

## Warrants

### 367.1 REASONABLE EFFORTS TO CONTACT THE CLIENT

Reasonable efforts, as defined below, must be made prior to requests being made for warrants or Juvenile Detention Orders.

#### 367.1.1 MANDATORY EFFORTS

The officer must make reasonable efforts to locate and direct the client to report prior to a warrant or pursuant to San Diego Superior Court Rule 6.9.5, a Juvenile Detention Order (JDO) being requested. Such reasonable efforts must include:

- (a) Letter sent and either returned or no response received. (Exceptions are: Mandatory Supervision, PRCS, and unhoused/transient clients.)
- (b) Attempted telephone contact.
- (c) Attempted home visit or in case of unhoused/transient clients last known location of domicile.
- (d) A review for alternative addresses and alternative phone numbers.
- (e) Due diligence to determine any additional information facilitating contact.
- (f) Any other notification/contact procedure that might be indicated by the officer's review of the case file, e.g., the client's Record of Arrests and Prosecutions (RAP) sheet.

#### 367.1.2 OPTIONAL ACTIVITIES

There are additional activities that are optional dependent on case history and case assignment. These activities are as follows but are not necessarily limited to:

- (a) Attempted field contacts (including visits to the client's place of employment, school, and/or treatment center).
- (b) Documentation of failures to appear to scheduled activities (i.e., drug testing, appointments, therapy session etc.).

### 367.2 DOCUMENT EFFORTS

- (a) Efforts to locate the client pursuant to section 367.1 must be documented in the Probation Case Management System (PCMS) contacts and in the warrant report to the court.
- (b) To avoid the improper issuance of a warrant, officers must review the case file and PCMS thoroughly for any updated information.
- (c) The warrant report must include specific information regarding efforts to contact the client (dates, times, places, returned mail, etc.) and specifics of other alleged violations. This information allows the court to make a finding and issue the requested warrant or JDO as appropriate. The information must also be of sufficient detail that

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any subsequent officer reviewing the case will clearly understand the basis for the violation(s).

#### **367.3 ADULT WARRANTS; JUVENILE DETENTION ORDERS AND WARRANTS; HOT SHEET**

##### **367.3.1 ADULT REINTEGRATION AND COMMUNITY SUPERVISION SERVICES (ARCSS)**

Once the probation officer determines a client has absconded and their whereabouts are unknown, the probation officer shall prepare a warrant request pursuant to Penal Code § 1203.2(a) requesting a bench warrant be issued.

##### **367.3.2 YOUTH DEVELOPMENT AND COMMUNITY SUPPORT SERVICES (YDCSS)**

Youth must be placed on the Hot Sheet pending a JDO or Arrest Warrant. A JDO is limited to San Diego County. If the youth is out-of-county or 18 years old or older, the Probation Officer must request an Arrest Warrant. Additionally, an Arrest Warrant may be requested pursuant to Welfare and Institutions Code § 663 and then served in accordance with Penal Code § 840. (See Probation Form J529 for JDOs and Probation Form J0663 for arrest warrants.)

#### **367.4 WARRANT REQUEST REPORT (ARCSS)**

A report requesting a bench warrant must be submitted to the Court. For ARCSS, any other violations of supervision should also be documented in this report. When exigent circumstances such as an immediate and clear public safety risk necessitate an immediate or expedited issuance of a bench warrant, the officer must prepare an ex parte application and "hand walk" it through the court process. (See Probation Form J0663)

#### **367.5 PROCESSING WARRANT REQUEST REPORTS FOR ARCSS**

The following steps are taken to process the warrant request report from the assigned officer to the appropriate warrant status:

- (a) After the bench warrant request has been submitted to court, the file will be forwarded to the "Warrant Holding" support staff supervisor, who then verifies the warrant information is updated in PCMS and the warrant flag in the "Alerts Section" of the face sheet is present.
- (b) The support staff supervisor verifies the case is assigned to "Warrant Holding" and verifies the case file location in PCMS is updated, and retains possession of the file and monitors the warrant status until it is issued. If the court has not issued the warrant within 30 days, the file is returned to the requesting officer for follow-up action with the court (i.e., inquire regarding custodial status and check PCMS for updated information) and determine if resubmission is necessary.
- (c) When the court docket is received or the eWarrant screen shows the warrant is issued, the support staff supervisor moves the file and updates PCMS location to the "Warrant issued" caseload.

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- (d) If the warrant issued remains active beyond one year it will remain assigned to the "Warrant Issued" caseload; however, the support staff supervisor sends the file to off-site storage and modifies the case file location to the storage destination.
- (e) Once the warrant is cleared, the support staff supervisor moves the file and changes the location to the "Warrant Cleared" caseload, and monitors for future hearings. If the court order is not received within seven days, the support staff supervisor submits a docket request. Pending the court order, the case will either be (1) reinstated back to a supervision probation officer; or (2) court terminated and closed.

