

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Anthony Murdock, <i>et al.</i> ,	)	
	)	
<i>Plaintiffs,</i>	)	
	)	20-cv-1440
-vs-	)	
	)	(Judge Feinerman)
City of Chicago,	)	
	)	
<i>Defendant.</i>	)	

**PLAINTIFFS' SUPPLEMENTAL REPLY  
IN SUPPORT OF MOTION TO COMPEL**

Plaintiffs accept defendant's waiver of any argument that plaintiffs must show deliberate indifference by defendant. (ECF No. 71 at 1-2.) Plaintiffs respond below to the two issues the Court raised at the status hearing on July 9, 2021 to show:

1. The "task files," which will show why the City abandoned its long-standing policy of permitting all persons arrested on warrants to post bond at the police station, are crucial to the Fourth Amendment reasonableness of the current policy, and

2. The Court should respect the finding of the Illinois Supreme Court in *Birkett v. City of Chicago*, 184 Ill.2d 521, 705 N.E.2d 48 (1998) that it is "nothing more than speculation" that officials of the City of Chicago "would withhold giving advice they believe is necessary and correct, based

merely upon the remote possibility that it could some day be produced in litigation.” 184 Ill.2d at 532-33, 705 N.E.2d at 53.

Before addressing these questions, plaintiffs seek to correct two factual mistakes in their motion to compel.

## **I. The Factual Errors**

### **A. The City Changed Its Policy in a 2012 Amendment to Special Order S06-12-02.**

The policy plaintiffs challenge is set out in Chicago Police Department Special Order S06-12-02. Plaintiffs have now obtained all versions of the special order, attached as Exhibits 1-5, and recognize that they were mistaken in asserting that the City changed its policy of allowing any person arrested on a warrant to post bail at the police station when it first adopted Special Order S06-12-02. (ECF No. 67 at 1.)

The original version of Special Order S06-12-02 (dated January 1, 1998) permitted all persons held on a warrant on which a judge had set bond to post bail at the police station. Section IV(A)(5)(a) of the original version of the special order, attached as Exhibit 1, provides as follows:

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 Notice 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.)

Exhibit 1, Special Order S06-12-02 at 4 (January 1, 1998). The last sentence of this provision permitted any arrestee with a bond amount stated on the warrant to post bond at the police station without going to court.

Exhibit 1 remained in effect until 2012, when a new version of the Special Order became effective on April 10, 2012. (Exhibit 2.) This version was promptly amended two weeks later, on April 24, 2012. (Exhibit 3.) The version adopted on April 24, 2012 is the first version to include the policy at issue in this case.

Section IV(B)(1)-(3) of the April 24, 2012 version of the Special Order provides in pertinent part as follows:

B. The station supervisor will ensure that:

1. all persons arrested on a Cook County Sheriff's warrant returnable to the First Municipal District are transported from the district of arrest to the court of issuance the local Branch Court, Traffic Court, or 26th and California as appropriate).
2. all persons arrested on a warrant issued outside of the first Municipal District and who have local charges are transported from the district of arrest to the local branch court according to the Case Priority Listing Unit Matrix outlined in the Department Directive entitled "Court Call Schedule."
3. the following will be transported to Central Bond Court:

- a. all persons arrested on a warrant outside of the First Municipal District and no local charges,
- b. all persons arrested on a warrant issued from Criminal Trial Court and no local charges, and
- c. all persons arrested on all warrants on Saturday, Sunday, and Court Holidays.

(Exhibit 3, Special Order S06-12-02 (April 24, 2012) at 4.) The City continued these provisions when it amended the Special Order on June 13, 2013 (Exhibit 4) and most recently on August 26, 2019. (Exhibit 5.)

Plaintiffs and the class they seek to represent were detained pursuant to sections 3(a) and 3(c), as persons who

- (a) were detained by police officers of the City of Chicago on a warrant for which a judge had set an amount of cash bail,
- (b) were not permitted to post bail at the police station pursuant to the explicit policies set out in Section IV.B.3(a) or IV.B.3(c) of Chicago Police Department Special Order S06-12-02, and
- (c) were released by posting bail after an appearance before a judge of the Circuit Court of Cook County without being held at the Cook County Jail.

(ECF No. 52, Amended Motion for Class Certification at 1.)

**B. The Challenged Policy Extends to All Persons Arrested on Warrants Issued Outside of Chicago, Rather than Outside of Cook County**

Plaintiffs mistakenly read the Special Order as requiring that persons held on warrants issued outside of Cook County could not post bond at a Chicago police station. (ECF No. 67 at 2, 4.) This is incorrect: Special Order S06-12-02 requires disparate treatment for all persons held on warrants



issued by a judge “outside of the First Municipal District.” Exhibit 3, Special Order S06-12-02 (April 24, 2012), Section IV(B)(1)-(3). The “First Municipal District” consists of courts in the City of Chicago. *See Municipal Department Overview*, available at <http://www.cookcountycourt.org/ABOUT-THE-COURT/Municipal-Department>. That is, an arrestee with a warrant issued from a suburban courthouse, such as Rolling Meadows or Skokie, may not post bond at a Chicago police station under the policy.

## **II. Relevancy of the “Task Files”**

Plaintiffs expect the “task file” for the 2012 amendments to the Special Order to explain why the City abandoned its long-standing policy of permitting all persons arrested on warrants to post bond at the police station. The facts known to the City when it changed its policy should be analyzed with the same care as the facts known to the officers who make an arrest, *Brinegar v. United States*, 338 U.S. 160, 175–76 (1949), use force, *Graham v. Connor*, 490 U.S. 386, 396 (1989), or conclude that they have waited long enough before entering a dwelling to execute a warrant, *United States v. Banks*, 540 U.S. 31, 40 (2003).

