

Chicago Police Department		Special Order S06-12-02	
NON-TRAFFIC ARREST WARRANT PROCEDURES			
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I. PURPOSE

This directive:

- A. outlines Department procedures for requesting, processing, and servicing non-traffic arrest warrants.
- B. introduces the use of the Intrastate Hold Affidavit.
- C. continues the:
 - 1. requirements for bond forfeiture notifications by the court sergeant / officer.
 - 2. direct recall procedures to expedite the removal of criminal warrants from the Department's computer system.
 - 3. procedures for processing persons arrested by outside agencies.
 - 4. "Warrant Index" portion of the Warrant Control card (CPD-31.265).
 - 5. Warrant Control Suspense File card (CPD-31.266).
 - 6. computer generated "Weekly Listing of Active Warrants" (PGM-9258).
 - 7. computer generated "Daily Activity Listing" (PGM-9259).
- D. discontinues the use of the "Affidavit" portion of the Warrant Control card (CPD-31.265).

II. REQUEST FOR NON-TRAFFIC WARRANTS

- A. Persons seeking a summons or an arrest warrant for misdemeanor or ordinance offenses **other than domestic violence related offenses**, will be directed to apply to the police officer / warrant clerk assigned to Court Branches 23, 29, 34, 35, or 43, Monday through Friday (excluding court holidays) between 0830 and 1130 hours. The summons / warrant will be made returnable to the court branch where the case would normally be assigned as outlined in the Department directive entitled "Court Call Schedule."
- B. Persons seeking a summons or an arrest warrant for **misdemeanor domestic violence related offenses** are to be directed to apply to the police officer / warrant clerk assigned to the Domestic Violence Court Warrant Office, Monday through Friday (excluding court holidays) between 0830 and 1130 hours.
- C. Police officers may request misdemeanor non-traffic arrest warrants from the police officer / warrant clerk assigned to any branch of the First Municipal District, Circuit Court of Cook County (Municipal Court of Chicago). However, the warrant will be made returnable to the court branch where the case would normally be assigned as outlined in the Department directive entitled "Court Call Schedule."
- D. Requests for felony warrants will be processed in accordance with the provisions of the Department directive entitled "Felony Review by Assistant State's Attorney."
- E. Upon request for an arrest warrant, the police officer / warrant clerk will:
 - 1. ensure that probable cause exists for the complaint to apply for a warrant or summons, and when probable cause exists, prepare a formal complaint, an arrest warrant and a summons.
 - 2. accurately record as much personal information as possible for the person named in the warrant (e.g., name, address, sex, race, height, weight, date of birth, age, complexion, etc.) in

the **Information and Description of Defendant** section of the warrant. If available, record the Identification Record (IR) number and/or Central Booking (CB) number of the person named in the warrant.

3. have the Assistant State's Attorney assigned to the court branch review the warrant or summons, complaint and any other related documents for approval before they are presented to the court.
4. complete a Warrant Control Suspense File card (CPD-31.266). The card will be retained by the police officer / warrant clerk as a record of registration and processing of the warrant in an alphabetical file in accordance with the Forms Retention Schedule.
5. inform the officer obtaining a warrant that prior to an immediate execution of the warrant, the officer **must first deposit** the warrant with the Central Warrant Unit and **obtain a warrant number before the warrant can be served**. Unserved warrants or copies of unserved warrants will not be retained or circulated in the field.
6. complete the unshaded portion of a Court Complaint Transmittal Listing (CPD-11.551) for each warrant and forward it to the court clerk assigned to the court hearing the complaint.

F. When a police officer / warrant clerk ascertains that the person named in the warrant is a Department member, he will follow the provisions of the Department directive entitled "**Complaint and Disciplinary Procedures**".

III. PROCESSING NON-TRAFFIC ARREST WARRANTS

A. Public Safety Information Technology (PSIT) will:

1. maintain a computer system to process pertinent information regarding arrest warrants.
2. produce necessary copies of the Warrant Index cards (CPD-31.265) daily, utilizing warrant information entered the previous day.
3. prepare and forward to the Central Warrant Unit, a Daily Activity Listing (PGM-9259), by unit, of all warrants entered, modified, or inactivated in the previous 24-hour period (0001-2400 hours).
4. prepare and forward to the Central Warrant Unit, the Weekly Listing of Active Warrants, by district, that have been entered and have remained active on the list for at least 45 days.

