

GENERAL ORDER



Title	Fugitives From Justice	
Series / Number	GO-PCA-501.06	
Effective Date	November 22, 2002	Distribution A
Rescinds	General Order 501.6 (Fugitives From Justice)	

DISTRICT OF COLUMBIA

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I. BACKGROUND

The charge of “Fugitive From Justice” is a holding charge only and carries no penalty pursuant to D.C. Official Code Title 23 (Criminal Procedure), Chapter 7 (Extradition and Fugitives From Justice). However, procedures for the booking and processing of persons arrested on such charges in the District of Columbia are the same as if the person were arrested for a criminal offense.

II. POLICY

The policy of the Metropolitan Police Department is to establish procedures for members to follow when encountering situations where an arrest of a fugitive from justice is necessary. The procedures shall be in accordance with D.C. Official Code § 23-702 (Procedure on Arrest of Fugitives).

III. DEFINITIONS

When used in this directive, according to D.C. Official Code § 23-701, the term fugitive from justice shall have the meaning designated and apply to any person who is:

- A. Located within the District of Columbia;
- B. Charged with any offense committed in any State; and
- C. Liable by the Constitution and laws of the United States to be delivered over upon the demand of the Governor of that State.

IV. PROCEDURAL GUIDELINES

- A. To ensure the validity of an arrest made by members of this Department on warrants referred from originating jurisdictions, the warrants must be previously entered in NCIC. In conjunction with this requirement, recalls of out-of-state warrants that are held by this Department shall require the receipt of a teletype or formal letter stating that the warrant shall no longer be served.
- B. MPD members shall query NCIC immediately prior to the execution of an out-of-state warrant. Members shall determine if the warrant is extraditable and if so, what the stipulations are for service of the warrant. If the warrant is not listed in NCIC, it shall not be executed.
- C. Under exigent circumstances, a member may execute a warrant that has not been entered into NCIC, if the member has personal knowledge that a valid arrest warrant exists and that it is still in effect, or has been apprised of the fact by another law enforcement officer who possesses personal knowledge of such warrant. The executing member must obtain the expressed approval of his/her Watch Commander prior to executing the warrant.
- D. When arresting a person who is a fugitive from justice, the arresting officer shall:
 - 1. Verify, through Communications Division, Major Violators Unit or the originating jurisdiction that the warrant is extraditable.

Note: If it is later determined that the warrant is not extraditable the arrestee shall be released via the detention journal.
 - 2. Prepare a PD Form 251 (Event Report), PD Form 163 (Prosecution Report), and a PD Form 252 (Supplemental Report) to close the case.
 - 3. List the Chief of Police or Sheriff of the jurisdiction in which the offense occurred as the complainant.
 - 4. List the law enforcement officer, or agent and contact information in the narrative of the PD Form 252.
 - 5. Book and process the person as a fugitive from justice, in addition to any local charges.
- E. Members shall not:
 - 1. Turn fugitives over to, or accept them from, police officers or other agents of any other jurisdiction prior to the arraignment of the fugitive before a judge or committing magistrate of the jurisdiction in which the apprehension took place.

2. Assist bail bondsmen in the execution of attachments issued by courts or magistrates of other jurisdictions, but shall direct them to appear in person at the office of the Major Violators Unit.
 3. Assist other law enforcement officers or agents of any jurisdiction in the execution of arrest or bench warrants or attachments without obtaining the approval as stipulated in General Orders GO-PCA-702.01 (Arrest and Bench Warrants) and GO-OPS-301.03 (Vehicular Pursuits).
- F. Members who arrest adults as fugitives from other jurisdictions, if no other charges are to be placed against them, shall:
1. Book and process the person as a fugitive from justice, executing all necessary forms,
 2. Notify, via telephone, the Major Violators Unit of the arrest, and
 3. Deliver a copy, via departmental mail, of the PD Form 163 (Adult Arrest Report) and any warrants from other jurisdictions pertaining to the case, to the Major Violators Unit after the prisoner is processed through Records Department, Information Technology Division. The responsibility of the arresting officer to further process the fugitive ends at this point. Processing of the fugitive through the District of Columbia Superior Court is the responsibility of the Major Violators Unit.
- G. Members apprehending fugitives considered juveniles under the laws of the District of Columbia shall prepare a PD Form 379 (Delinquency Report), and immediately contact Youth and Preventive Services Division. All juveniles arrested as a fugitive from justice shall be:
1. Processed under the provisions of the Interstate Compact on Juveniles, D.C. Official Code § 24-1102, outlined in General Order 305.1, Part I-F3 (Handling of Juveniles) except in instances where a certified copy of an adult arrest warrant is in the possession of the department, or when a member of the Major Violators Unit has telephonically or by teletype verified the existence of an adult arrest warrant in the issuing jurisdiction.

Note: Members shall also prepare a PD Form 163 in these instances. During Major Violators Unit non-business hours members shall be responsible for contacting the originating jurisdiction to verify the existence of an adult arrest warrant.
 2. Booked and processed in the same manner as adult fugitives, except for purposes of transportation and detention if a certified copy of an adult arrest warrant is outstanding.

- H. The Watch Commander of the Major Violators Unit shall:
1. Receive all copies of PD Form 163, and warrants pertaining to fugitives from justice, from members, as required;
 2. Assign members of the Major Violators Unit to process fugitives through the Superior Court of the District of Columbia;
 3. File necessary detainers upon notification that a person arrested on a D.C. Official Code violation is also wanted as a fugitive from justice;
 4. Maintain records of final court dispositions of all fugitive cases;
 5. File detainers or federal removers in other jurisdictions where arrested persons are wanted in the District of Columbia;
 6. Receive and process all warrants for fugitives from other jurisdictions;
 7. Process all adult and juvenile fugitives through the Superior Court papering process, except those handled through the Interstate Compact on Juveniles, Title 18 USC charges, Metro Transit Police and/or United States Park Police arrests;
 8. Process all adult and juvenile fugitives, located at DC Jail, who are charged as adults from other jurisdictions when Department members have not initiated fugitive from justice charges;
 9. Accept incoming Teletype messages from other jurisdictions relative to fugitives from justice;
 10. Be responsible for NCIC inquiries on persons wanted in other jurisdictions;
 11. Provide originating jurisdictions with fugitive dispositions;
 12. Attend extradition hearings;
 13. Process fugitives from justice after disposition of local charges by preparing appropriate MPD forms, transporting prisoners from DC jail to Central Cell Block (CCB) and papering the fugitive case in DC Superior Court.
- I. The Commanding Officer of Youth and Preventive Services Division shall make all arrangements necessary for the detention of fugitives from justice considered to be juveniles under the laws of the District of Columbia.

V. CROSS REFERENCES

D.C. Official Code § 23-701 (Warrants for the arrest of fugitives from justice)

D.C. Official Code § 23-702 (Procedure on arrest of fugitives)

D.C. Official Code § 23-704 (Extradition)

D.C. Official Code § 24-1102 (Authority to enter into and execute Compact)

GO-PCA-702.01 (Arrest and Bench Warrants)

GO-OPS-301.03 (Vehicular Pursuits)

// SIGNED //
Charles H. Ramsey
Chief of Police

CHR:NMJ:MAR:mcw