The reasonableness of a municipality’s explicit policy that impinges on constitutional rights “depend[s] on the balance between its benefits (usually nonpecuniary) and its costs (ditto).” *Edmond v. Goldsmith*, 183 F.3d 659, 661 (7th Cir. 1999). For example, this analytical framework applies to

the constitutionality of a strip search policy: “a balancing of the need for the particular search against the invasion of personal rights that the search entails.” *Bell v. Wolfish*, 441 U.S. 520, 559 (1979). The determinative question is whether the procedures are “a reasonable balance between inmate privacy and the needs of the institutions.” *Florence v. Board of Chosen Freeholders of County of Burlington*, 566 U.S. 318, 339 (2012). Plaintiffs expect that the task force will identify any “needs of the institutions” on which the City relied when it adopted a rule limiting which persons arrested on warrants may post bond at the police station.

It is difficult to discern any benefit the City reaps by prohibiting all persons arrested on a warrant issued outside of Chicago from posting bond at the police station. The policy has nothing to do with a judicial determination of probable cause—the judge who issued the warrant has found probable cause. Nor is there any need for a court appearance to set bond on the warrant—the judge who signed the warrant was required to follow Illinois law requiring arrest warrants to “[s]pecify the amount of bail.” 725 ILCS 5/107-9(d)(7).

The City has argued in other litigation that the policy it adopted in 2012 was compelled by a “General Administrative Order” of the Circuit Court of Cook County. *Alcorn v. City of Chicago*, 2018 WL 3614010, at \*3

(N.D.Ill. 2018). This claim appears to be an after the fact rationalization—the “General Administrative Order,” attached as Exhibit 6, was issued in 2015, three years after the City stopped permitting all persons arrested on warrants to post bond at the police station.<sup>1</sup>

The City asserts the following as an affirmative defense in its answer to the amended complaint:

At all times relevant, Defendant City’s policies regarding bonding out people arrested on warrants were mandated by Illinois state law, the Illinois Supreme Court Rules, and/or orders implemented by the Circuit Court of Cook County.

(ECF No. 63, Answer to Amended Complaint at 23.)

Information in the “task file” will shed light on these affirmative defenses and will likely be relevant to plaintiffs’ response that reliance on Illinois state law, Illinois Supreme Court Rules, or orders of the Circuit Court of Cook County is not a defense but rather “is a *source* of liability under federal law.” *Quinones v. City of Evanston*, 58 F.3d 275, 277 (7th Cir. 1995) (cleaned up).

The “task file” is also likely to contain admissible evidence because documents recently produced by the City show that many persons held on

---

<sup>1</sup> The General Administrative Order recognizes the right of a defendant who “is able to post the bail set on the warrant issued by the demanding authority” to be admitted to bail. (Exhibit 6.) The Order also does not make the distinction of the Special Order between warrants issued by judges in the City of Chicago and all other judges in Illinois, but between “an arrest warrant issued by an Illinois state court outside of Cook County.” (*Id.*)

weekends on warrants issued by judges sitting in the City of Chicago are permitted to post bond at the police station without the overnight stay and appearance in Central Bond Court required by the Special Order.<sup>2</sup> Thus, plaintiffs expect to show that, as in *Fonder v. Sheriff of Kankakee County*, 823 F.3d 1144 (7th Cir. 2016), “the policy in practice may differ from the policy as written.” *Id.* at 1146. It is likely that the information in the “task file” about the basis for requiring appearances in Central Bond Court of persons arrested on Chicago warrants on weekends and holidays will be relevant to the plaintiffs’ challenge to the “policy in practice.” Plaintiffs show below that the Court should not permit the City to hide this information by asserting a privilege that the Illinois Supreme Court held is based on “nothing more than speculation.”

### **III. The City Is Unable to Justify the Need to Conceal the Reasons for Adopting the Putatively Unconstitutional Policy**

The City does not dispute that in *Birkett v. City of Chicago*, 184 Ill.2d 521, 705 N.E.2d 48 (1998), the Illinois Supreme Court rejected the City’s assertion “that governmental officials would withhold giving advice they believe is necessary and correct, based merely upon the remote possibility that

---

<sup>2</sup> Plaintiffs’ counsel used information posted by the City on <http://publicsearch1.chicagopolice.org/> to identify 1,148 persons arrested on a warrant on a Saturday or a Sunday and permitted to post bond. Counsel subsequently reviewed 28 of these reports obtained through a document request. Each report shows that a person held on a warrant issued in the City of Chicago was released from the police station on a Saturday or Sunday after posting cash bond.

it could some day be produced in litigation.” 184 Ill.2d at 532-33, 705 N.E.2d at 53. The Illinois Supreme Court described the City’s argument as “nothing more than speculation.” 184 Ill.2d at 532, 705 N.E.2d at 53.

The Court should reject the City’s invitation to ignore *Birkett*. “State courts are the final arbiters of state law ... Federal courts do not reexamine state court determinations of state law questions.” *Barger v. Indiana*, 991 F.2d 394, 396 (7th Cir. 1993) (cleaned up). As the court noted in *Valbruna Slater Steel Corp. v. Joslyn Mfg. Co.*, No. 1:15-MC-39-SEB-DKL, 2015 WL 6695510, at \*5 (S.D. Ind. Nov. 3, 2015), “[t]here is no reason to extend to state agencies in federal court greater privileges than they enjoy in their own courts under their own law.” *Id.* at \*5; *see also Andersen v. City of Chicago*, No. 16 C 1963, 2019 WL 423144, at \*3 (N.D. Ill. Feb. 4, 2019) (following *Valbruna*). The Court should therefore accept *Birkett* as controlling precedent for the proposition that, under Illinois law, a municipality may not withhold in litigation the factual basis for its adoption of a particular policy.

The City does not attempt to justify the need for any privilege in this case, but instead relies on cases that apply the FOIA statutory exemption (ECF No. 71 at 3) or cases that apply a deliberative process privilege without considering *Birkett* or Federal Rule of Evidence 501. (*Id.* at 4-6.) Defendant’s contention that state law plays no role in the Rule 501 analysis (*id.*

at 5) is manifestly in error. The Supreme Court made plain in *Jaffee v. Redmond*, 518 U.S. 1 (1996) that “the policy decisions of the States bear on the question whether federal courts should recognize a new privilege or amend the coverage of an existing one.” *Id.* at 12. The Seventh Circuit recognized this rule in a case cited by defendant, *Mem’l Hosp. for McHenry County. v. Shadur*, 664 F.2d 1058 (7th Cir. 1981), explaining that federal courts should “consider the law of the state in which the case arises in determining whether a privilege should be recognized as a matter of federal law.” *Id.* at 1061.