B. The Central Warrant Unit will:

1. upon receipt of an arrest warrant from the clerk of the Circuit Court, obtain a current Chicago Police Department (CPD) criminal history record of the person named on the warrant. If the IR number is listed on the warrant, verify all information contained in the warrant and enter it into the computer system. Warrants which do **not** contain sufficient information to distinguish the person named in the warrant from others of similar names will be returned to the issuing court.
2. stamp the warrant number assigned by the computer on the face of the warrant document.
3. file the warrant and the complaint until served or returned to the Clerk of the Circuit Court.
4. enter criminal warrant data into the Law Enforcement Agency Data Systems (LEADS) computer **only** when the charge is a felony, and enter criminal warrant data into the National Crime Information Center (NCIC) computer system when the charge is for a Class "X" felony (homicide, armed robbery, aggravated arson, etc.).

NOTE: In exceptional cases, and upon the approval of the Chief, Detective Division, a felony warrant may be placed in the LEADS and NCIC computer systems for an offense other than those enumerated above.

5. retain the Warrant Index card in the file with the warrant.
6. forward the Weekly Listing of Active Warrants to the affected district/unit commanding officers.

7. when notified that a person named in a warrant has been taken into custody:
 - a. verify the validity of the warrant via the Clerk of the Circuit Court computer.
 - b. after verifying the validity of the warrant, initial the back of the Warrant Index card and record the time that verification was attempted and/or completed.
 - c. record the name and star / employee number of the Department member making the notification on the back of the Warrant Index card.
 - d. send a facsimile copy of the warrant to the Identification Section / Instant Update Unit for verification of the fingerprints and IR number to determine if the person in custody is the person named in the warrant.
 - e. immediately notify the watch commander of the detention facility when it is determined that the warrant is invalid or the person in custody is not the person named in the warrant.
 - f. if the inquiry reveals that the warrant is valid, make photocopies of the arrest warrant and complaint when available, stamp all copies with a stamp denoting "COPY" and transmit a facsimile copy of the warrant and complaint, if any, to the district of detention.
 - g. record the unit / district of detention and the CB number on the Warrant Index card.
8. update warrants to "inactive" status in the computer system when a warrant is to be removed from the active file (e.g., served, quashed, deleted etc.).
9. stamp the Warrant Index card "DELETED" and compare this card with the listing of deletions prepared by PSIT. The Warrant Index card will be retained in an alphabetical file by year, in accordance with the Forms Retention Schedule.
10. upon return of a facsimile copy of a warrant by a unit to which it was sent for reasons as outlined in Item V of this directive, ensure that the original is reinstated to the active file.
11. upon notification that the person named in the warrant is already in the custody of an outside agency, take appropriate action to ensure that the warrant is served.

C. The Central Booking Desk will run a computer check on arrestees to ascertain if there are any active warrants. Should an active warrant be located, the Central Booking Desk will ensure that a copy of the Arrest Report (CPD-11.420) is hand delivered to the Central Warrant Unit.

D. The Field Services Section will make proper notifications via the telephone of any alias warrant hits discovered by the Identification Section to the affected police district desk sergeant. The member making the notification is to obtain the desk sergeant's name, and star number.

E. When a person in custody is found to be wanted on a warrant issued by an Illinois Court, the LEADS Desk in the Field Services Section will immediately notify the extradition officer. In instances when a warrant is discovered during the identification processing, the notification will be made immediately by the Identification Section / Instant Update Unit.

F. The extradition officer will complete the initial top sections of the Intrastate Hold Affidavit [sections from the top of the document down to, but not including, the section labeled: "IDENTIFICATION / DESCRIPTION OF PERSON IN CUSTODY" (except the line indicating "Cook County No.")] for each warrant issued by an Illinois court after a determination of identity has been made. He will send the partially completed Intrastate Hold Affidavit, for each warrant, to the district of detention desk sergeant via facsimile. If an arrestee is transported to the Central Detention Section, the affidavit will be hand carried to 001 District desk sergeant for attachment to the Court Complaint Transmittal Listing (CPD-11.551).