### **367.6 PROCESS FOR RECALLING A WARRANT FOR PENAL CODE § 1203 FORMAL PROBATION CLIENTS - ARCSS**

#### **367.6.1 WARRANT REQUESTED BUT NOT YET ISSUED**

There may be some circumstances in which it may be appropriate for a warrant that has been requested but not yet issued to be recalled. A supervisor must be notified for case screening and approval. If a probation officer determines with supervisor approval that a warrant has been requested that should be recalled, then the following actions must be taken:

- (a) The PO must generate the warrant recall form A679L in PCMS.
- (b) The PO must fax the A679L form to the specific fax number as listed on the letter based on case region.
- (c) The PO must make a telephone call or send an email to the designated court contact based on the region to confirm receipt.
- (d) The PO must continue to check local records until the warrant recall is verified and confirmed no longer active.
- (e) The PO must contact the designated support staff supervisor to request the file be returned to their name from "Warrant Holding."
- (f) A copy of the A679L form must be maintained in the file and documented in PCMS.

#### **367.6.2 WARRANT REQUESTED AND ISSUED**

There may be some circumstance in which it may be appropriate for a warrant that has been requested by Probation and issued by the court to be recalled. A supervisor must be notified for case screening and approval. The following actions must be taken:

- (a) The PO must write an ex parte report (A679R) that details the reason for the warrant recall.
- (b) The A679R form must be processed based on case region.
- (c) The original signed report must be processed by support staff and distributed.
- (d) The PO must continue to check local records until the warrant has been cleared.
- (e) Once the case is cleared, the supervisor must request the file be returned to their name from closed files for follow up and transfer to the proper level of supervision.

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#### **367.7 PROCESS FOR RECALLING A WARRANT FOR MANDATORY SUPERVISION OR POST-RELEASE SUPERVISION CLIENTS**

##### **367.7.1 WARRANT REQUESTED BUT NOT YET ISSUED**

The probation officer must contact support staff to request that the warrant request be pulled. Support staff will pull the warrant if possible.

##### **367.7.2 WARRANT REQUESTED AND ISSUED**

The probation officer will submit an ex parte report explaining why the warrant should be recalled. Attached to the report will be the signed warrant and any documentation supporting the recall. (Court Report Warrant Recall Form A679R)

#### **367.8 WARRANT RETURNS FOR PENAL CODE § 1203 FORMAL PROBATION CLIENTS**

After the client is arrested on the bench warrant, the client will appear before the court. Upon an admission the client will be immediately sentenced or the case will be set out for an Evidentiary hearing or Sentencing After Revocation hearing.

##### **367.8.1 CASE ASSIGNMENT IF THE COURT REQUESTS A REPORT**

- (a) If the warrant originated from a formal probation caseload and the client was booked on the warrant more than 270 days after the revocation, the case will be assigned to Investigations for a report.
- (b) If the warrant originated from a formal probation caseload and the client was booked on the warrant less than 270 days from the date of revocation, the case will be transferred to the last Probation Officer of Record who will be responsible for writing the requested report. An email will also be sent to the unit supervisor in case the last Probationer Officer of Record is no longer assigned to the unit, or is out of the office for an extended period of time.
- (c) If the warrant originated from Mandatory Supervision or Post Release Community Supervision it will be reassigned to the caseload of origin. There is no time limit.

#### **367.9 WARRANT RETURNS FOR MANDATORY SUPERVISION OR POST-RELEASE SUPERVISION CLIENTS**

The case will be reassigned to the supervision caseload from which it originated.

##### **367.10 WARRANT REQUEST (YDCSS)**

Officers must screen all warrant and JDO requests with their supervisor and Division Chief. Upon receiving approval, the officer will submit form J529, for a JDO or form J0663, for an arrest warrant to the Court.

##### **367.11 PROCESSING ISSUED WARRANTS FOR YOUTH CLIENTS**

- (a) After the Court issues a discretionary or non-discretionary warrant, and the warrant issuance is reflected in the youth's court minute order, the probation officer must add this information into the Alerts Section of the client's face sheet in PCMS.

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- (b) YDCSS Investigation Officers must immediately transfer cases to the Warrant Bank caseload after the issuance of a JDO, bench warrant, or arrest warrant. YDCSS supervision officers must retain their JDO cases pending the client's next hearing, at which time a bench warrant will likely be issued if the client fails to appear. Supervision officers retain warrant cases for 30 days prior to sending the case to the Warrant Bank Caseload. During the 30-day period, the assigned officer must make attempts to contact the youth and youth's family pursuant to section 367.1 above.