Nothing in *Shadur* supports defendant’s assertion that deference to state rules is appropriate when the state recognizes a privilege but is inappropriate when a state refuses to recognize a privilege. (ECF No. 71 at 6-7.) On the contrary, the same “policy of comity between state and federal sovereignties,” *Shadur*, 664 F.2d at 1061, supports deference to a state rule when the state courts have rejected a privilege. The Court should reject the City’s position and order production of the task files.

Respectfully submitted,  
/s/ Kenneth N. Flaxman  
Kenneth N. Flaxman  
ARDC No. 08830399  
Joel A. Flaxman  
200 S Michigan Ave, Ste 201  
Chicago, IL 60604  
*Attorneys for Plaintiff*

## **TABLE OF EXHIBITS**

<b>Exhibit</b>	<b>Description</b>
1	Special Order S06-12-02, effective January 1, 1998
2	Special Order S06-12-02, effective April 10, 2012
3	Special Order S06-12-02, effective April 24, 2012
4	Special Order S06-12-02, effective June 13, 2013
5	Special Order S06-12-02, effective August 26, 2019
6	Circuit Court of Cook County, General Administrative Order No. 2015-06



 Chicago Police Department		Special Order S06-12-02	
<b>NON-TRAFFIC ARREST WARRANT PROCEDURES</b>			
			
ISSUE DATE:	31 December 1997	EFFECTIVE DATE:	01 January 1998
RESCINDS:	G97-12		
INDEX CATEGORY:	Processing Persons		
Rescinded on 10 April 2012 by S06-12-02; 10 April 2012			

**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

		Chicago Police Department		Special Order S06-12-02	
<b>NON-TRAFFIC ARREST WARRANT PROCEDURES</b>					
					
ISSUE DATE:	10 April 2012	EFFECTIVE DATE:	10 April 2012		
RESCINDS:	Version dated 01 Jan 1998; G97-12				
INDEX CATEGORY:	Processing Persons				
Rescinded on 24 April 2012 by S06-12-02, 24 April 2012					

**I. PURPOSE**

This directive:

- A. outlines Department procedures for requesting, processing, and servicing nontraffic 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.
- D. discontinues the use of the Warrant Control card (CPD-31.265).
- E. discontinues the use of the Warrant Control Suspense File card (CPD-31.266).
- F. discontinues the use of the computer generated "Weekly Listing of Active Warrants" (PGM-9258).
- G. discontinues the use of the computer generated "Daily Activity Listing" (PGM-9259).
- H. outlines procedures for the completion of the Arrest Warrant Execution Verification (CCG0657) form, available on the Department Directives Systems.
- I. establishes responsibilities for the Central Warrant Unit, relative to processing an offender on a failure-to-appear, nontraffic arrest warrant, whether in or outside of Cook County.

**II. REQUEST FOR NONTRAFFIC 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 nontraffic 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, summons, complaint, and any other related documents for approval before they are presented to the court.
  4. 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.
  5. 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. A police officer / warrant clerk who ascertains that the person named in the warrant is a Department member will follow the provisions of the Department directive entitled "**Complaint and Disciplinary Procedures**."

### III. PROCESSING NONTRAFFIC ARREST WARRANTS

- A. Public Safety Information Technology (PSIT) will maintain a computer system to process pertinent information regarding arrest warrants.
- 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 the demographic 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 BACK 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 or a class A or B misdemeanor charge and enter criminal warrant data into the National Crime Information Center (NCIC) 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 States Attorney or Chief, Bureau of Detectives, a felony warrant may be placed in the LEADS and NCIC systems for an offense other than those enumerated above.

5. 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, document the warrant in the hot desk and record the time that verification was attempted and/or completed.
  - c. record the name and star or employee number of the Department member making the notification entered into the clerk's mainframe, then print out a hard copy.



- d. immediately notify the station supervisor 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.
  - e. 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.
  - f. provide warrant information to the arresting officer, such as docket number or case number, and send a facsimile copy of the Arrest Warrant Execution Verification (CCG0657) form to the district of detention.
6. 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).
  7. 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.
  8. 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 Field Services Section will notify the appropriate station supervisor via the telephone of any alias warrant hits discovered by the Instant Update Unit. The member making the notification will obtain the station supervisor's name and star number.
- D. 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.
- E. 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" for each warrant issued by an Illinois court after a determination of identity has been made, and will send the partially completed Intrastate Hold Affidavit, for each warrant, to the district of detention station supervisor via facsimile.

#### IV. PROCESSING PERSONS ARRESTED ON WARRANTS

- A. Arresting officer 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.
    - g. Docket number, if known.

**NOTE:** The arresting officer will complete all required fields on the Arrest Warrant Execution Verification form and submit it to the station supervisor. The station supervisor will ensure the form is included with the documents that comprise the court package for this arrest.



3. 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.**" All fugitive warrant arrests go to court branch 98, even with local charges.
4. Persons apprehended on warrants issued within the State of Illinois will:
  - a. once the original signature of the arresting officer appears 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 station supervisor at the district of detention or by the 001 District station supervisor when the Intrastate Hold Affidavit is hand-delivered by the extradition officer who will ensure the LEADS hit printout is attached to the affidavit.
  - b. when no local charges are lodged, transport the arrestee to the Central Detention Section with the Arrest Report for the warrant.
  - c. If further information is needed to complete the affidavit, the station supervisor will 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).
5. 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.
6. 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 station supervisor of the detention facility has the final authority of determining whether or not the arrestee will be processed for the warrant.

7. The original charges on the warrant should be stated in the narrative section of the arrest report.

B. The station supervisor 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. 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.
3. all facsimile copies of local warrant(s) and 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:
  - a. notify the Central Warrant Unit;
  - b. request that a copy of the warrant be transmitted immediately; and
  - c. at the end of the tour of duty, inform the oncoming station supervisor that the Intrastate Hold Affidavit has not been received.
4. the following documents identified in the Checklist for Required Documents for Prisoner Transfer to Cook County Sheriff Personnel CPD-34.441 are attached to the remaining court papers as indicated in the Department directive entitled "Processing Persons Under Department Control."
5. 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 station supervisor is informed. The oncoming station supervisor 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 station supervisor will ensure that:

1. in cases where the arrestee is not picked up by the demanding agency, the arrestee is 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.