G. The Identification Section will send two facsimile copies of arrestees' criminal history sheets to the district of detention for inclusion and attachment to the Arrest Report of arrestees going to court. The second set of the criminal history sheets will be stamped with a note reading, "Attach to Transportation / Bailiff Copy (goldenrod) of the Arrest Report and send along with defendant's papers to court."

H. The Records Services Division, Subpoena Unit, will ensure that the original warrants and complaints, if any, are hand delivered to the Office of the Clerk of the Circuit Court of Cook County, Monday through Friday (excluding court holiday) during normal business hours.

IV. PROCESSING PERSONS ARRESTED ON WARRANTS

A. Arresting officer's procedures:

1. In addition to the procedures outlined below, arrestees will be processed in accordance with the procedures outlined in the Department directive entitled "Processing Persons Under Department Control."
2. Local charges, if any, and the warrant charge will be indicated on the Arrest Report. In addition, the following information for each warrant is to be listed on the Arrest Report:
 - a. Warrant number
 - b. Warrant charge
 - c. Court branch
 - d. Amount of bond
 - e. Judge's name
 - f. Identification Record (IR) number listed on the warrant, if any.
3. **Felony warrant cases**, other than narcotics or bond forfeiture warrants, the arresting officer or in his absence, the desk sergeant will notify the **Detective Division** unit listed on the warrant in accordance to the Department directive entitled "Processing Persons Under Department Control." In addition, an assistant state's attorney from the Felony Review Unit will be contacted for the final approval of the charge and for the preparation of the felony folder, if required, as outlined in the Department directive entitled "Felony Review by Assistant State's Attorney."
4. The procedures for charging a fugitive apprehended on a **warrant issued in another state** will be followed in compliance with the Department directive entitled "Extradition Procedures."
5. Persons apprehended on **warrants issued within the State of Illinois**:
 - a. Persons arrested on local charges and when a warrant issued within the State of Illinois is discovered, the person **will not be issued an Individual Recognizance Bond (I-Bond) for the local (misdemeanor or traffic Major room) charges or for the warrant.** Such persons will instead be sent to the First Municipal District, Circuit Court of Cook County (Municipal Court of Chicago, having proper jurisdiction, for a bond hearing in accordance with the Department directive entitled, "Court Call Schedule." An arrestee who is able to post a Cash Bond (C-Bond) or a Deposit Bond (D-Bond) on the local charges will be allowed to do so, however, the arrestee will be sent to the Central Detention Section for additional processing of the warrant. (Unless the bond amount is indicated on the warrant, in which case the person will be allowed to post the indicated bond and not transported to the Central Detention Section.)
 - b. When an arrestee is to be transported to the Central Detention Section a **second Arrest Report will be completed** by the arresting officer, if he is available, or by desk personnel **prior** to transporting the person to the Central Detention Section.
 - (1) The warrant information and the initial probable cause for arrest (local charges) are to be entered in the narrative section of both Arrest Reports. In addition, the warrant charge and type of warrant will be indicated in the "References" and "Offenses" boxes of both Arrest Reports (i.e., 720 ILCS 5/16-1. WART. THEFT).
 - (2) The **original Central Booking (CB) number** will be entered in box 6 of the second Arrest Report.

- (3) Multiple outside active warrants will be included on one Arrest Report. If additional space is necessary, a third Arrest Report will be completed.
- (4) The transporting officers will present the Arrest Report to the Watch Commander of the 001 District who will countersign the "Initial Approval of Probable Cause" box.
- (5) Complete the remaining information requested on the semi completed Intrastate Hold Affidavit received by the district desk sergeant. In the event that the arresting officer is unavailable to complete the Intrastate Hold Affidavit, the desk sergeant will complete, sign and clerk the document; and ensure the LEADS hit printout is attached to the affidavit.
- (6) Two copies of each LEADS hit printout, discovered for each warrant, will be generated and attached as follows:
 - (a) One copy to the Transportation / Bailiff Copy (goldenrod) of the second Arrest Report.
 - (b) The second copy to the completed Intrastate Hold Affidavit.

c. Where no local charges are lodged, only **one Arrest Report** will be prepared, and the arrestee will be transported to the Central Detention Section with the single Arrest Report for the warrant.

