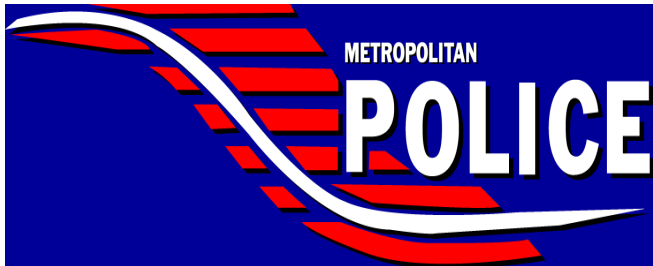


GENERAL ORDER



DISTRICT OF COLUMBIA

Title		
Arrest Warrants		
Topic	Series	Number
PCA	702	01
Effective Date		
October 18, 2023		
Replaces: GO-PCA-702.01 (Arrest Warrants), Effective Date July 13, 2022		
Rescinds: TT-11-014-15 (Reminder–Change in Processing of the Federal Arrest Warrants), Issued November 5, 2015		

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I. PURPOSE

Metropolitan Police Department (MPD) members shall apply for and serve arrest warrants in accordance with applicable local, state, and federal laws, collaborate with neighboring law enforcement agencies to ensure prompt warrant service while respecting matters of jurisdiction, and ensure that subjects are apprehended safely and efficiently. The purpose of this order is to establish arrest warrant procedures.

II. PROCEDURES

A. General

- Members encountering subjects with active warrants shall take appropriate police action. Members receiving a warrant hit in the Washington Area Law Enforcement System (WALES) or National Crime Information Center (NCIC) shall contact the Teletype Unit for confirmation of the warrant prior to enforcing it.

2. Pursuant to [Mayor’s Order 2011-174](#), members shall not arrest individuals **solely** based on Immigration and Customs Enforcement (ICE) warrants or detainers as long as there is no additional criminal warrant or underlying offense for which the individual is subject to arrest. Additionally, members shall not assist ICE with arrest or transport of individuals solely based on ICE warrants or detainers.

3. The United States Marshal’s Service Capital Area Regional Fugitive Task Force (CARFTF) is comprised of U.S. Marshals, MPD detectives, and members of participating agencies. CARFTF operates within the Washington area and is assigned to track and apprehend individuals wanted for murder, assault with intent to kill (AWIK), sex-related offenses, wanted subjects residing outside of the District of Columbia, and any other arrests as directed by the Criminal Investigations Division (CID) commander.

4. The MPD Criminal Apprehension Unit (CAU) is comprised of MPD members assigned to the Violent Crime Suppression Division (VCSD). CAU is tasked with tracking and apprehending subjects wanted on all other District of Columbia Superior Court, United States (US) District Court, and fugitive arrest warrants within the District of Columbia (DC).

5. The MPD Fugitive Unit is comprised of MPD members assigned to the Criminal Investigations Division (CID). The Fugitive Unit is responsible for all prisoners that are wanted for extraditable warrants from MPD that are in custody in a jurisdiction outside of the District of Columbia. The Fugitive Unit is tasked with lodging detainers on these inmates, obtaining extradition paperwork, and coordinating transport of these subjects back to the District, when applicable.

6. The United States Constitution and District of Columbia generally require law enforcement officers to obtain an arrest warrant prior to making an arrest. There are limited exceptions to the arrest warrant requirement provided in [DC Official Code § 23-581](#). Members shall obtain an arrest warrant prior to making an arrest unless they are making a warrantless arrest of:

Warrantless Arrests	
a.	A person who he or she has probable cause to believe has committed or is committing a felony;
b.	A person who he or she has probable cause to believe has committed or is committing an offense in their presence;
c.	A person who he or she has probable cause to believe has committed or is about to commit any offense listed in paragraph (2) of DC Official Code § 23-581(a) and, unless immediately arrested, may not be apprehended, may cause injury to others, or may tamper with, dispose of, or destroy evidence; and
d.	A person whom he or she has probable cause to believe has committed any offense which is listed in paragraph (3) of DC Official Code § 23-581(a) , if the officer has reasonable grounds to believe that, unless the person is immediately arrested, reliable evidence of alcohol or drug use may become unavailable or the person may cause personal injury or property damage.

B. Arrest Warrant Affidavits

1. Affiants shall seek approval from the applicable reviewing official prior to preparing an affidavit for an arrest warrant [i.e., CID watch commander, district detective unit (DDU) lieutenant, specialized unit lieutenant, or an official the rank of lieutenant or above in the member’s chain of command]. Affidavits shall include the facts and circumstances establishing probable cause.

