (PDO) shall enter warrants when 1.) A magistrate issues an Emergency Protective Order (EPO) that may have one or more felony or misdemeanor warrants attached or 2.) An officer is prepared to attempt immediate service of an EPO or warrant. Refer to the Precinct Desk Officer Training Manual for data entry procedures.

All warrants that meet requirements for NCIC/VCIN entry shall be transferred to the Records Unit for entry before the end of the obtaining officer's shift.

Precincts will normally handle the following types of warrants:

- All summonses,
- Emergency Protective Orders (EPO)
- Warrants issued by a precinct magistrate (citizen or officer obtained)
- Parking Enforcement misdemeanor summonses (these are not entered into RMS warrants module)
- All zoning violations

After service, the summonses will be entered into the RMS Arrest Module.

Precinct Desk Officers (PDO) will maintain a warrant box. Any discrepancies that may require correction in the RMS Warrant Module are to be reported to and approved by the on-duty supervisor, who will notify the Records Unit supervisor as soon as practical. Warrants will be assigned to the precinct for 15 days to allow for service, or at least three separate service attempts. If still unserved, then the warrants will be returned to the Support Division, Records Unit.

### **Tracking Warrants**

The Records Unit and Precinct Desk Officers (PDO) will be responsible for adding tracking records in the warrant module. Tracking shall include entering the physical location, assignment, and/or service attempts for all activity involving each warrant, and will at all times reflect the exact location of the document. Refer to the Precinct Desk Officer Training Manual for data entry procedures.

### **Temporary Precinct Warrant Logs**

Precincts may use a temporary handwritten warrant log if an officer is standing by to serve a warrant immediately and 1.) RMS is not available or 2.) Someone who is not trained in the process is staffing the precinct desk.

The PDO or officer staffing the desk must log the warrant into the temporary warrant log prior to taking a document onto the street for service. The log (PD-200) shall include: date/time issued, name, date of birth, gender, race, charge, attempting service officer name/code, and date/time of log entry. PDO or officer completing the log must record their name/code in the indicated field and initial and date the log. Copy the warrant, stamp or write FOR DATA ENTRY ONLY on the copy and attach it to the log sheet. After RMS data entry is complete, the log and copy must be shredded.

### **Verification of Warrants and NCIC/VCIN Hit Confirmations**

The Virginia Beach Police Department must respond within 10 minutes or one hour (as determined by NCIC/VCIN) to any NCIC/VCIN inquiry and we must be able to give them confirmation from time of inquiry as to the location of the warrant and confirmation that the warrant has been verified to be active and physically exist. Precincts must have someone available 24 hours, 7 days a week, access to all executable documents.

## **Faxing of Warrants**

Warrants cannot be faxed between precincts or jail within our own jurisdiction (See State Code 19.2-81.) Warrants will not be faxed to Support Division, Records Unit for data entry. Warrants may be faxed when someone is not in custody when there is an Emergency Protective Order (EPO) attached to a warrant and there is reason to believe the subject can be located at a specific address outside of the City of Virginia Beach.

Warrants may only be faxed to other jurisdictions when the defendant is in custody or as authorized by the Support Division Records Unit supervisor.

A warrant may be faxed by a precinct as a detainer to an agency outside of the City of Virginia Beach when the precinct is advised that an NCIC hit has occurred and the wanted person is in the custody of the requesting agency.

The original warrant must be sent back to Support Division, Records Unit with the information concerning where the faxed copy was sent. (Date, time, department, person faxed to, voice and fax phone numbers) to ensure proper accountability. All other faxing of warrants will only be done by the Records Unit in order to maintain proper accountability.

## **Updating Information**

Updates to wanted information shall be made in the RMS Names Module only, not the Warrant Module. All replaced data shall be saved as prompted by RMS for reference. If the suspect positively does not reside at the current address and a new address is not known, the address field will be shown as “Unknown as of \_\_\_/\_\_\_/\_\_\_ date” and then answer the RMS generated retention question regarding the GEO address verification by responding “delete the GEO.” If a valid Virginia Beach address is entered, the GEO fields on Page 3 will be automatically updated for the new address. Verify the GEO data.

If there is no address on the issued court paper and an address is available from an old RMS record, then the recent address may be used.

## **Warrants That Cannot Be Served**

When all attempts to serve a warrant are exhausted and it is believed that the person wanted is located in another precinct or outside the City of Virginia Beach, supporting data shall be noted on the warrant worksheet. Unserved warrants shall be returned to the Support Division, Records Unit within 15 days to ensure NCIC/VCIN validation mandates can be complied with.

## **Protective Orders (CALEA 74.2.1)**

### **Emergency Protective Orders (EPO)**

The service and tracking of emergency protective orders is the responsibility of individual precincts. At the time an emergency protective order is issued by a magistrate, a copy is faxed to the NCIC / VCIN clerk for entry. An officer shall be dispatched to pick up the EPO and will either serve the order or transfer the order to an officer working in the precinct in which the respondent lives for personal service. Officers should also make every effort to complete the personal demographic information on the service page. Given the intent of the order and the limited time to serve the order, supervisors should make every effort to have the orders served as soon as possible. Orders should be assigned to each shift until served. The status of the order

and the name of the officer who is assigned to serve the order shall be documented by the Precinct Desk Officer in RMS tracking.

Upon personal service, the EPO shall be faxed to a NCIC/VCIN clerk for updating. The PDO shall update RMS to show service and then return the paper to the courts.

**Preliminary Protective Orders (PPO) and Orders of Protection (OOP)**

Preliminary Protective Orders and Orders of Protection will be tracked and served in the same manner as warrants received from the courts. Upon personal service for a PPO or OOP, the precinct/command shall update the RMS record and send the paper to the Records Unit. The Records Unit shall update the NCIC/VCIN entry.