- (1) In instances where the district of detention has not received the Intrastate Hold Affidavit by the time the arrestee is ready to be transported to the Central Detention Section, the desk sergeant will:
 - (a) notify the extradition officer that the prisoner is going to be transported to the Central Detention Section for further processing and that the Intrastate Hold Affidavit has not been received.
 - (b) attach the two copies of the LEADS hit printout to the Transportation / Bailiff Copy of the Arrest Report if notified by the extradition officer that the affidavit will be hand delivered to the 001 District.
- (2) The extradition officer will either immediately send a facsimile copy of the affidavit to the district of detention for completion by the arresting officer, or in his absence, for completion by the desk sergeant; or will inform the desk sergeant that the affidavit will be hand delivered to the 001 district where the affidavit will be married up with the LEADS hit printout and the Court Complaint Transmittal Listing.

NOTE:

The original signature of the arresting officer must appear on the Intrastate Hold Affidavit whenever possible. However, the processing and/or transporting of arrestees to the Central Detention Section when required, will not be delayed in order to obtain the partially completed affidavit from the extradition officer or the original signature of the arresting officer. Instead, the Intrastate Hold Affidavit will be completed by the desk sergeant at the district of detention; or by the 001 District desk sergeant when the Intrastate Hold Affidavit is hand delivered by the extradition officer.

- (3) In the event further information is needed to complete the affidavit, the desk sergeant should verify the required information via the extradition officer (e.g., a fingerprint or photograph comparison if significant discrepancies between the physical description of the person in custody and the person named in the warrant are noted).

(4) The transporting officers will present the Arrest Report to the Watch Commander of the 001 District who will countersign the "Initial Approval of Probable Cause" box.

6. Persons apprehended on warrants issued in the State of Illinois (regardless of whether local or outside agency) who will be **sent to court on local charges** will **NOT** be sent to the Central Detention Section.

- a. Only one Arrest Report will be prepared for the local charge and warrant. All information regarding the warrant and probable cause for the arrest should be indicated in the narrative section of the Arrest Report. In addition, the warrant charge and type of warrant is to be indicated in the "References" and "Offenses" boxes of the Arrest Report.
- b. The arresting officer will generate two copies of each LEADS hit printout, discovered for each warrant, and attach them as follows:
 - (1) One copy to the Transportation / Bailiff Copy (goldenrod) of the second Arrest Report.
 - (2) The second copy to the completed Intrastate Hold Affidavit.
- c. If space is limited on the original Arrest Report, a second Arrest Report (continuation report) with the probable cause for arrest will be prepared in accordance with the Form Preparation Instructions printed on the inside cover of the Arrest Report formset booklet.

B. The desk sergeant will ensure that:

1. arrestees are processed in accordance with the procedures outlined in this directive and the Department directive entitled "**Processing Persons Under Department Control**".
2. a facsimile copy of an arrestee's Arrest Report is sent to the Central Booking Desk and the Central Warrant Unit.
3. The information and physical description of the subject named in the warrant matches the subject in custody.

NOTE: If significant discrepancies between the physical description of the arrestee and the person named in the warrant are noted, the watch commander of the detention facility has the final authority of determining whether or not the arrestee will be processed for the warrant.

4. the arrestee's IR number, if available, and the IR number listed on the facsimile copy of the warrant are the same before the arrestee is let to bail or sent to court.
5. for persons arrested on local charges and a warrant issued in the state of Illinois is discovered, the person **will not be issued an Individual Recognizance Bond (I-Bond) for the local (Misdemeanor or traffic Major room) charges or for the warrant**. Such persons will instead be sent to the First Municipal District, Circuit Court of Cook County (Municipal Court of Chicago) having proper jurisdiction, for a bond hearing in accordance with the Department directive entitled, "**Court Call Schedule**". An arrestee who is able to post a Cash Bond (C-Bond) or a Deposit Bond (D-Bond) on the local charges will be allowed to do so, however, the arrestee will be sent to the Central Detention Section for additional processing of the warrant. (Unless the bond amount is indicated on the warrant, in which case the person will be allowed to post the indicated bond and not transported to the Central Detention Section.)
6. all completed Arrest Reports contain the type of bond issued for the local charges, if any, and the court information in the narrative section; and the warrant charge and type of warrant are **entered in the "References" and "Offenses" boxes**.