2. District of Columbia Superior Court Affidavits

a. Once approved by the reviewing official, affiants shall complete the United States Attorney’s Office (USAO) Warrant Submission Form. Each warrant submission shall be submitted separately to the applicable warrant intake email address and may not be combined with a search warrant request.

Type of Affidavit	Approval
Felony arrest affidavits	USADC.Felonywarrants@usdoj.gov
Misdemeanor arrest affidavits	USADC.Misdemeanorwarrants@usdoj.gov

b. Affiants shall include all applicable items [e.g., warrant submission form, Giglio form, affidavit, case notes, statements, electronic evidence, and all records management system (RMS) reports and attachments] and copy the reviewing official.

c. Upon USAO approval, the affiant will receive a signed and dated warrant for submission to the court. Affiants shall sign and submit the approved warrant and affidavit (and coversheet, if applicable) to the warrant office at DC_Criminal_Warrants@dcsc.gov along with his or her contact information. The warrant office will forward the information to the assigned warrant judge who will call the affiant to swear to the affidavit. The affiant shall be prepared to provide the judge with any additional information, as needed.

d. If the judge approves the warrant, he or she will email a signed copy back to the warrant office, USAO, and the affiant.

3. United States District Court Affidavits

a. Applications for arrest warrants prosecuted under US Code and/or DC Code in the US District Court for the District of Columbia shall present to the assigned assistant United States Attorney (AUSA) in the US District Court Criminal Division prior to being presented to the judge.

b. Upon approval of United States District Court warrants, affiants shall submit the warrant to the Teletype Unit for entry into WALES/NCIC. The original warrant will be held by the AUSA and a hard copy will be available in the Teletype Unit.

C. Serving Arrest Warrants

1. Members shall present their numbered arrest warrants to the DDU lieutenant assigned to the district in which the defendant is known to reside and email the CAU adminbox a copy of the arrest warrant and indicate whether they will serve the warrant themselves along with their contact information.
2. Members shall upload a scan of the arrest warrant as an attachment in RMS. Detectives and investigators shall ensure that all relative information about the wanted subject is included in case management.
3. Members shall make a diligent effort to locate the person named in the warrant and confirm the accuracy of the subject's address prior to executing service. Upon verifying the address, if it is determined that the wanted person does not reside at the address listed in the warrant, members shall remove the incorrect address from the case file and update the case file with the correct address. Members shall exercise reasonable diligence to ensure that they are arresting the person designated in the warrant (i.e., compare the name, address, date of birth, social security number, race, height, weight, place of birth, and any other identifying information).
4. At least one body-worn camera (BWC)-equipped member with his or her BWC activated shall be present and actively involved in making the arrest so that all aspects of the arrest warrant service are captured on BWC.
5. Traffic, minor infractions of the law, and property destruction warrants that do not involve injury shall not be routinely served at late or unusual hours or on Sundays. However, in the event that a member comes into contact with a subject wanted on such a warrant at a late or unusual hour during routine police duties (e.g., during the course of a traffic stop) the member shall execute the warrant.
6. Knowledge that an active felony, misdemeanor, or traffic warrant is in the department's possession is sufficient for service. However, members shall attempt to acquire warrants prior to service when time permits.
7. Misdemeanor warrants shall not be executed more than one year after the date of issuance.
8. When serving a warrant upon a resident of a community correctional facility (e.g., halfway house), members shall apply for and secure a booking order from the appropriate judge prior to service.
9. Members shall use sound discretion when attempting to serve a warrant within a place of worship during religious services. In such instances, all means of service outside the premises should be exhausted before entering the place of worship. Whenever possible an official shall be present when entering the premises. When practicable, members shall seek assistance from a staff member to ensure that the wanted subject exits safely with minimal disruption.

10. Absent exigent circumstances, the United States Marshals Service handles arrests of wanted persons inside court buildings.
11. Members shall not participate in warrant service with other law enforcement agencies unless prior approval has been obtained as follows:
 - a. If the location of service is within DC, prior approval shall be obtained from the member's element commander, director, or official in charge.
 - b. If the location of service is outside of DC, prior approval must be obtained from the member's bureau head or field commander. Upon approval, service shall be coordinated through the CARTF commanding official.
12. Members shall not assist bail bondsmen in the execution of attachments issued by courts or magistrates of other jurisdictions.
13. Upon execution of a DC Superior Court warrant, the arresting member shall file a return by the end of the next business day by signing the return portion and emailing it to DCCriminalWarrants@dcsc.gov. Members shall ensure that their contact information is included in the body of the email but not on the affidavit since the affidavit is a public document.
14. Upon execution of a US District Court warrant, the arresting member shall ensure that the appropriate arresting documents are emailed to the Teletype Unit adminbox to have the warrant cleared from WALES/NCIC.

