



PATROL GUIDE

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| Section: Arrests | | Procedure No: 208-42 | |
| ARREST ON A WARRANT | | | |
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PURPOSE To arrest persons for whom warrants have been issued.

DEFINITION ARRESTING OFFICER - For the purposes of this procedure, an arresting officer is any non-supervisory uniformed member, including detective squad personnel, assigned to arrest persons named on warrants issued by the court.

PURPOSE When arresting a person for whom a warrant has been issued.

- ARRESTING OFFICER**
1. Inform defendant of warrant and offense charged unless physical resistance, flight or other factors make such procedure impractical.
 2. Present warrant, if requested, or as soon as possible, if not possessed at time of arrest.
 3. Announce authority and purpose if premises is involved and there is reasonable cause to believe that defendant is inside EXCEPT if giving such notice may:
 - a. Endanger the life or safety of the officer or another person, OR
 - b. Result in defendant attempting to escape, OR
 - c. Result in material evidence being destroyed, damaged or hidden.

NOTE *Exceptions DO NOT apply when Family Court warrants, including Urgent Child Abuse Warrants, are being executed. However, limitation will NOT apply in an “urgent child abuse” case if the life or safety of the child or any other person is endangered, since the City Charter authorizes the immediate and unannounced entry into a premises in an emergency situation.*

4. Break into premises, if necessary.

NOTE *If premises is a third party residence, such break-in is prohibited without a search warrant.*

5. Make arrest and comply with the pertinent arrest processing guidelines.
 - a. Contact borough Court Section supervisor for instructions as to location to which prisoner is to be transported, if court is not in session.
6. Notify Central Warrant Investigation Team of the following:
 - a. Court issuing warrant and docket number
 - b. Warrant Section serial number
 - c. Rank, name, shield number and command of arresting officer
 - d. Name of defendant/respondent.
7. Conduct a FINEST System name search or NYSID number search (WNYS) to ascertain if any additional warrants or wanted cases exist concerning the subject of the immediate warrant.
 - a. If inquiry reveals a felony warrant or **INVESTIGATION CARD (PD373-163)**, contact the investigative unit concerned.

NOTE *A FINEST System name check “HIT” is NOT considered conclusive and is NOT sufficient authority to arrest. Further inquiries (i.e., NYSID number search [WNYS]) MUST be made.*

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ARRESTING OFFICER (continued)

8. Complete **ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)** if arrest warrant, or **ARREST REPORT - SUPPLEMENT (PD244-157)** if bench warrant, and enter under "NARRATIVE":
 - a. Date warrant issued, court, judge, and county of issuance.
 - b. Rank, name, shield number and command of member of the service who verified the status of the warrant.
 - c. Docket number and other pertinent information.
9. Arraign prisoner as follows:
 - a. CRIMINAL COURT WARRANTS
 - (1) Warrants issued by New York, Queens, Bronx, or Kings County Criminal Court:
 - (a) Arraign prisoner in Criminal Court or Weekend/Night Court of the borough that issued the warrant.
 - (2) Warrants issued by Staten Island Criminal Court:
 - (a) Arraign prisoner in Staten Island Criminal Court when in session.
 - (b) Confer with Staten Island borough Court Section and process prisoner as directed, when not in session.
 - b. SUPREME COURT WARRANTS
 - (1) Take prisoner before Supreme Court that issued warrant, if in session. When a police officer can not bring the defendant to the Supreme Court for arraignment (after 1700 hours on weekdays and on weekends), the officer will deliver adult male defendants to the Department of Corrections facility in the county that issued the warrant. Adult male defendants arrested on a Staten Island Supreme Court arrest warrant or a Staten Island Supreme Court bench warrant will be delivered to the Brooklyn Corrections facility. All female defendants will be brought to the Rose M. Singer Center on Rikers Island. Male adolescents will be brought to the Adolescent Reception and Detention Center on Rikers Island. The police officer delivering the prisoner will provide the Department of Corrections with a copy of the Supreme Court arrest warrant or bench warrant (see ADDITIONAL DATA for Department of Corrections locations).
 - c. FAMILY COURT WARRANTS
 - (1) Remove prisoner to Family Court that issued warrant, if in session. When not in session, arraign prisoner in Weekend/Night Court, borough of arrest.

NOTE

Police officers delivering defendants to Rikers Island will proceed across the Rikers Island bridge and go directly to the appropriate reception center where they will be required to check all their weapons. After complying, they will proceed to the receiving entrance of the facility to lodge the defendant, and will retrieve their weapons after the defendant is lodged.

NOTE

Arresting officers, not assigned to Warrant Section, are required to arraign prisoners arrested on warrants, unless otherwise directed.

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ARRESTING OFFICER (continued)

10. Prepare following statement on Court Complaint if arrest made in borough other than borough where warrant was issued (Inter-County Warrant):
 “At (time) hours, on (date), Police Officer (name, shield number, command) performing duty in (borough) Criminal Court has verified through records on file at said court that the warrant forming the basis of this arrest is active.”