7. all facsimile copies of local warrant(s), complaint(s) if available, have been received. If a copy of the warrant is not received by the time the booking process is completed, immediately contact the Central Warrant Unit and request that a copy of the warrant be transmitted immediately.
8. the partially completed Intrastate Hold Affidavit(s) when required, is received and presented to the arresting officer when available for completion. In his absence, the desk sergeant will complete the affidavit.
9. the following documents are attached to the remaining court papers as indicated in the Department directive entitled "Processing Persons Under Department Control" and/or as indicated in this directive:
 - a. Facsimile copies of local warrant(s).
 - b. Facsimile copies of complaint(s), if available.
 - c. The two copies of the computer generated printout of each LEADS hit printout is generated and attached to the appropriate Transportation / Bailiff Copy (goldenrod) of the Arrest Report and the Intrastate Hold Affidavit.
 - d. The **first copy** of the criminal history sheet is attached to the Arrest Report.
 - e. The **second copy** of the criminal history sheet stamped "Attach to Transportation / Bailiff copy (goldenrod) of the Arrest Report and send along with defendant's papers to court" is attached as indicated when an arrestee is transported to court.
 - f. Facsimile copies of the Intrastate Hold Affidavits are received, completed, signed by the arresting officer or in his absence signed by the desk sergeant, clerked and attached to the Court Complaint Transmittal Listing.
 - g. For warrants discovered by the Identification Section that are not in the LEADS computer system, a copy of the Circuit Court and States Attorney's "Prosecutor's Management Information System" (PROMIS) computer case printouts that are faxed with the fingerprint clearance, are attached to the Transportation / Bailiff Copy (goldenrod) of the Arrest Report.
 - h. When notified by the Field Services Section of warrants discovered by the Identification Section of a LEADS hit under a different alias, a name check under the alias hit is run through the LEADS computer system, and two copies of the LEADS alias hit printouts are generated and attached to the proper Transportation / Bailiff Copy (goldenrod) of the Arrest Report and the Intrastate Hold Affidavit, as appropriate.
 - i. When an arrestee is to be transported to the Central Detention Section and a second Arrest Report is prepared as required in Item IV-A-5-b of this directive, the **original** Arrest Report is to be retained and distributed at the original district of detention as outlined in the Department directive entitled "Processing Persons Under Department Control" and the original Transportation / Bailiff Copy (goldenrod) is to be attached to the **second** Arrest Report's Transportation / Bailiff Copy.
10. the complainant, and any police officer whose court appearances are required, are notified and given the assigned court branch, the court call (if known), and court date in accordance with the provisions in the Department directive entitled "Processing Persons Under Department Control."
11. if at the end of the tour of duty, a facsimile copy of the warrant, complaint, and the Intrastate Hold Affidavit have **not** been received, the oncoming desk sergeant is informed. The oncoming desk sergeant will then be responsible for ensuring that the facsimile copies of the warrant, complaint, Intrastate Hold Affidavit, and copies of the computer generated printouts of the LEADS hit are received and attached to the appropriate court papers.

C. The 001 District desk sergeant will ensure that:

1. in cases where the arrestee is not picked up by the demanding agency, the arrestee will be sent to the next regularly scheduled court session as outlined in the Department directive entitled "Court Call Schedule" for persons detained on Fugitive warrants and warrants issued in other Illinois counties.
2. the Intrastate Hold Affidavit is received, completed, signed, clerked and has a LEADS hit printout attached to the Intrastate Hold Affidavit and that the documents are attached to the Court Complaint Transmittal.
3. in cases where the arrestee is picked up by the demanding agency, the Intrastate Hold Affidavit and the LEADS hit printout are attached to the Permanent Record-Records Division (white) copy of the Arrest Report and are distributed in accordance with the procedures outlined in the Department directive entitled, "Processing Persons Under Department Control."

D. The watch commander of the detention facility will ensure that arrestees are processed in accordance with the procedures outlined in this directive and the Department directive entitled, "Processing Persons Under Department Control."

E. District / unit commanding officers will ensure that:

1. the Weekly listing of Active Warrants for persons residing within their district / area is received.
2. the Weekly Listing of Active Warrants is distributed to appropriate sworn personnel (e.g., watch commanders, tactical teams and gang tactical teams, beat teams, mission teams, etc.).