D. District / unit commanding officers will ensure that the Weekly Listing of Active Warrants are pulled and disseminated.

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.

**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.

E. 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 station supervisor of the unit of detention will **immediately** make a telephonic notification to the Fields Services Section and, in addition, 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 regularly assigned Court Section personnel, the Court Section personnel will:

1. ensure that the case number and disposition are recorded on the Court Section 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 Section Copy of the Arrest Report to the Identification Section.

B. When a bond forfeiture order is vacated and a bond is reinstated, the Court Section personnel 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 transmittal listing of warrants 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 transmittal listing of warrants.
- D. send a completed facsimile copy of the transmittal listing of warrants 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 Services Section Responsibilities:

Upon receiving notification from an outside agency that a person wanted on a Chicago warrant is in their custody, the Field Services 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 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 Bureau of Detectives unit having the responsibility for the follow-up investigation and request that they assign detectives to return the arrestee. If no Bureau of Detectives unit has follow-up responsibility for the investigation, the Central Warrant Unit will notify the area Bureau of Detectives unit nearest the holding agency and request that they assign detectives to return the arrestee.

(Item indicated by italics/double underline were revised.)

Authenticated by: JKH

Garry F. McCarthy  
Superintendent of Police

95-106 FRC (AJK)/11-083 AMR



		Chicago Police Department		Special Order S06-12-02	
<b>NON-TRAFFIC ARREST WARRANT PROCEDURES</b>					
					
ISSUE DATE:	24 April 2012	EFFECTIVE DATE:	24 April 2012		
RESCINDS:	version dated 10 April 2012				
INDEX CATEGORY:	Processing Persons				
Rescinded on 13 June 2013 by S06-12-02; 13 June 2013 Version					

**I. PURPOSE**

This directive:

- A. outlines Department procedures for requesting, processing, and servicing nontraffic 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.
- D. discontinues the use of the Warrant Control card (CPD-31.265).
- E. discontinues the use of the Warrant Control Suspense File card (CPD-31.266).
- F. discontinues the use of the computer generated "Weekly Listing of Active Warrants" (PGM-9258).
- G. discontinues the use of the computer generated "Daily Activity Listing" (PGM-9259).
- H. outlines procedures for the completion of the Arrest Warrant Execution Verification (CCG0657) form, available on the Department Directives Systems.
- I. establishes responsibilities for the Central Warrant Unit, relative to processing an offender on a failure-to-appear, nontraffic arrest warrant, whether in or outside of Cook County.

**II. REQUEST FOR NONTRAFFIC 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 nontraffic 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, summons, complaint, and any other related documents for approval before they are presented to the court.
  4. 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.
  5. 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. A police officer / warrant clerk who ascertains that the person named in the warrant is a Department member will follow the provisions of the Department directive entitled "**Complaint and Disciplinary Procedures.**"

### III. PROCESSING NONTRAFFIC ARREST WARRANTS

- A. Public Safety Information Technology (PSIT) will maintain a computer system to process pertinent information regarding arrest warrants.
- 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 the demographic 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 BACK 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 or a class A or B misdemeanor charge and enter criminal warrant data into the National Crime Information Center (NCIC) 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 States Attorney or Chief, Bureau of Detectives, a felony warrant may be placed in the LEADS and NCIC systems for an offense other than those enumerated above.

5. 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, document the warrant in the hot desk and record the time that verification was attempted and/or completed.
  - c. record the name and star or employee number of the Department member making the notification entered into the clerk's mainframe, then print out a hard copy.



- d. immediately notify the station supervisor 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.
  - e. 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.
  - f. provide warrant information to the arresting officer, such as docket number or case number, and send a facsimile copy of the Arrest Warrant Execution Verification (CCG0657) form to the district of detention.
6. 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).
  7. 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.
  8. 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 Field Services Section will notify the appropriate station supervisor via the telephone of any alias warrant hits discovered by the Instant Update Unit. The member making the notification will obtain the station supervisor's name and star number.
- D. 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.
- E. 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" for each warrant issued by an Illinois court after a determination of identity has been made, and will send the partially completed Intrastate Hold Affidavit, for each warrant, to the district of detention station supervisor via facsimile.

#### IV. PROCESSING PERSONS ARRESTED ON WARRANTS

- A. The arresting officer will:
1. in addition to the procedures outlined below, process arrestees in accordance with the procedures outlined in the Department directive entitled "Processing Persons Under Department Control."
  2. indicated on the Arrest Report the warrant charge and local charges, if any. 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
    - g. Docket number, if known.

**NOTE:** The arresting officer will complete all required fields on the Arrest Warrant Execution Verification form and submit it to the station supervisor. The station supervisor will ensure the form is included with the documents that comprise the court package for this arrest.



3. follow procedures for charging a fugitive apprehended on a **warrant issued in another state** in compliance with the Department directive entitled "**Extradition Procedures**." All fugitive warrant arrests go to Court Branch 98, even with local charges.
4. process persons apprehended on warrants issued within the State of Illinois:
  - a. The original signature of the arresting officer should 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 station supervisor at the district of detention or by the 001 District station supervisor when the Intrastate Hold Affidavit is hand-delivered by the extradition officer who will ensure the LEADS hit printout is attached to the affidavit.
  - b. If further information is needed to complete the affidavit, the station supervisor will 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).
5. verify 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 station supervisor of the detention facility has the final authority of determining whether or not the arrestee will be processed for the warrant.

