

General Order

Houston Police Department



ISSUE DATE:

June 13, 2013

NO.

500-19

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 500-19, dated February 17, 1989

SUBJECT: WARRANT SERVICE PROCEDURES

POLICY

Houston police officers may serve criminal warrants within the Houston city limits. Officers may also serve civil warrants, including mental health warrants only when specifically directed to do so by a magistrate.

Officers may execute search warrants issued by any magistrate's court having jurisdiction, but only if the location to be searched is within the Houston city limits. If the location to be searched is outside the Houston city limits, officers shall seek the assistance of the police department, county sheriff, or precinct constable responsible for that jurisdiction.

If an officer is directed by a supervisor to serve a criminal warrant outside the city limits of Houston, the officer shall call the local law enforcement agency responsible for that jurisdiction and request assistance in executing the warrant. If the time delay involved is likely to result in the subject fleeing from the location where the warrant is to be served, the officer may serve the warrant.

Officers are not to permit private investigators or any other citizen to participate in the running of an open warrant. With the approval of a division commander or higher authority, officers may permit members of the media, employees of the district attorney's office, grand jurors, or citizens on a ride-along to view a warrant service from a safe distance. Barring this special authorization, citizens are not to accompany or be provided any information concerning the timing or details of a warrant execution.

This General Order applies to all employees.

1 OBTAINING WARRANTS

The Harris County Sheriff's Office is responsible for maintaining all criminal warrant files for Harris County. These files are available to officers 24 hours a day, 7 days a week. Harris County warrants can be obtained at the Harris County Sheriff's Office, Criminal Warrants Division.

Officers needing to obtain warrants from either the Montgomery County Sheriff's Office or the Fort Bend County Sheriff's Office shall contact that agency for assistance.

2 DUE DILIGENCE/PRIORITIZATION

All warrants shall be executed with due diligence and in accordance with the statutes of limitation. Officers' attention to warrants shall be based on the seriousness of the original offense. In general, warrants for which the original offense involved a violent felony shall receive priority attention over less serious offenses.

If an officer reasonably believes that the person named on a warrant may flee or if the information needed to arrest the suspect is known to be current, the officer shall give such warrants immediate attention.

In all cases, officers shall supplement the original incident report after attempting to serve a warrant, whether or not the attempt was successful. To ensure proper documentation of information when supplementing reports, officers shall use the department's main computer system in lieu of using only a mobile computing device (MCD) warrant service screen. See Section 10, *Documenting Warrant Service Attempts* for additional information.

3 REQUESTS FROM OUTSIDE AGENCIES

During its operating hours, the department's Fugitive Detail shall be responsible for executing all requests from outside agencies for assistance in locating and arresting fugitives who are wanted for felonies and who are located within the city limits of Houston.

4 INFORMATION FROM CITIZENS ON OUTSTANDING WARRANTS

If an officer receives information from a citizen about a wanted suspect, the officer shall first verify that the warrant is active and then contact the division responsible for the warrant to verify that execution of the warrant will not interfere with any ongoing investigation. After obtaining these verifications, the officer shall notify his or her supervisor, request permission to execute the warrant, and then execute the warrant.

[REDACTED]

6 ARRESTS BY ANOTHER AGENCY

When informed that a suspect in an HPD case has been arrested outside the city limits of Houston but within the state of Texas, the Fugitive Detail shall notify the division that originated the case. The originating division shall have the option of transporting the suspect to Houston or arranging for transportation by the Harris County Sheriff's Office.

7 EXTRADITION

The Fugitive Detail shall be notified if a suspect in an HPD case is arrested outside the state of Texas. After notification, the Fugitive Detail, together with the division that originated the case, shall determine whether the department should directly pursue extradition. If the department chooses not to pursue extradition on its own, the Fugitive Detail shall forward all necessary paperwork, including a copy of the warrant, to the Harris County Sheriff's Office, along with a request that it begin the extradition process.

8 CONFIRMATION OF WARRANTS HELD BY THE HARRIS COUNTY SHERIFF'S OFFICE

If the Harris County Sheriff's Office has an arrest warrant on a suspect, an officer should confirm that the warrant is still valid by contacting the Harris County Sheriff's Office, Criminal Warrants Division prior to attempting an arrest. The employee confirming the warrant should obtain the following information:

- a. Type of warrant (bond forfeiture, motion to revoke probation, "to-be," indictment)
- b. Warrant number, court of jurisdiction, and date the warrant was issued
- c. Bond amount

- d. Name of the Harris County deputy confirming the warrant

In addition to the above items, if the arrest warrant is a "to-be" warrant the name of the originating agency and the original case number should also be obtained for future reference.

If the suspect is arrested, the arresting officer shall immediately advise Harris County Sheriff's Office, Criminal Warrants Division personnel of the arrest, and request they place the warrant in the "Hold Box." This will prevent officers from trying to execute warrants that have already been served.

9 BOOKING

When a suspect is arrested on a warrant that pertains to an active Houston Police Department case, a "hold" shall be obtained from the concerned division and the suspect shall be placed in a City Jail.

Suspects arrested on court administrative charges that are not active Houston Police Department cases, such as bond forfeitures, failure to appear, and motions to revoke probation, shall also be booked into a City Jail and a "hold" obtained from the concerned division. An example would be a hold by Robbery Division for bond forfeiture on a robbery case.

Persons arrested within the city limits of Houston but within Fort Bend County or Montgomery County shall be handled as outlined in General Order 500-01, **Effecting Arrests and Searches**.

10 DOCUMENTING WARRANT SERVICE ATTEMPTS

Officers who attempt to serve a warrant shall supplement the original HPD incident

report whether or not the warrant was successfully served. The supplement shall contain all the details of the warrant service attempt. If the warrant service attempt was unsuccessful the narrative shall include any additional information that the officer was able to obtain as to the suspect's hang-outs, place of employment, vehicles driven, new address, etc.

Service attempts shall be documented by utilizing the appropriate screen on the department's main computer system or the Web Incident Report Entry System (WIRES) located on the department's Intranet Portal. It shall remain the responsibility of the officer who attempted to serve the warrant to ensure that the supplement has been entered properly into the computer no matter which method is used. After all the data have been entered and the transaction is complete, the Warrant Service Supplement becomes part of the permanent case record.

If the computer system is down, officers may use a hard copy of the Warrant Service Supplement form instead. Use of this form, however, must be approved by the officer's immediate supervisor.

Whenever a Warrant Service Supplement is made, a copy shall be furnished to the officer's divisional crime analyst.

11 RELATED GENERAL ORDERS

500-01, **Effecting Arrests and Searches**
500-12, **Handling Persons Exhibiting Mental Health Crisis**
Texas Code of Criminal Procedure, Article 15.17 and 15.18


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