NOTE: Members attempting to serve a warrant based only on information from the Weekly Listing of Active Warrants will confirm the active status of the warrant **prior to effecting an arrest** by running a name check or contacting the Hot Desk.

3. the procedures outlined in the Department directive entitled "Complaint and Disciplinary Procedures" are followed if it is determined that a person named in the Weekly Listing of Active Warrants is a member of the Department.

F. The Central Detention Section will fingerprint the right thumb of the arrestee for identification purposes and complete the processing procedure.

G. the LEADS desk will make proper notifications to the affected police agency when an arrestee is being held on an outside warrant.

V. WARRANTS RETURNED BY UNITS

When a facsimile copy of a warrant is **not** served and is returned to the Central Warrant Unit, (i.e., the wanted person is no longer in custody) the watch commander of the unit of detention will **immediately** make a telephonic notification to the Watch Commander of the Field Inquiry Section and in addition, will submit a To-From-Subject report along with the copy of the returned warrant, indicating the reason(s) why the warrant was not served.

VI. BOND FORFEITURE PROCEDURE

A. Whenever a bond forfeiture warrant is issued in any court with a regularly assigned court sergeant / officer, the court sergeant / officer will:

1. ensure that the case number and disposition are recorded on the Court Sergeant Copy of the Arrest Report.
2. make a photocopy of the Arrest Report and maintain it in an alphabetical file for a minimum of one year.

3. forward the original Court Sergeant Copy of the Arrest Report to the Identification Section.
- B. When a bond forfeiture order is vacated and a bond is reinstated, the court sergeant / officer will:
 1. search the bond forfeiture file for the photocopy of the Arrest Report and obtain the information needed to make the appropriate notifications.
 2. notify the arresting officer's unit of assignment of the continued court date in cases where the arresting officer's court appearance is required.

VII. DIRECT RECALL PROCEDURES

Upon receipt of the Notification-Recall Order (Court Form CCMI-6609) from a judge of the Circuit Court of Cook County, the Central Warrant Unit will:

- A. update the warrants in the computer system to "inactive" status.
- B. pull the respective warrants from their files.
- C. complete the Notification Recall of Criminal Warrants form (931.258).
- D. send a completed facsimile copy of the Notification-Recall Order back to the Circuit Court's Office.
- E. return the recalled warrants to the Chief Clerk of the Circuit Court's office with the Warrant-Recall Order.

VIII. PERSONS ARRESTED BY OUTSIDE AGENCIES

A. Field Inquiry Section Responsibilities:

Upon receiving notification from an outside agency that a person wanted on a Chicago warrant is in their custody, the Field Inquiry Section will:

1. verify the status of the warrant and the identity of the arrestee.
2. contact the agency to determine whether or not the arrestee will make bond and if he will be detained on other local charges.
3. if the wanted person will not make bond and will not be detained on other local charges, advise the arresting agency of arrangements being made for return of the wanted person to Chicago.

B. The Central Warrant Unit Responsibilities:

1. When the agency holding the arrestee is within Cook County, the Central Warrant Unit will notify the Office of Emergency Management and Communications (OEMC) and request assignment of a two-officer car or squadrol from the district nearest to the holding agency be assigned to return the arrestee.
2. When the agency holding the arrestee is outside Cook County, the Central Warrant Unit will notify the Detective Division unit having the responsibility for the follow-up investigation and request that they assign detectives to return the arrestee. If no Detective Division unit has follow-up responsibility for the investigation, the Central Warrant Unit will notify the area Detective Division unit nearest the holding agency and request that they assign detectives to return the arrestee.

C. Transporting Officer's Responsibilities:

1. Arrestees apprehended by agencies within Cook County will be returned to the transporting officer's district for processing, or to the nearest female detention facility, as appropriate.
2. Members assigned to return wanted persons being held by police agencies outside Cook County will obtain a facsimile copy of the warrant from the Field Inquiry Section prior to their departure and follow the procedures established in the Department directive entitled, "Department Vehicles."

3. Arrestees apprehended by agencies outside Cook County will be returned to the district within the transporting detective division unit's area headquarters for processing.
4. Transporting officers will complete the unshaded portions of an Arrest Report, ensuring that the narrative portion contains the IR, FBI, and/or State Identification (SID) number and warrant number.

John J. Townsend
Acting Superintendent of Police

95-106 FRC (AJK)

RESCINDED