6. include the original charges on the warrant, stated in the narrative section of the arrest report.
- B. The station supervisor will ensure that:
1. all persons arrested on a Cook County Sheriff's warrant returnable to the First Municipal District are transported from the district of arrest to the court of issuance (the local Branch Court, Traffic Court, or 26th and California, as appropriate).
  2. all persons arrested on a warrant issued outside of the first Municipal District and who have local charges are transported from the district of arrest to the local branch court according to the Case Priority Listing Unit Matrix outlined in the Department Directive entitled "Court Call Schedule."
  3. the following will be transported to Central Bond Court:
    - a. all persons arrested on a warrant outside of the First Municipal District and no local charges,
    - b. all persons arrested on a warrant issued from Criminal Trial Court and no local charges, and
    - c. all persons arrested on all warrants on Saturday, Sunday, and Court Holidays.
  4. all persons arrested on a Illinois Department of Corrections Warrant without local charges are transported to the Central Detention Section.
  5. all serviceable Child Support Warrants are transported the Central Detention Section.
  6. arrestees are processed in accordance with the procedures outlined in this directive and the Department directive entitled "**Processing Persons Under Department Control**."
  7. 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.



8. all facsimile copies of local warrant(s) and 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:
    - a. notify the Central Warrant Unit;
    - b. request that a copy of the warrant be transmitted immediately; and
    - c. at the end of the tour of duty, inform the oncoming station supervisor that the Intrastate Hold Affidavit has not been received.
  9. the following documents identified in the Checklist for Required Documents for Prisoner Transfer to Cook County Sheriff Personnel (CPD-34.441) are attached to the remaining court papers as indicated in the Department directive entitled "**Processing Persons Under Department Control.**"
  10. 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 station supervisor is informed. The oncoming station supervisor 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 station supervisor will ensure that:
1. in cases where the arrestee is not picked up by the demanding agency, the arrestee is 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.
- D. 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 station supervisor of the unit of detention will **immediately** make a telephonic notification to the Fields Services Section and, in addition, 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 regularly assigned Court Section personnel, the Court Section personnel will:
1. ensure that the case number and disposition are recorded on the Court Section 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 Section Copy of the Arrest Report to the Identification Section.
- B. When a bond forfeiture order is vacated and a bond is reinstated, the Court Section personnel 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 transmittal listing of warrants 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 transmittal listing of warrants.
- D. send a completed facsimile copy of the transmittal listing of warrants 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 Services Section Responsibilities:

Upon receiving notification from an outside agency that a person wanted on a Chicago warrant is in their custody, the Field Services 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 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 Bureau of Detectives unit having the responsibility for the follow-up investigation and request that they assign detectives to return the arrestee. If no Bureau of Detectives unit has follow-up responsibility for the investigation, the Central Warrant Unit will notify the area Bureau of Detectives unit nearest the holding agency and request that they assign detectives to return the arrestee.

(Item indicated by *italics/double underline* were revised )

Authenticated by: JKH

Garry F. McCarthy  
Superintendent of Police

11-083 AMR





Chicago Police Department

Special Order S06-12-02

**NON-TRAFFIC ARREST WARRANT PROCEDURES**

<b>ISSUE DATE:</b>	13 June 2013	<b>EFFECTIVE DATE:</b>	13 June 2013
<b>RESCINDS:</b>	24 April 2012 Version		
<b>INDEX CATEGORY:</b>	Processing Persons		
Rescinded on 26 August 2019 by S06-12-02; 26 August 2019			

**I. PURPOSE**

This directive:

- A. outlines Department procedures for requesting, processing, and servicing nontraffic 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.
- D. outlines procedures for the completion of the Arrest Warrant Execution Verification (CCG0657) form, available on the Department Directives Systems.
- E. establishes responsibilities for the Central Warrant Unit, relative to processing an offender on a failure-to-appear, nontraffic arrest warrant, whether in or outside of Cook County.

**II. REQUEST FOR NONTRAFFIC 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 nontraffic 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 (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, summons, complaint, and any other related documents for approval before they are presented to the court.
  4. 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.
  5. 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. A police officer / warrant clerk who ascertains that the person named in the warrant is a Department member will follow the provisions of the Department directive entitled "**Complaint and Disciplinary Procedures**."

### III. PROCESSING NONTRAFFIC ARREST WARRANTS

- A. Public Safety Information Technology (PSIT) will maintain a computer system to process pertinent information regarding arrest warrants.
- 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 the demographic 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 BACK 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 or a class A or B misdemeanor charge and enter criminal warrant data into the National Crime Information Center (NCIC) 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 States Attorney or Chief, Bureau of Detectives, a felony warrant may be placed in the LEADS and NCIC systems for an offense other than those enumerated above.

5. 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, document the warrant in the hot desk and record the time that verification was attempted and/or completed.
  - c. record the name and star or employee number of the Department member making the notification entered into the clerk's mainframe, then print out a hard copy.
  - d. immediately notify the station supervisor 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.
  - e. 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.



- f. provide warrant information to the arresting officer, such as docket number or case number, and send a facsimile copy of the Arrest Warrant Execution Verification (CCG0657) form to the district of detention.
6. 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).
7. upon return of a facsimile copy of a warrant by a unit consistent with Item V of this directive, ensure that the original is reinstated to the active file.
8. 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 Field Services Section will notify the appropriate station supervisor via the telephone of any alias warrant hits discovered by the Instant Update Unit. The member making the notification will obtain the station supervisor's name and star number.
- D. 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.
- E. 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" for each warrant issued by an Illinois court after a determination of identity has been made and will send the partially completed Intrastate Hold Affidavit, for each warrant, to the district of detention station supervisor via facsimile.

#### IV. PROCESSING PERSONS ARRESTED ON WARRANTS

- A. The arresting officer will:
  1. in addition to the procedures outlined below, process arrestees in accordance with the procedures outlined in the Department directive entitled "Processing Persons Under Department Control."
  2. indicated on the Arrest Report the warrant charge and local charges for each warrant, if any. 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
    - g. Docket number, if known.

**NOTE:** The arresting officer will complete all required fields on the Arrest Warrant Execution Verification form and submit it to the station supervisor. The station supervisor will ensure the form is included with the documents that comprise the court package for this arrest.

3. follow procedures for charging a fugitive apprehended on a **warrant issued in another state** in compliance with the Department directive entitled "Extradition Procedures." All fugitive warrant arrests go to Court Branch 98, even with local charges.
4. process persons apprehended on warrants issued within the State of Illinois:
  - a. The original signature of the arresting officer should 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 station supervisor at the district of detention or by the 001 District station supervisor when the Intrastate Hold Affidavit is hand-delivered by the extradition officer, who will ensure the LEADS hit printout is attached to the affidavit.