WHEN AN ARREST IS EFFECTED SOLELY ON A BENCH WARRANT

DESK OFFICER

11. Make Command Log entry relative to the detention of the prisoner.
12. Ensure that **WARRANT INVESTIGATION REPORT (PD374-152)** is prepared.

SPECIAL OPERATIONS LIEUTENANT

13. Sign **WARRANT INVESTIGATION REPORT** and forward as indicated on form.

ARRESTING OFFICER

14. Prepare **ARREST REPORT - SUPPLEMENT** and submit to supervisor for review and signature.
 - a. Indicate on **SUPPLEMENT** if, and exactly how, the subject may have attempted to avoid arrest.

ADDITIONAL DATA

*If a uniformed member of the service conducting an investigation has a parole absconder in custody SOLELY on the authority of a parole warrant, the arrest will be processed as “FOA.” The uniformed member of the service will notify the Central Warrant Unit immediately for the purpose of obtaining a copy of the parole warrant to lodge the parole violator in the appropriate Department of Correction facility. In addition, an immediate notification must also be made to the Division of Parole’s, Parole Absconder Search Unit. The notification to the Division of Parole is necessary to provide a copy of the parole warrant to arresting officers in cases where the Warrant Section has not yet received a copy of this document, and also to ensure that parole violators are served with a copy of the charges upon which the warrant is based, as well as the dates on which the probable cause and revocation hearings are to be scheduled. PRISONERS IN THESE CASES WILL BE LODGED AT THE APPROPRIATE DEPARTMENT OF CORRECTION FACILITY AND ARE NOT TO BE TRANSPORTED TO BOROUGH COURT SECTION FACILITIES. When preparing the **ON LINE BOOKING SYSTEM ARREST WORKSHEET**, indicate in the “Narrative Section” the time, date and names of who was notified at the Warrant Section and at the Parole Absconder Search Unit, prior to forwarding a copy of the **WORKSHEET** to the borough Court Section.*

When a youth who is AWOL from a residential facility is apprehended on an Office of Children and Family Services Warrant, the youth will be returned directly to the residential facility, if located within New York City. If AWOL from a facility outside New York City, the youth will be taken directly to the Horizon Juvenile Center, 560 Brook Avenue, Bronx, New York. In NO CASE will the youth be taken to Family Court.

A person in need of supervision (PINS) will NOT be taken into custody without a court order. The defendant will be detained at a facility designated by the Emergency Children’s Service of the Human Resources Administration, who will be requested to provide transportation.

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ADDITIONAL DATA
(continued)

When a defendant is taken into custody and in addition to a PINS Warrant there are other Juvenile Delinquency charges:

- a. The juvenile may be served an **APPEARANCE TICKET - FAMILY COURT (PD277-130)** for the other charges, if eligible. However, the juvenile will be kept in custody on the authority of the PINS Warrant and taken to a designated Emergency Children's Service facility.
- b. If the defendant is NOT released on an **APPEARANCE TICKET - FAMILY COURT** on the Juvenile Delinquency charges, the defendant will be taken to the Horizon Juvenile Center, 560 Brook Avenue, Bronx, New York.

When a person is apprehended outside New York City, but within New York State on the authority of a felony/misdemeanor warrant issued by a New York City Court, the Inter-City Correspondence Unit will notify the Warrant Section to assign personnel to return the prisoner to New York City. Travel expense funds, if needed, may be obtained from the Audits and Accounts Unit. If closed, funds may be obtained at the Office of the Chief of Detectives (see P.G. 212-83, entitled "Leaving City on Official Business").

The address of each Department of Corrections facility is as follows:

Manhattan

Manhattan Detention Complex (MDC)
125 White Street
New York, New York 10013

Brooklyn

Brooklyn House of Detention for Men (BKLYN HDM)
275 Atlantic Avenue
Brooklyn, New York 11201

Queens

Queens House of Detention for Men (QHDM)
126-02 82nd Avenue
Queens, New York 11415

Bronx

Bronx House of Detention for Men (BX HDM)
653 River Avenue
Bronx, New York 10451

Rikers Island Facilities

Rose M. Singer Center (RMSC)
19-19 Hazen Street
East Elmhurst, New York 11370

Adolescent Reception and Detention Center (ARDC)
11-11 Hazen Street
East Elmhurst, New York 11370

RELATED PROCEDURES

- Certificate of Warrant (Non-Support) (P.G. 208-50)
- Documenting and Reporting Court Appearances Pertaining to Arrests on a Warrant (P.G. 211-08)
- Leaving City on Official Business (P.G. 212-83)
- Search Warrant Applications (P.G. 212-75)

FORMS AND REPORTS

- APPEARANCE TICKET - FAMILY COURT (PD277-130)**
- ARREST REPORT - SUPPLEMENT (PD244-157)**
- INVESTIGATION CARD (PD373-163)**
- ON-LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)**
- WARRANT INVESTIGATION REPORT (PD374-152)**