



NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

CHAPTER: 1.11

TITLE: WARRANT INQUIRIES

EFFECTIVE: 01/14/2018

REVISED: Replaces Policy 425

PURPOSE

The purpose of this Chapter is to establish a process for dealing with suspects arrested as fugitives and for person(s) wanted by a jurisdiction in the State of Louisiana other than Orleans Parish and their subsequent release in lieu of physical arrest and booking.

POLICY STATEMENT

1. If an officer is informed or learns that a person in his/her presence has an outstanding criminal warrant, he/she shall detain the individual pending verification of the criminal warrant or wanted bulletin through the NOPD - National Crime Information Center (NCIC) Unit.
2. A person detained and found through the NOPD - NCIC Unit inquiry to have an Orleans Parish Municipal and/or Traffic Court attachment shall be processed in accordance with **Chapter 74.3.1 - Failure to Appear**.
3. A person detained and found through the NOPD - NCIC Unit inquiry to have a verified criminal warrant/attachment from a jurisdiction within the State of Louisiana other than Orleans Parish, but the detaining officer, using his/her discretion decides to release the individual pursuant to **La. C.Cr.P. Article 211.1** in lieu of physical arrest shall be processed in accordance with this Chapter and **Chapter 1.9 – Arrests** and **Chapter 41.8- Affidavit/Summons**.
4. Members are **PROHIBITED** from bringing a warrant directly to an outside agency for execution. The warrant **MUST** be filed with NOPD – NCIC Unit prior to any attempt at execution outside of the City of New Orleans.
5. Members are **PROHIBITED** from contacting an outside agency directly to verify a warrant. All warrant verification **MUST** be processed thru the NOPD – NCIC Unit.

PERSONS WANTED BY JURISDICTIONS OUTSIDE THE STATE OF LOUISIANA

6. Upon verification of a criminal warrant through the NOPD - NCIC Unit that does not contain limitations, a person detained by New Orleans Police Officers and wanted by a law enforcement agency in another jurisdiction outside the State of Louisiana shall be arrested and processed through Central Lock-up in accordance with **Chapter 1.9 -**

Arrests.

7. A person detained and wanted by another jurisdiction, with no local charge(s), shall not be transported to Central Lock Up until verification of the criminal warrant/wanted bulletin is obtained through the NOPD - NCIC Unit (see: **Chapter 1.9 - Arrests**).
8. NCIC will inform the officer if limitation(s) were placed on the warrant/wanted entry. Any limitation placed on a warrant or wanted bulletin renders the warrant unenforceable outside of the limitations placed on the warrant.
9. Limitations on a warrant may include entries stating the jurisdiction entering the warrant:
 - (a) Will not extradite, or
 - (b) Will extradite from certain states only, etc.
10. An officer detaining a person with no additional local charges and the limitation imposed in the warrant/wanted entry does not give him/her probable cause to make an arrest on that warrant shall:
 - (a) Not place the individual under arrest for the warrant/wanted entry.
 - (b) Prepare a complete FIC which includes noting the circumstances of the stop, the warrant and the limitations that caused the release.
 - (c) Include all information relative to the individual's residence, telephone number, place of employment, vehicle information, description, driver's license number, etc. in the FIC.
 - (d) Send an email referencing the item number and the warrant check and release to the SOD - Violent Offenders Warrant Squad.

DELAY IN WARRANT VERIFICATION

11. NOPD – NCIC Unit sends all warrant verification requests by teletype (TTY) to the agency that placed the warrant in the system immediately upon the receipt of request by the detaining officer.
12. Per the Criminal Justice Information Services (CJIS) policy, the agency that placed the warrant in the system has 10 minutes to respond to the verification TTY request or send a TTY requesting additional time.
13. If the NOPD – NCIC Unit does not verify the warrant within the time frame provided by the NOPD – NCIC Unit member, the detaining officer shall contact his/her immediate supervisor and advise him/her that a verification of the warrant/wanted is pending, the time that has lapsed and any known reasons for the delay in verification.
14. If NCIC cannot verify the warrant and the supervisor authorizes the release of the detained individual, the supervisor shall instruct the detaining officer to prepare an FIC on the stop and reasons for the release. The investigating officer shall:
 - (a) Not place the individual under arrest for the warrant/wanted entry.
 - (b) Prepare a complete FIC which includes noting the circumstances of the stop, the warrant and the limitations that caused the release.
 - (c) Include all information relative to the individual's residence, telephone number, place of employment, vehicle information, description, driver's license number, etc. in the FIC.
 - (d) Send an email referencing the item number and the warrant check and release to the SOD - Violent Offenders Warrant Squad.

