



POLICY STATEMENT

Policy Statement 4011

Policy Area: Supervision

Effective Date:

MAY 07 2009

Approved:

Adrienne Poteat, Acting Director

WARRANT-ISSUED STATUS CASES

I. COVERAGE

This Policy Statement establishes policy and procedures for the Court Services and Offender Supervision Agency (CSOSA) staff who supervise offenders. CSOSA staff with specific responsibilities under these procedures include Community Supervision Officers (CSOs) and Supervisory Community Supervision Officers (SCSOs).

II. BACKGROUND

CSOs are responsible for monitoring offenders under active community supervision. In certain instances, an offender may violate the stipulations of supervision in a manner requiring a warrant to be issued for the offender by the releasing authority.

III. POLICY

In order to maintain case accountability for all Warrant-Issued Status Cases, all such cases shall be assigned to a CSO and monitored on a monthly basis for any changes in warrant status or the identification of a new location for the offender. Monthly warrant checks are to be conducted.¹

IV. AUTHORITIES, SUPERSEDURES, REFERENCES, AND ATTACHMENTS

A. Authorities

Statutory Authority: Pub. L. 105-33, § 11233, 111 Stat. 748; D.C. Official Code § 24-133(c) (2001 Edition).

B. Supersedures

Warrant Issue Status Cases Policy Statement 4011 (April 30, 2004).

¹ The Agency is working collaboratively with the Federal Bureau of Investigations (FBI) for the implementation of an electronic notification process, e-agent to the Supervised Release File, to the CSO if the offender is arrested outside of Washington, D.C. Once implemented, staff will be relieved of the monthly record check requirement for designated cases and this Policy Statement will be amended accordingly.

C. Procedural References

Office of the General Counsel Directive on Subpoenas, Warrants, Garnishments, and Other Legal Process (September 18, 2000)

D. Attachments

Appendix A. General Procedures

**APPENDIX A
GENERAL PROCEDURES**

A. Assignment of Warrant-Issued Status Cases

1. The team SCSO, in conjunction with the team CSOs, is responsible for all active warrant-issued cases assigned within the team.
2. The team SCSO shall:
 - a. Identify all warrant cases assigned to his/her team;
 - b. Verify that each warrant case is assigned to a CSO;
 - c. Verify at least monthly that warrant cases have an active warrant;
 - d. Verify that the case assignment is entered in SMART; and
 - e. Audit warrant cases on a quarterly basis.

B. Monitoring of Warrant-Issued Status Cases

1. Once a warrant has been issued, the CSO shall conduct a NCIC/WALES record check to determine if any new arrests or convictions have occurred. The CSO shall advise the releasing authority within three (3) business days of any subsequent arrests or convictions identified during the record check that occurred while the offender was in "warrant-issued" status.
2. The CSO shall also determine the current status of each warrant-issued case. For each warrant case, the CSO shall:
 - a. Monitor the offender's status for change in location or release from an institution in the case of detainer warrants;
 - b. Monitor the case for upcoming hearing/court dates once the warrant has been executed; and
 - c. Return each case to the SCSO for appropriate action in the case of executed warrants that are subsequently closed.

C. Warrants Executed Outside of the District of Columbia

1. SCSOs and CSOs shall be aware of the following procedures when a parole or probation violation warrant is issued in the District of Columbia (DC) and executed in another jurisdiction.

- a. In cases where a probationer is arrested in another jurisdiction on a bench warrant² of the Superior Court of the District of Columbia, the matter is heard before a United States Magistrate Judge in the jurisdiction where the arrest occurred.

If the judge determines that the probationer should be returned to the District of Columbia, the United States Marshals' Service (USMS) in the jurisdiction where the matter is heard will make arrangements to transport the offender to DC. That process generally occurs within ten (10) business days, based upon the availability of transportation.

- b. In cases where the arrest is based on a parole warrant (either an old District of Columbia Parole Board warrant or a warrant issued by the United States Parole Commission (USPC)), and the offender is apprehended in either Virginia or Maryland, the offender will be transported by the USMS to the District of Columbia Jail. The USPC Parole Hearing Examiner will conduct the probable cause hearing and make a recommendation to either hold the offender for a local revocation hearing or designate the offender to a federal facility for an institutional hearing.

If the offender is arrested outside of the Maryland and Virginia area, the local United States Probation Office (USPO) in the jurisdiction where the arrest occurred will conduct a preliminary hearing within a reasonable time, usually within five (5) business days of the offender's arrest. The USPO will determine probable cause and make a recommendation to the USPC for the offender to have an institutional or local revocation hearing. The offender will be transferred by the USMS to the closest federal institution to await the revocation hearing.

- c. Interstate offenders waive extradition. If the sending jurisdiction later issues a warrant, the offender is returned to the sending jurisdiction.

²Misdemeanor warrants are non-extraditable. The law enforcement community does not have the authority to execute out of jurisdiction misdemeanor warrants.

D. Ongoing CSO Accountability

1. CSOs shall monitor and update in SMART all “warrant-issued” status cases monthly.
2. CSOs shall advise the USMS, or other law enforcement authority in warrant cases, of new information that could affect the execution of a warrant, such as the location of the offender, death, etc.
3. Upon the execution of the warrant, the CSO shall change the supervision status to Warrant-Executed. CSOSA’s SMART (Supervision, Management and Automated Record Tracking) system then will automatically change the status to Monitored-Confined. If the warrant is rescinded or quashed, the CSO shall change the supervision status to Warrant-Rescinded or Warrant-Quashed, respectively. CSOSA’s SMART system will automatically change the offender’s supervision status to Active, once the warrant-rescinded or warrant-quashed status is updated. The CSO shall review the automatically created supervision status to ensure it is the appropriate case status for supervision.