



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 503 – Obtaining and Executing Arrest Warrants

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Forms Referenced in Procedure:	SAPD Form #66-E SAPD Form #2091-C SAPD Form #OP-2003 SAPD Form #8-PWC SAPD Form #8-WIC	Related Procedures:	601, 609, 616

.01 INTRODUCTION

- A. This procedure is established to provide officers with guidelines for obtaining and executing arrest warrants.
- B. The duties to arrest, definitions, requisites, issuance, scope, authority, and execution of arrest warrants are outlined in Chapter 15 of the Texas Code of Criminal Procedure.
- C. It is the duty of every officer to execute an arrest warrant in the manner provided by law, by the guidelines established in this procedure, and by adhering to each respective unit's standard operating procedures. An officer does not refuse to execute a valid warrant on other than legal grounds.
- D. It is the duty of every officer to seek an arrest warrant in the manner provided by law, by the guidelines established in this procedure, and by adhering to each respective unit's standard operating procedures. An arrest warrant shall be sought as soon as practical for violent crimes when the danger or threat to the public requires immediate action, rather than filing the case at-large.

.02 GENERAL PROCEDURES

- A. When planning to execute a high risk arrest warrant, or where there is a probability forced entry will be needed to gain entry, each member involved in the execution of an arrest warrant will wear body armor.
- B. When executing an arrest warrant, the officer need not have actual possession of the warrant. However, the officer announces to the person being arrested the arrest is made pursuant to a warrant; and
 1. If the officer has the arrest warrant in his possession, he exhibits it to the arrestee; or
 2. If the officer does not have the arrest warrant, he informs the arrestee of the offense charged against him.
- C. Military regulations require documentation prior to the delivery of military personnel to civilian authorities. Therefore, officers entering a military installation for the purpose of affecting an arrest must possess a copy of the arrest warrant and contact the military police unit assigned to the installation prior to making the arrest.
- D. At the time of arrest, officers read SAPD Form #66-E, *Rights Warning*, to all persons arrested under a warrant.
- E. Officers take all persons arrested before a magistrate in compliance with Chapter 15, Articles 15.17 and 15.18, of the Texas Code of Criminal Procedure.
- F. Persons arrested under a warrant are booked following GM Procedure 601, *Prisoners*.
- G. Officers routinely initiate a warrant check on persons they have lawfully stopped. However, such persons are generally detained no more than thirty (30) minutes. The detention may exceed thirty (30) minutes in circumstances when the officer has reasonable suspicion an arrest warrant is outstanding for the person.
- H. A warrant is never altered in any manner. The officer must return to the issuing magistrate to change the warrant.



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.03 TERMINOLOGY (For specific use within this procedure, see Glossary)

Entry Team	Handling Investigator	Investigative Supervisor	Officer-In-Charge
Arrest Team	Security Team	Verification Officer	Warrant Execution Supervisor

.04 WARRANTS ORIGINATING IN THE STATE

- A. An officer may execute a misdemeanor or felony arrest warrant issued by any court within the State of Texas any place within the corporate limits of the City of San Antonio providing:
 - 1. The place is a public place;
 - 2. The officer is in a place he has a lawful right to be;
 - 3. The place is the residence of the person named in a felony warrant or is where the officer has probable cause to believe the person is presently living;
 - 4. The place is a private place or residence named in a search warrant, provided the officer has the search warrant in his possession; and
 - 5. If the warrant is issued by a mayor of an incorporated city or town in a county other than Bexar County, the warrant is properly endorsed, according to Chapter 15, Article 15.07, of the Texas Code of Criminal Procedure.
- B. Officers do not execute arrest warrants outside the corporate limits of the City of San Antonio, unless:
 - 1. The officer is in "hot pursuit" of the person to be arrested, in which case he proceeds according to GM Procedure 609, *Emergency Vehicle Operation*, or
 - 2. The officer is acting in conjunction with an officer of the jurisdiction where the warrant is to be executed.

.05 OUT OF STATE WARRANTS

- A. Officers may execute a felony arrest warrant issued by a court outside the State of Texas, providing the provisions of Section .04 of this procedure are followed.
- B. Officers do not execute out of state misdemeanor arrest warrants.