D. Outstanding Warrants

1. When an arrest is made on an outstanding criminal warrant by the member who acquired the warrant, the member shall complete the appropriate police reports and paper the charge in court, if applicable. Prior to papering, the arresting member shall obtain the original warrant. Members shall refrain from requesting an additional CCN, unless the subject will be charged with additional crimes not already stated in the arrest warrant.
2. When an arrest is made on an outstanding criminal arrest warrant by a member who did not apply for the warrant, members shall notify the affected member and an official from the affected member's district or element. The official shall ensure that the affected member, or another member under his or her command, complete all applicable reports, obtain the original warrant, and paper the case, if applicable.
3. When an arrest is made and further investigation reveals that the arrestee has an outstanding arrest warrant, members shall also book the arrestee on the outstanding warrant charge and notify the affected member, his or her official, and the official in charge of the unit where the warrant originated that the prisoner was arrested for another offense and that the outstanding arrest

warrant was served. These notifications shall be documented in the internal narrative section of the report.

E. Outside Agencies

1. When an arrest is made by a member of another law enforcement agency acting on the basis of an arrest warrant generated by MPD, the affected district watch commander shall ensure that the defendant is processed and that all required police reports are completed, even if the arrest is made by an outside agency operating in the District.
2. When it is determined that a suspect for whom an extraditable arrest warrant is outstanding has fled the District or when another jurisdiction notifies a member that a wanted person has been apprehended, members shall contact the MPD Fugitive Unit for assistance or, in the absence of a member from that unit, the CID watch commander.

F. ICE Warrants and Detainers

1. **MPD members are prohibited from assisting with the enforcement of civil immigration laws.** MPD's cooperation with federal immigration enforcement activities, including regarding individuals in MPD custody, is strictly limited to instances where members have verified, consistent with the procedures outlined in this order, that there is a **criminal warrant or criminal judicial order** in effect.
2. Members receiving a hit for an ICE warrant or detainer in NCIC shall contact the Teletype Unit and provide the teletype operator with a name and date of birth (DOB) that they believe is most accurate based on their investigation (e.g., not necessarily the DOB provided in the WALES/NCIC hit). Members shall not act solely on a "soundex" return.
3. The Teletype Unit shall contact the ICE Law Enforcement Support Center (LESC) to confirm the status of the warrant.
 - a. Upon confirmation from ICE LESC that the warrant is a **criminal arrest warrant**, the Teletype Unit shall notify the member who shall enforce the warrant.
 - b. In instances where ICE does not confirm the warrant is criminal or confirms that the warrant is an administrative detainer for federal immigration violations, the Teletype Unit shall notify the member who shall take no action on the warrant or detainer. The member shall document the stop pursuant to [GO-OPS-304.10 \(Field Contacts, Stops, and Protective Pat Downs\)](#) with the warrant information listed in the internal narrative as justification for the stop.
4. The Teletype Unit shall complete a "Hit Confirmation Response (YR)" for all ICE warrant checks and include the NIC# or warrant number, the date

and time of the contact, and the ICE operator ID.

G. Contempt of Court Arrests

1. Members are authorized to make an arrest on the basis of a violation of court-imposed conditions of release where those conditions are known to the member and the violation occurs in the member’s presence.
2. In order to make a probable cause arrest for contempt, a member who observes the subject in apparent violation shall verify through Pre-Trial Services that the subject is still under court order to abide by the curfew or stay-way order.
 - a. If a member observes the subject is in violation of the court order, the member shall arrest the subject.
 - b. If the member is unable to immediately verify the court order or the violation was not observed by a police officer, the member shall complete an incident report in RMS classified according to the circumstances of the incident. Once the member is able to ascertain that the relevant release condition was in place at the time of the observed violation, the member may then reclassify the report to reflect the contempt charge and apply for an arrest warrant.