REQUIRED REPORTING INFORMATION

15. Specific information is required in offense reports to assist the magistrate judge in setting a bond. An officer who makes an arrest based on a state warrant shall include the below information in offense/arrest reports:
 - (a) La. R.S.: 14-000 - used in the "Charge Section" only if the warrant was issued in another state and the individual is under arrest.
 - (b) The entire "Offender Section" shall be completed.
16. In the "Charges Section" of the offender section, the arresting officer will list the charge as follows for out of state warrants:
 - (a) Example: "La. R.S.: 14-000 fugitive from City, State (issuing authority to include the name of the city and state) for (appropriate charge) warrant number (appropriate warrant number) issued (correct issue date of warrant)."
17. The arresting officer will include the following required information in the "Narrative Section" of the report.
 - (a) Example:

"On (date) at (time) police officer (officer's name) stopped (arrested subjects name, race, sex, and DOB) in the (location of stop). His/her name was processed through the NOPD – NCIC Unit. The officer learned he/she was wanted by the (issuing authority city and state) for the offense of (appropriate charge) under warrant number (warrant number on warrant). The warrant was issued on (issue date on warrant). NOPD –NCIC Unit Operator (name of NCIC operator) verified the warrant.

Indicate if the prisoner was wearing a monitoring device (E.M.D.).

Attached is a copy of the bulletin stating (issuing authority) will extradite."

TRANSPORTING FUGITIVES

18. After the warrant is verified by the NOPD – NCIC Unit, the detaining or arresting officer shall transport the suspect to Central Lock-Up and processed as a "fugitive."

RECEIVING FUGITIVE ARRESTS FROM CONTIGUOUS PARISHES

19. A person wanted by the New Orleans Police Department, and in the custody of Jefferson, St. Bernard, or St. Tammany Parish law enforcement agencies, shall be transported to Central Lock-Up after verification of the warrant by on duty personnel in the NOPD - NCIC Unit.
20. Communications Services will dispatch fugitive transport requests from law enforcement agencies in contiguous parishes as follows:
 - (a) Second District unit will be dispatched to transport a prisoner held in Harahan, Louisiana.
 - (b) Third District unit will be dispatched to transport a prisoner held at the Jefferson Parish east bank Lock-Up.
 - (c) Fourth District unit will be dispatched to transport a prisoner held in the Jefferson Parish west bank Lock-Up and Plaquemines Parish Belle Chasse Lock-Up.
 - (d) Seventh District unit will be dispatched to transport a prisoner held in the Slidell Police Department's Lock-Up and the St. Tammany Parish Lock-Up.
 - (e) Fifth District unit will be dispatched to transport a prisoner held in St. Bernard Parish.
21. If a unit is not available in the above listed districts, and a unit will not become available within one hour of the conclusion of the working shift, the on-duty Police Liaison in

Communications Services shall assign the transportation to a district unit as geographically close as possible to the prisoner's place of confinement.

22. An officer(s) assigned to the SOD – VOWS –Extradition and Fugitive Unit shall be assigned to transport a prisoner from any parish that is not contiguous to Orleans Parish. The on-duty operator in the NOPD – NCIC Unit who verified the warrant shall contact the SOD – VOWS –Extradition and Fugitive Unit and arrange for transportation of the prisoner to Orleans Parish during the next working shift.

JUVENILE FUGITIVE TRANSPORTS

23. The responsibility for the transportation of juvenile offenders arrested as fugitives from Orleans Parish and held in a facility outside of Orleans Parish is handled in the same manner as adult fugitive transports.

FUGITIVE ARREST REPORTING REQUIREMENTS

24. A supplemental report shall be completed and a cancellation bulletin sent by officer(s) assigned to transport a prisoner from a parish outside of Orleans Parish. Therefore, no cancellation bulletins shall be sent for any fugitive arrest (17F), court capias (21), municipal or traffic attachments (17M/T), or probation violations.
25. An incident report shall be completed on a capias arrest if the warrant was issued by an Orleans Parish Criminal District Court or Civil District Court Judge.
26. Incident reports are not required for the arrest of an individual wanted on an attachment issued by an Orleans Parish Municipal or Traffic Court Judge (see: **Chapter 74.3.1 – Failure to Appear – Summons in Lieu of Physical Arrest**).
27. If a person under arrest has more than one verified attachment/warrant from the same jurisdiction, other than Orleans parish, the investigating officer shall complete one incident report including all attachment/warrant numbers in the charge section of the report.
 - (a) Example: If the person has five verified warrants from Jefferson Parish, the arresting officer will complete one Fugitive Investigation/Attachment report placing all five warrant/attachment numbers in the charge section of the report. Officers shall use the same procedure when completing an Electronic Police Report (EPR).

NCIC PERSONNEL

28. When a member of the New Orleans Police Department NCIC Unit is notified an officer is releasing a person with a warrant/attachment from another jurisdiction pursuant to C.Cr.P. Art. 211.1, the NCIC operator shall send a teletype message to the agency that entered the person into the system as wanted, stating that the person is being released. The NCIC operator will also forward any updated information obtained by the officer.