#### **367.12 YDCSS WARRANT BANK**

The warrant bank maintains cases with outstanding warrants for Supervision and Intake and Investigation. The warrant bank probation officer is a liaison to law enforcement in the attempt to bring youth back before the Court.

##### **367.12.1 WARRANT BANK PROBATION OFFICER**

The warrant bank probation officer must:

- (a) Along with Supervising Probation Officer (SPO) and Senior Probation Officer (SrPO), screen warrant cases prior to acceptance to ensure they are eligible for transfer to the warrant bank. Cases become eligible for transfer to the warrant bank when the youth's minute order and PCMS alert reflect the active warrant. Investigators may transfer the case immediately; however, supervision officers must wait 30 days as outlined in Procedure section 367.11.
- (b) Review warrant cases and ensure warrant issuance is reflected on the youth's court minute order.
- (c) Ensure a Warrant flag is placed in the "Alerts" section of PCMS.
- (d) Conduct reviews of all warrant bank cases.
- (e) Attempt to contact the youth telephonically and via mail and document all efforts in PCMS. (See sections 367.1 and 367.2)
- (f) Provide discretionary warrant flyer and discuss the process on how to surrender on an outstanding warrant.
- (g) Coordinate efforts with the district attorney and public defender to clear warrants and terminate wardship via ex parte application.
- (h) Submit warrant-related reports (as needed).
- (i) Seek assistance from law enforcement partners to execute an arrest. (Welfare & Institutions Code § 827(a)(1)(e), (b)(1), (e))

##### **367.12.2 PERIODIC CASE REVIEWS**

Reasonable efforts to contact the youth and family must continue to be made at least every six months by the warrant bank probation officer. Such reasonable efforts must include:

- a. Review of custody status including local, national, and federal custody if applicable.
- b. Attempt telephone calls to all available numbers in PCMS and/or SDLAW.

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c. Certified standard letter J4005 is mailed to the last known address and/or current address recorded in DMV records. The letter will direct the youth to contact Probation for further instructions on how to clear the warrant. Youth will be granted 45 days to respond to the letter.

Should the youth fail to respond, Probation may seek assistance from law enforcement partners to execute an arrest.

d. Review "relationships" node in PCMS for alternative addresses and telephone numbers.

e. Seek alternative contact information through school records.

#### **367.13 RECALLING WARRANTS AND EX PARTE TERMINATION**

At least twice a year, warrant bank cases will be reviewed with the district attorney and public defender for potential warrant recall consideration. In collaboration with the district attorney and public defender, probation will apply ex parte to recall warrants and recommend termination of wardship for youth about whom the district attorney, the public defender and probation all agree that ex parte warrant recall and/or termination is appropriate. Priority consideration will be given to:

- (a) Low and medium risk clients
- (b) Misdemeanor offenses
- (c) Adults (18 or older)
- (d) Non-707(b) Offenses. Ex parte termination and warrant recall will be considered for select non-707(b) felony offenses. Probation will work with the district attorney and public defender to determine appropriateness.

#### **367.14 CASES NOT ELIGIBLE FOR WARRANT RECALL AND EX PARTE TERMINATION**

Certain cases will not be deemed eligible for warrant recall and/or ex parte termination due to a variety of factors including but not limited to:

- (a) 707(b) offenses
- (b) "Serious" offenses as defined in Penal Code §§ 1192.7(c) and 1192.8(a) and/or violent felonies as defined in Penal Code § 667.5
- (c) Pending Deoxyribonucleic Acid (DNA) collection
- (d) Cases with "to be determined" (TBD) restitution
- (e) Cases with established restitution orders may be considered for warrant recall and ex parte termination; however, a JUV790 and JUV791 must be submitted.

#### **367.15 WARRANT SURRENDER/ COURT APPEARANCE**

Should a case be deemed inappropriate for ex parte termination, Probation will attempt to contact the youth telephonically and/or via mail to get the youth to self-surrender. Alternatively, the youth

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will be instructed to contact the Public Defender's Office for instructions on clearing the warrant. All communication attempts with the youth must be documented in PCMS.

#### **367.16 LAW ENFORCEMENT PARTNERS**

Should a client fail to respond to Probation's efforts to address the warrant, Probation may seek assistance from law enforcement partners to execute an arrest. (Welfare & Institutions Code 827(a)(1)(E)). Additionally, Probation has designated personnel specifically trained in the transportation of individuals who have been apprehended as a result of active warrants that are out of county or out of state.

#### **367.17 REFERENCE**

Date Last Reviewed	3/2025
Date(s) Revised	7/25/2025
Policy and Procedure References	Policy 802 Detention Control Unit (DCU) Initial Screening Detention and Release Processing
Attachments/Links	N/A