5-07/090.00 - Misdemeanor Warrant Arrests - Warrant Not in Immediate Possession of Arresting Officer

There are a number of factors to consider in making misdemeanor warrant arrests without the warrant being in the officer's possession. The officer making such an arrest must have reasonable cause to believe the person he is arresting and the person named in the warrant are the same. If the subject disputes being the warrant subject, the disputed warrant verification form shall be completed prior to booking.

When identity is established, consideration shall be given as to where the warrant is in order that an abstract copy, via JDIC, can be sent to the defendant's booking location. This is necessary because:

- The Warrant Information Sheet (WIS) must be compared to the warrant subject prior to obtaining the warrant abstract;
- The defendant may demand that the warrant information be shown to him. (If the defendant demands to see the warrant and the original is not available, a JDIC copy/abstract will suffice);
- The defendant may wish to post bail;
- Magistrate(s) may be immediately available and a delay in taking the defendant before same may be deemed unnecessary delay;
- The defendant will be accepted by IRC only if accompanied by:
    - The original warrant; or
    - An abstract of the warrant;
- When the defendant is accepted by IRC, the original warrant or an abstract of the warrant shall remain in the defendant's booking jacket pending his court appearance or other disposition, along with the disputed warrant verification form, if applicable.