H. Bench Warrants

1. When arresting on the basis of a bench warrant, members shall charge the suspect with "Violation of Bail Reform Act" unless the bench warrant was issued for one of the following charges:

Bench Warrant Charges	
Traffic offense	Any offense prosecuted by the OAG
Probation revocation	Probation violation
Parole revocation	Parole violation
Violation of conditions of release	Failure to appear for a subpoena
Failure to appear for a summons or citation	Failure to appear for an extradition hearing
Failure to appear at arraignment following an indictment by grand jury	Failure to report in answer to a summons or a subpoena for a Civil Protection Order hearing or a matter before the Civil Division of Superior or District Court
Failure to appear for hearings in a child support case	

2. Members making an arrest solely on a bench warrant shall:
 - a. Book the suspect for arrest on a bench warrant using the original CCN unless:
 - (1) The original CCN is not available through WALES or the District Superior Court Criminal Warrant Office in which case a

CCN shall be obtained from the Office of Unified Communications (OUC); or

- (2) The arrestee is being charged with a "Violation of Bail Reform Act", in which case a CCN for the "Violation of Bail Reform Act" shall be obtained from OUC.
- b. Prepare an arrest report using the appropriate charge and include pertinent information. The arresting member shall be identified as the reporting person and the DC Superior Court shall be listed as the complainant (include the judge's name if known).
- (1) When "Bench Warrant" is selected, the underlying warrant number and warrant description will appear. The member shall add the warrant number and original charge.
 - (2) When "Bail Reform Act" is selected, the member shall click "Add Warrant", and the underlying warrant number and warrant description will appear. The member shall add the warrant number and original charge.
- c. Members shall not paper arrests when the charge is solely based on a bench warrant.
3. When a member makes an arrest based on charges other than an existing bench warrant, and determines through a WALES check that the suspect is also wanted on a bench warrant, the member shall complete the required reports for the primary offense for which the arrest was initially made and process the charge as specified above.

I. Probation Violation Warrants

If a member makes an arrest on a probation violation warrant, the arresting member shall complete an arrest package with the necessary paperwork using the charge "Probation Violation." The arresting member shall not appear in court for papering.

J. Prison Breach Arrest Warrants

When a member makes an arrest on a prison breach warrant, he or she shall handle the arrest in the same manner as a warrant arrest, complete an arrest package for the prison breach charge, and notify the Command Information Center (CIC). Members shall not paper arrests when the charge is solely based on a prison breach charge.

K. Fugitive from Justice Arrests

1. Pursuant to [DC Official Code § 23-701](#), a fugitive from justice is any person who is located within the District of Columbia, charged with any offense committed in any state, and liable by the Constitution and laws of the

United States to be delivered over upon the demand of the governor of that state.

2. The charge of "Fugitive from Justice" is a holding charge only and carries no penalty pursuant to [DC 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 in accordance with [DC Official Code § 23-702 \(Procedure on Arrest of Fugitives\)](#).
3. To ensure the validity of an arrest made by MPD members 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 MPD shall require the receipt of a teletype or formal letter stating that the warrant shall no longer be served.
4. 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, any existing stipulations for service of the warrant. If the warrant is not listed in NCIC, it shall not be executed.
5. 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 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 shall obtain approval from the watch commander prior to executing the warrant.
6. When arresting a subject who is a fugitive from justice, the arresting officer shall verify, through OUC, the MPD Fugitive Unit, or the originating jurisdiction that the warrant is extraditable. The member shall prepare an arrest report to close the case. Members shall list the chief of police or sheriff of the jurisdiction in which the offense occurred as the complainant and the law enforcement officer (or agent) and contact information in the narrative and book and process the person as a fugitive from justice, in addition to any local charges. If it is later determined that the warrant was not extraditable, members shall release the arrestee using the detention journal.
7. Members shall not 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.
8. Members who arrest adults as fugitives from other jurisdictions, if no other charges are to be placed against them, shall book and process the subject as a fugitive from justice, execute all necessary forms, and deliver the arrest report and any warrants from other jurisdictions pertaining to the

case. The responsibility of the arresting officer to further process the fugitive ends at this point and shall be handled by the MPD Fugitive Unit.