- b. If further information is needed to complete the affidavit, the station supervisor will 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).
5. verify 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 station supervisor of the detention facility has the final authority of determining whether or not the arrestee will be processed for the warrant.

6. include the original charges on the warrant, stated in the narrative section of the arrest report.
- B. The station supervisor will ensure that:
1. all persons arrested on a Cook County Sheriff's warrant returnable to the First Municipal District are transported from the district of arrest to the court of issuance (the local Branch Court, Traffic Court, or 26th and California, as appropriate).
  2. all persons arrested on a warrant issued outside of the first Municipal District and who have local charges are transported from the district of arrest to the local branch court according to the Case Priority Listing Unit Matrix outlined in the Department Directive entitled "Court Call Schedule."
  3. the following will be transported to Central Bond Court:
    - a. all persons arrested on a warrant outside of the First Municipal District and no local charges,
    - b. all persons arrested on a warrant issued from Criminal Trial Court and no local charges, and
    - c. all persons arrested on all warrants on Saturday, Sunday, and Court Holidays.
  4. all persons arrested on a Illinois Department of Corrections Warrant without local charges are transported to the Central Detention Section.
  5. all persons arrested on serviceable Child Support Warrants are transported to the Central Detention Section.
  6. arrestees are processed in accordance with the procedures outlined in this directive and the Department directive entitled "Processing Persons Under Department Control."
  7. 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.
  8. all facsimile copies of local warrant(s) and 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:
    - a. notify the Central Warrant Unit;
    - b. request that a copy of the warrant be transmitted immediately; and
    - c. at the end of the tour of duty, inform the oncoming station supervisor that the Intrastate Hold Affidavit has not been received.



9. the following documents identified in the Checklist of Required Court Documents for Prisoner Transfer to Cook County Sheriff Personnel (CPD-34.441) are attached to the remaining court papers as indicated in the Department directive entitled "Processing Persons Under Department Control."
  10. 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 station supervisor is informed. The oncoming station supervisor 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 station supervisor will ensure that:
1. in cases where the arrestee is not picked up by the demanding agency, the arrestee is 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.
- D. 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 station supervisor of the unit of detention will **immediately** make a telephonic notification to the Fields Services Section and, in addition, 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 regularly assigned Court Section personnel, the Court Section personnel will:
1. ensure that the case number and disposition are recorded on the Court Section 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 Section Copy of the Arrest Report to the Identification Section.
- B. When a bond forfeiture order is vacated and a bond is reinstated, the Court Section personnel 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 transmittal listing of warrants 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 transmittal listing of warrants.
- D. send a completed facsimile copy of the transmittal listing of warrants 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 Services Section Responsibilities:

Upon receiving notification from an outside agency that a person wanted on a Chicago warrant is in their custody, the Field Services 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 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 Bureau of Detectives unit having the responsibility for the follow-up investigation and request that they assign detectives to return the arrestee. If no Bureau of Detectives unit has follow-up responsibility for the investigation, the Central Warrant Unit will notify the area Bureau of Detectives unit nearest the holding agency and request that they assign detectives to return the arrestee.

(Item indicated by italics/double underline were revised )

Authenticated by: PS

Garry F. McCarthy  
Superintendent of Police

13-072 AMR





Chicago Police Department

Special Order S06-12-02

## NON-TRAFFIC ARREST WARRANT PROCEDURES

ISSUE DATE:	26 August 2019	EFFECTIVE DATE:	26 August 2019
RESCINDS:	13 June 2013 Version		
INDEX CATEGORY:	Processing Persons		

## I. PURPOSE

This directive:

- A. outlines Department procedures for requesting, processing, and servicing non-traffic arrest warrants.
- B. continues the:
  - 1. the use of the Intrastate Hold Affidavit.
  - 2. requirements for bond forfeiture notifications by the court sergeant / officer.
  - 3. direct recall procedures to expedite the removal of criminal warrants from the Department's computer system.
  - 4. procedures for processing persons arrested by outside agencies.
- C. outlines procedures for the completion of the Cook County Arrest Warrant Execution Verification (CCG0657) form, available on the Department Directives Systems.
- D. establishes responsibilities for the Central Warrant Unit, relative to processing an offender on a failure-to-appear, nontraffic arrest warrant, whether in or outside of Cook County.
- E. introduces the Negative Identification Notification form (CPD-31.218) and the Arrest Warrant and Return Verification form (CPD-31.219).

## II. REQUEST FOR NONTRAFFIC 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, 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 nontraffic 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 Cook County 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 (name, address, Plaintiffs Exhibit 5, weight, date of birth, age, complexion, etc.) in the

 SO\_06\_12\_02 08 26\_2019  
 Page 1 of 10



**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, summons, complaint, and any other related documents for approval before they are presented to the court.
  4. 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.
  5. 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. A police officer / warrant clerk who ascertains that the person named in the warrant is a Department member will follow the provisions of the Department directive entitled "**Complaint and Disciplinary Procedures**."

### III. PROCESSING NON-TRAFFIC ARREST WARRANTS

- A. The Information Services Division (ISD) will maintain a computer system to process pertinent information regarding arrest warrants.
- B. The Central Warrant Unit will:
  1. upon receipt of an arrest warrant from the Cook County Clerk of the Circuit Court of Cook County, 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 the demographic information contained in the warrant and enter it into the computer system. Warrants that 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 BACK of the warrant document.
  3. file the warrant and the complaint until served or returned to the Clerk of the Circuit Court of Cook County.
  4. enter criminal warrant data into the Law Enforcement Agency Data Systems (LEADS) computer **only** when the charge is a felony or a class A or B misdemeanor charge and enter criminal warrant data into the National Crime Information Center (NCIC) 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 States Attorney or Chief, Bureau of Detectives, a felony warrant may be placed in the LEADS and NCIC systems for an offense other than those enumerated above.

