



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATIVE REGULATIONS AND OPERATING PROCEDURES

Subject: Arrest Warrants: Storage, Tracking, Service,
Purging & Disposal Procedure

Number: 405-F

Effective Date: November 28, 2001

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Rescinds: 405 - Service of Arrest Warrants	Dated: 11-28-01
405-A Service of Arrest Warrants	02-14-03
405-B Service of Arrest Warrants	06-13-07
405-C Service of Arrest Warrants	02-03-11
405-D Service of Arrest Warrants	04-01-11
405-E Service of Arrest Warrants	05-25-20

Approved By:

I. PURPOSE

To establish guidelines and regulations for the storage, tracking, service, purging and disposal of arrest warrants issued by the Municipal Clerk of Court.

II. SERVICE OF ARREST WARRANTS

- A. Only sworn law enforcement officers will execute arrest warrants.
- B. All warrants will be issued by the Clerk of Court's Office. This includes all General Sessions and Municipal Court Warrants.
- C. All other jurisdiction warrants will be certified and issued by the Clerk of Court's Office.
- D. All active warrants will be maintained by the communications section and stored in the "NCIC Warrant Room". There will be 24-hour access to this room.
- E. When an officer requests the status of a warrant, the Communications Officer on duty will be responsible for locating the warrant in the warrant room to ascertain the status and confirm that the actual warrant is available for service.
- F. When an officer makes an arrest on an active warrant, he/she will obtain the original from the communications section and serve the warrant on the subject in jail. It will be the serving officer's responsibility to complete a supplemental report documenting service and return the original warrant

along with an updated criminal history if applicable to the Clerk of Court immediately upon service.

III. WARRANT TRACKING

1. WARRANTS RECEIVED IN DISPATCH

Communications officers will be responsible for the following:

- a) Timestamp the warrant.
- b) Warrant information is recorded in the Department files through the computerized Records Management System (RMS). Information from the warrant is entered into RMS and includes, but is not limited to, the following:
 - 1) Date issued
 - 2) Type of warrant
 - 3) Issuing authority
 - 4) Name of defendant
 - 5) Descriptive information
 - 6) Warrant number
- c) Enter the wanted person record into NCIC.
 - 1) The criteria for entering notices in regional, state and federal information systems is as follows:
 - i. The Department uses the Nation Crime Information Center (NCIC), which have computerized Wanted Person Files. Entries into these systems must comply with the rules and regulations set forth by NCIC. The Wanted Persons Files contain personal descriptors and identifiers for persons who are being sought by the law enforcement community. All warrants that have been entered in NCIC Wanted Persons are maintained in a separate file. The NCIC printout shall be attached to the warrant.
 - 2) The criteria for receiving information from other jurisdictions
 - i. The criteria for receiving information from other jurisdictions will be the same as the criteria for entering notices in the National Crime Information Center (NCIC) system.
- d) An NCIC certified member of the communications team shall verify the information entered into NCIC with the information on the

warrant to ensure accuracy, and they will complete a second party check form.

- e) Paperclip all NCIC paperwork to the original warrant, with the warrant entry form on top, and place the paperwork into the NCIC basket in Dispatch.
- f) After the NCIC Second Party Check form is completed, a folder will be created and filed in the NCIC Warrant Room.
- g) The NCIC entry card will be notated with an "F" to indicate it has been filed by the NCIC validation team.
- h) The paperwork will then be filed in the NCIC Warrant Room in order of case number.
- i) No wanted person entries will be entered in NCIC without the warrant being attached.

2. PROCESS FOR RETRIEVING WARRANTS

- a) Retrieve designated key from the wall in Dispatch for the NCIC Warrant Room.
- b) Pull the entire folder, organized by case number, from the filing cabinet.
- c) Lock door to the NCIC Warrant Room and replace the key.
- d) Verify the original warrant is inside the folder. If the original warrant is found, the hit is considered confirmed.
- e) Remove the original warrant from the folder so it can be provided to the officer that will serve the warrant.
- f) After the wanted person is physically in MBPD custody, the wanted person record will be cancelled in NCIC and the RMS record will be updated.
- g) Place a copy of all NCIC paperwork back into the folder.
- h) Place the entire folder with all contents, with exception to the original warrant, into the NCIC basket in dispatch.
- i) If the folder is located but the original warrant is not inside or unable to be located in the NCIC basket awaiting filing, the hit is to be considered "not confirmed." Photocopies of warrants are NOT accepted as confirmation of a hit

- 3. Officers may obtain copies of warrants from the communications center. Officers WILL not remove the original warrant from the warrants room unless the subject is in custody and the officer is going to serve the warrant immediately.

- a) Copies of warrants are considered confidential and care should be taken to ensure the copy is kept confidential.

IV. WARRANT PURGING AND DISPOSAL

1. It shall be the responsibility of any officer when directed or tasked by the Chief of Police to gather warrants that are unable to be served or prosecuted using the following criteria:
 - A. The Officer(s) will gather warrants to be purged based on the following criteria:
 - 1) Prosecuting officer / affiant unavailable;
 - 2) Victim unavailable;
 - 3) Victim no longer wishes to prosecute;
 - 4) Defendant is deceased;
 - 5) Solicitor's Office will not prosecute (General Sessions Warrants);
 - 6) City Prosecutors will not prosecute (Municipal Court Warrants);
 - 7) All attempts/leads to serve warrant have been exhausted;
 - 8) Served Fugitive Warrants that are over 30 days old;
 - 9) Other as approved by Chief of Police.
2. Once a warrant, both Misdemeanor and Felony has been withdrawn, it must be returned to the Clerk of Court. Disposed of warrants shall be maintained by the Clerk of Court and it will be their responsibility to keep them.
3. Warrants must end with the same dignity that they began with. Whereas, warrants are signed with sworn testimony under oath, they must be removed with sworn testimony under oath.
4. The officer will give sworn testimony on record in front of a ministerial recorder or Municipal Judge stating the reason(s) why the warrant should be purged. This hearing may be recorded at the discretion of the Municipal Court.
5. Prior to the Officer giving testimony in regards to purging of General Sessions warrants, the Officer must have approval from the Solicitor's Office in order for the warrant to be withdrawn. Once approved, the Officer will be testifying that the warrant(s) needs to be withdrawn for reasons stated in the memo/email received from the Solicitor's Office agreeing to the purge. Permission for purging Municipal Court warrants will be obtained from the City Prosecutor's office. Additionally, Municipal Court warrants to be purged must be approved by the Uniform Division Commander, General Session warrants or in cases to which there are Municipal and General Sessions

warrants involved in the same incident or case, the Investigative Division Commander will approve before seeking approval from the Solicitor's Office. A supplemental report will be completed documenting the actions taken. This report will include the following:

- Defendant Name;
 - Year warrant was signed;
 - Charge;
 - Reason(s) for purging warrant;
 - Division Commander signature and date of signature;
 - Additional comments.
6. If not addressed in a court proceeding, thirty days after a Fugitive from Justice warrant has been served, the Officer or designee will appear before the Chief Judge of the Myrtle Beach Municipal Court, or a judge under their office, and request the fugitive warrant be dismissed or nolle prossed. All other regulations and procedures for warrant purging and disposal will be adhered to as outlined in this policy.