9. Members apprehending fugitives considered juveniles under the laws of the District of Columbia shall prepare an arrest report and immediately contact Youth and Family Services Division. All juveniles arrested as a fugitive from justice shall be:
 - a. Handled according to the procedures set forth in [GO-SPT-305.01 \(Interacting with Juveniles\)](#) 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 MPD Fugitive Unit has verified the existence of an adult arrest warrant in the issuing jurisdiction.
 - b. 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.
10. The MPD Fugitive Unit commanding official shall ensure that unit members:

MPD Fugitive Unit Responsibilities
a. Receive all arrest reports and warrants for fugitives from justice.
b. When confirming the identity of a fugitive from justice arrestee, use all provided identifying information (e.g., name, date of birth, FBI number, and fingerprints) as part of the confirmation process.
c. Process fugitives through the Superior Court of the District of Columbia. A specific member of the Fugitive Unit shall be assigned to process each Fugitive from Justice arrest.
d. File necessary detainers upon notification that a person arrested on a DC Official Code violation is also wanted as a fugitive from justice.
e. Maintain records of final court dispositions of all fugitive cases.
f. File detainers or federal removals in other jurisdictions where arrested persons are wanted in the District of Columbia.
g. Receive and process all warrants for fugitives from other jurisdictions.
h. 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, or United States Park Police arrests).
i. 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.
j. Accept incoming fugitive from justice teletypes from other jurisdictions.
k. Conduct NCIC inquiries on persons wanted in other jurisdictions.
l. Query JUSTIS and unit case files prior to verifying outstanding warrants.
m. Provide originating jurisdictions with fugitive dispositions.
n. Attend extradition hearings.
o. Process fugitives from justice after disposition of local charges by preparing appropriate MPD forms, transporting prisoners from the DC Jail to the Central Cellblock (CCB) and papering the fugitive case in DC Superior Court.
p. Maintain communication with the Teletype Unit via the Fugitive Unit adminbox, which shall be monitored throughout each shift.

11. The Youth and Family Services Division commanding officer shall make all arrangements necessary for the detention of fugitives from justice considered to be juveniles under the laws of the District of Columbia.

L. Warrants Served at the DC Jail

Upon notification that an inmate of the DC Jail is wanted on an MPD warrant, the Court Liaison Division (CLD) shall notify the appropriate unit's detective official. The detective official shall ensure that:

1. The member who obtained the warrant, or other on-duty member in his or her absence, responds to CLD to check in. After checking in, the member shall respond to the U.S. Attorney's Office Papering Section to request that a booking order be prepared by an intake clerk.
2. Once the booking order is prepared, the member shall respond to the judge in chambers for signature and return the booking order to the intake clerk.
3. The member obtaining the booking order shall coordinate with the MPD Fugitive Unit to execute the booking order. The MPD Fugitive Unit shall transport the prisoner from DC Jail to CCB for booking and processing. If the booking member needs to interview the subject, the MPD Fugitive Unit shall ensure that the subject is transported to the appropriate interview room prior to returning the subject to DC Jail.
4. Once processed at CCB, the MPD Fugitive Unit shall transport the subject back to DC Jail.

M. Inmates Scheduled for Release with an Outstanding Warrant

1. Prior to releasing an inmate with an outstanding arrest warrant from MPD, Department of Corrections will notify OUC with the inmate's name, warrant number, and the member that has the warrant.
2. OUC will notify the district where the warrant is held and dispatch a patrol unit to respond to the DC Jail to assume custody of the inmate. The responding member shall transport the inmate to the district for processing.

N. Review and Disposition of Warrants

In instances where a misdemeanor arrest warrant is still without service after 11 months, the member who obtained the warrant shall contact the appropriate prosecuting authority to determine whether the warrant will be reissued or allowed to lapse at the expiration of one year.

1. The misdemeanor arrest warrant review process shall be repeated every year thereafter until the warrant is executed or withdrawn.

2. When it is determined that a warrant on file is no longer needed, the member who obtained the warrant shall notify USAO to have the warrant nolle prossed and removed from WALES/NCIC by DC Superior Court personnel.

III. DEFINITIONS

When used in this directive, the following terms shall have the meanings designated.

	Term	Definition
1.	Affiant	Person who signs an affidavit and swears to its truth before a judicial official or other person authorized to take oaths.
2.	Affidavit	Written statement of facts made by an affiant under an oath or affirmation administered by a person authorized to do so by law.
3.	Probable cause	Set of facts, circumstances, or reliable information that would lead a reasonable and prudent police officer to believe that a crime has been committed, or is about to be committed, and that a certain person committed it.
4.	Reasonable	Fair, proper, or moderate under the circumstances. Determining whether a member has behaved reasonably is an objective standard whereby the court will consider the circumstances, not the intent of the actor.
5.	Warrant	Court order issued by judge or magistrate authorizing the police or some other body to make an arrest, search premises, or carry out some other action relating to the administration of justice.



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