5. when notified that a person named in a warrant has been taken into custody:
  - a. retrieve the warrant packet from the warrant file and ensure there are no additional warrants listed on the back of the warrant copy.
  - b. verify the validity of the warrant via Chicago Hot Desk and confirm the warrant using the docket number through the Clerk of the Circuit Court of Cook County System and ensure that no additional warrants are listed in the miscellaneous field of the hot desk.
  - c. after verifying the validity of the warrant, record in the miscellaneous field of the hot desk:
    - (1) the name and star number of the Department member making the notification,
    - (2) the district of arrest,

Plaintiffs' Exhibit 5  
SO\_06\_12\_02 08 26\_2019  
Page 2 of 10



- (3) the district the arrestee will be held,
- (4) the name and star number or employee number of the Department member verifying the warrant, and
- (5) how the warrant was verified through the Clerk of the Circuit Court of Cook County's System.
- d. immediately notify the arresting officer(s) or, when not available, station supervisor of the detention facility when it is determined that the warrant is invalid.
- e. if the warrant contains an available IR number, will:

- (1) not complete the processing and serving of the warrant until the arrestee's fingerprints are verified.
- (2) once the arrestee's status is in "IR warrant check pending," complete the automated arrest procedure by ensuring the IR number which the arrestee is clearing under matches the IR number and, if included, the central booking (CB) number on the warrant being served. If the numbers do not match, have the two IR numbers compared by a fingerprint technician.

**NOTE:** If the person in custody is determined through fingerprint comparison to not be the individual named on the warrant, immediately notify the station supervisor of the detention facility via PAX and send a completed Negative Identification Notification form (CPD-31.218) via fax, to the unit of detention.

- (3) serve the warrant in the hot desk by updating the status to "served" and notate the arrestee's corresponding central booking (CB) in the appropriate section.
- f. when no IR is attached to the warrant, serve the warrant in the hot desk by updating the status to "served" and notate the arrestee's corresponding CB number in the appropriate section.
- g. upon completion of the warrant processing procedure, forward copies, via Department email or facsimile, to the district of detention, of the following:
  - (1) the warrant(s),
  - (2) the complaint(s), when available,
  - (3) the hot desk page, and
  - (4) the Arrest Warrant Execution Verification Cook County (CCG0657) form, for bond forfeiture warrants (BFWs) only.
- 6. update warrant status in the computer system when a warrant is to be removed from the active file.
- 7. upon return of a facsimile copy of a warrant by a unit consistent with Item V of this directive, ensure that the original is reinstated to the active file.
- 8. 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 Field Services Section will notify the appropriate station supervisor via the telephone of any alias warrant hits discovered by the Instant Update Unit. The member making the notification will obtain the station supervisor's name and star number.
- D. 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.



- E. The extradition officer will complete the initial top sections of the Cook County Intrastate Hold Affidavit sections from the top of the document down to, but not including, the section labeled "IDENTIFICATION / DESCRIPTION OF PERSON IN CUSTODY" for each warrant issued by an Illinois court after a determination of identity has been made and will send the partially completed Intrastate Hold Affidavit, for each warrant, to the district of detention station supervisor via facsimile.

**EXCEPTION:** An Interstate Hold Affidavit is not required if the original warrant or a copy of the original warrant is available.

#### IV. PROCESSING PERSONS ARRESTED ON WARRANTS

- A. The arresting officer will:

1. in addition to the procedures outlined below, process arrestees in accordance with the procedures outlined in the Department directive entitled "**Processing Persons Under Department Control.**"
2. contact via PAX:
  - a. the Central Warrant Unit for initial verification, providing the Chicago warrant number, for warrants originating from the City of Chicago.
  - b. the LEADS Desk for initial verification, providing the LEADS warrant number, for Illinois warrants originating from outside the City of Chicago.
3. indicated on the Arrest Report the warrant charge and local charges for each warrant, if any. 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
  - g. Docket number, if known.
4. follow procedures for charging a fugitive apprehended on a **warrant issued in another state** in compliance with the Department directive entitled "**Extradition Procedures.**" All fugitive warrant arrests go to Court Branch 98, even with local charges.
5. process persons apprehended on warrants issued within the State of Illinois:
  - a. The original signature of the arresting officer should 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 station supervisor at the district of detention or by the 001 District station supervisor when the Intrastate Hold Affidavit is hand-delivered by the extradition officer, who will ensure the LEADS hit printout is attached to the affidavit.

**REMINDER:** An Interstate Hold Affidavit is not required if the original warrant or a copy of the original warrant is available.

- b. If further information is needed to complete the affidavit, the station supervisor will 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).



6. verify 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 operations lieutenant of the detention facility has the final authority of determining whether or not the arrestee will be processed for the warrant.

7. include the original charges on the warrant, stated in the narrative section of the arrest report.

B. The station supervisor will ensure that:

1. all persons arrested on a Cook County Sheriff's warrant returnable to the First Municipal District are transported from the district of arrest to the court of issuance (the local Branch Court, Traffic Court, or 26th and California, as appropriate).
2. all persons arrested on a warrant issued outside of the first Municipal District and who have local charges are transported from the district of arrest to the local branch court according to the Case Priority Listing Unit Matrix outlined in the Department Directive entitled "**Court Call Schedule.**"
3. the following will be transported to Central Bond Court:
  - a. all persons arrested on a warrant outside of the First Municipal District and no local charges,
  - b. all persons arrested on a warrant issued from Criminal Trial Court and no local charges, and
  - c. all persons arrested on all warrants on Saturday, Sunday, and court holidays.
4. all persons arrested on all Illinois Department of Corrections Warrant without local charges are transported to the Central Detention Section.
5. all persons arrested on serviceable Child Support Warrants are transported to the Central Detention Section.
6. arrestees are processed in accordance with the procedures outlined in this directive and the Department directive entitled "**Processing Persons Under Department Control.**"
7. 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.
8. the Cook County Arrest Warrant Execution Verification (CCG0657) form is completed and ensure the form is included in the documents that comprise the court package for the arrestee.
9. all facsimile copies of local warrant(s) and 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:
  - a. notify the Central Warrant Unit;
  - b. request that a copy of the warrant be transmitted immediately; and
  - c. at the end of the tour of duty, inform the oncoming station supervisor that the Intrastate Hold Affidavit has not been received.

**REMINDER:** An Interstate Hold Affidavit is not required if the original warrant or a copy of the original warrant is available.

10. the documents identified in the Checklist of Required Court Documents for Prisoner Transfer to Cook County Sheriff Personnel (CPD-34.441) are attached to the remaining court papers.



11. if at the end of the tour of duty, a facsimile copy of the warrant, complaint, and, if applicable, the Intrastate Hold Affidavit have not been received, the oncoming station supervisor is informed. The oncoming station supervisor 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 station supervisor will ensure that:

1. in cases where the arrestee is not picked up by the demanding agency, the arrestee is 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. if applicable, 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 Listing (CPD-11.551).

**NOTE:** The original arrest warrant or a copy of the original arrest warrant will be used in lieu of the Intrastate Hold Affidavit, if available.

- D. the LEADS Operator, Field Services Section, 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 station supervisor of the unit of detention will **immediately** make a telephonic notification to the Fields Services Section and, in addition, 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 the Clerk of the Circuit Court of Cook County personnel will forward a copy of the warrant to the Central Warrant Unit for processing.
- B. When a bond forfeiture order is vacated and a bond is reinstated, Court Section personnel will 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 transmittal listing of warrants 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 transmittal listing of warrants.
- D. send a completed facsimile copy of the transmittal listing of warrants back to the Circuit Court's Office.
- E. return the recalled warrants to the Chief Clerk of the Circuit Court of Cook County's office with the Warrant-Recall Order.



## VIII. PERSONS ARRESTED BY OUTSIDE AGENCIES

### Central Warrant Unit Responsibilities

- A. Upon receiving notification from an outside agency that a person wanted on a Chicago warrant is in their custody, the Central Warrant Unit 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 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. 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.
- C. When the agency holding the arrestee is outside Cook County, the Central Warrant Unit will notify the appropriate unit having the responsibility for the follow-up investigation or the issuance of the warrant and request that they assign personnel to return the arrestee. Furthermore:
1. A supervisor from the unit having the responsibility for the follow up-investigation or the issuance of the warrant will inform the Central Warrant Unit within 24 hours of being notified and complete the Arrest Warrant and Return Verification form (CPD-31.219) form indicating if personnel will respond to the arresting agency outside of Cook County to return and process the arrestee. The supervisor will forward the completed form to the Central Warrant Unit.

**NOTE:** Department members must respond without unnecessary delay to the agency outside of Cook County to return and process the arrestee.

2. If no unit has follow-up responsibility for the investigation or the appropriate unit is unable to return the arrestee from the agency outside of Cook County, the Central Warrant Unit will notify the area Bureau of Detectives unit nearest the holding agency or the Fugitive Apprehension Unit and request that they assign personnel to return the arrestee.

**NOTE:** Department members responsible for the issuance of an original warrant for a subject that is arrested by an agency that is outside of Cook County and no longer wants the warrant served will have the responsibility of having the warrant quashed with the appropriate court branch without unnecessary delay. This will not apply to bond forfeiture warrants.

(Item indicated by italics/double underline were revised )

Authenticated by: KC

Eddie T. Johnson  
Superintendent of Police

19-004 RCL

Plaintiffs' Exhibit 5  
SO\_06\_12\_02 08 26\_2019  
Page 8 of 10



## Redaction Log

Total Number of Redactions in Document: 12

### Redaction Reasons by Page

Page	Reason	Description	Occurrences
6			1
7			1
8			1
12			1
13			1
14			1
15			1
19			1
25			1
26			1
37			1
38			1

## Redaction Log

### Redaction Reasons by Exemption

Reason	Description	Pages (Count)
		6(1) 7(1) 8(1) 12(1) 13(1) 14(1) 15(1) 19(1) 25(1) 26(1) 37(1) 38(1)



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

GENERAL ADMINISTRATIVE ORDER NO. 2015 - 06

SUBJECT: PROCEDURES FOR ARRESTS ON ILLINOIS INTRASTATE WARRANTS  
ISSUED OUTSIDE OF COOK COUNTY

IT IS HEREBY ORDERED that, effective July 6, 2015, arresting agencies and the circuit clerk shall comply with the following procedures:

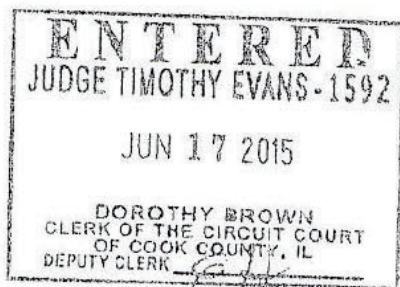
Defendants taken into custody by an arresting agency located within Cook County on an arrest warrant issued by an Illinois state court outside of Cook County shall be required to appear in bond court in the appropriate district or division of this court. A properly executed Intrastate Hold Affidavit shall accompany the defendant. The circuit clerk shall assign the affidavit an administrative case number and maintain the administrative case data in an electronic case index separate from the electronic criminal case docket.

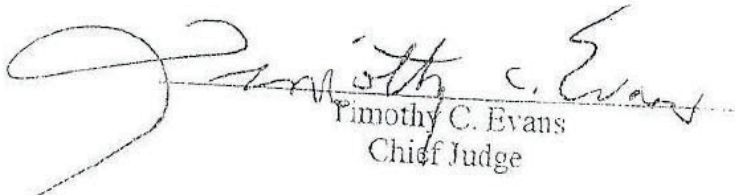
A bail hearing shall be held, and the defendant shall be remanded by mittimus to the custody of the Cook County sheriff. The mittimus (remand order) shall direct the sheriff to release the defendant to the demanding authority if the demanding authority presents itself at the Cook County Department of Corrections.

The sheriff may also release the defendant upon receipt of notice from the demanding authority that it has withdrawn its warrant from the Illinois Law Enforcement Agencies Data System (LEADS) and will not take the defendant into custody on that warrant. Further, when the defendant is able to post the bail set on the warrant issued by the demanding authority, the defendant shall be admitted to bail and scheduled for a court appearance in the county of the demanding authority.

Dated this 17th day of June, 2015.

ENTER



  
Timothy C. Evans  
Chief Judge