.06 VERIFICATION OF WARRANT INFORMATION

- A. Class B Misdemeanor through Felony Arrest Warrants
 - 1. Even though a computer check reveals an outstanding class B misdemeanor through felony arrest warrant for a person and justifies the detention of the person, officers must obtain certain information to verify the warrant is active. The following information is required prior to booking persons arrested for a class B misdemeanor through felony arrest warrant:
 - a. The name, date of birth, and other identifiers of the person named in the warrant;
 - b. The warrant number;
 - c. The offense charged;
 - d. The name of the court issuing the warrant; and



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- e. The fingerprint classification of the person named in the warrant, if the warrant is issued by a court outside of Bexar County.
2. Should there be probable cause to believe there is an outstanding class B misdemeanor through felony parole violation warrant, remand without bond warrant, or a bond increase, and there are no additional charges, the person detained for verification of the warrant is taken to the Bexar County Jail and held until the warrant is confirmed active, an abstract of the warrant is obtained, and the person is identified as the same person named in the warrant. If the warrant is verified the arrestee is released into the custody of the Bexar County Jail.
3. Should there be probable cause to believe there is an outstanding class B misdemeanor through felony parole violation warrant, remand without bond warrant, or a bond increase, and there are new additional charges, or the warrant is a post indictment warrant, the person detained for verification of the warrant is taken to the Bexar County Identification Section at the Magistrates Office and held until the warrant is confirmed active, an abstract of the warrant is obtained, and the person is identified as the same person named in the warrant. If the warrant is verified, the arrestee is released into the custody of the Magistrates Office.
4. Should a person who has been detained and transported to the Bexar County Jail or City Magistrates office for verification of a class B misdemeanor through felony arrest warrant be found not wanted on any charge, he is then transported:
 - a. To the scene of initial contact; or
 - b. If more practical, to another location of his choosing with approval of the officer's supervisor.

B. Class C Misdemeanor Arrest Warrants

1. Even though a computer check reveals an outstanding class C misdemeanor arrest warrant for a person and justifies the detention of the person, officers must obtain certain information to verify the warrant is active. The following information is required prior to booking persons arrested for a class C misdemeanor arrest warrant.
 - a. The officer can verify the warrant is active by sending a message in Visinet Mobile to “MWAR.”
 - b. The message must contain:
 1. The name, date of birth, and other identifiers of the person named in the warrant, and
 2. The warrant number (traffic citation number or misdemeanor citation number).
 - c. If officers do not receive a response within 5 to 10 minutes, the officer or the Communication Unit may call 207-7718 to verify the warrant.
2. Should there be probable cause to believe there is an outstanding class C misdemeanor arrest warrant; the person detained for verification of the warrant is held at the place of contact until the warrant is confirmed active either by MDT message from the issuing agency or verbally by the Communications Unit dispatcher. If the class C misdemeanor arrest warrant is confirmed, the person is then returned to the City of San Antonio Detention Center.
 - a. If the person who has been detained for verification of a class C misdemeanor arrest warrant is found not to be wanted on any charge, he is released.
 - b. After thirty (30) minutes, if verification of the arrest warrant has not been confirmed, the person is released at the place of contact, unless extenuating circumstances exist to detain the person longer.

.07 PLANNED EXECUTIONS OF ARREST WARRANTS



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- A. This section governs the execution of arrest warrants when it is believed a person named in an arrest warrant is within the jurisdiction of the San Antonio Police Department and the execution of the arrest warrant is planned in advance.
- B. The arrest warrant may be executed at any time of the day or night. It may be executed at any place, public or private, where the individual named is reasonably believed to be located. Officers need not execute the warrant at the first possible opportunity, but may choose the time and place. Factors to be considered in determining the time and place include:
 - 1. If the location is a third party residence, absent exigent circumstances or consent, a search warrant is obtained and possessed before entering the premise. If consent to enter the premises to search for the wanted person is granted, officers will complete and have the consenting person sign SAPD Form #2091-C, *Consent for Search of Private Premises*;
 - 2. Knowledge of the individual's whereabouts and likely movements; and
 - 3. Consideration of safety and security of the arrestee, the officers, and third persons.
- C. Prior to Executing any Class B Misdemeanor through felony warrants:
 - 1. Officers will check the Arrest Warrant Database on SAMWEB <http://samweb/warrantForm.asp> prior to execution of the warrant for updated notes on the suspect.
 - 2. Officers will utilize SAPD Form #8-PWC, *Police Arrest/Search Warrant Checklist*, for Class B Misdemeanor through Felony Arrest Warrants or any crimes of violence.
 - 3. The Arrest/Warrant Checklist will assist in determining whether the warrant should be executed by the officer or if a specialized unit or units should be called.
- D. After executing any warrants: Class B Misdemeanor through Felony Arrest Warrants:
 - 1. Officers will UPDATE the Arrest Warrant Database on SAMWEB <http://samweb/warrantForm.asp> adding any pertinent information available.
- E. When planning to execute a high risk and/or unannounced arrest warrant, a single officer (other than the officer in charge) will be assigned by the warrant execution supervisor as the Verification Officer.
 - 1. The Verification Officer is responsible for positively identifying the correct location where the warrant will be executed and for directing the entry team to the correct location. The Verification Officer will confirm the address or warrant location description named in the warrant and warrant affidavit is the same as the address or location description where the warrant will be executed.
 - 2. The name of the Verification Officer will be listed on the SAPD Form #OP-2003, *Operational Plan*, and on SAPD Form #8-PWC.
 - 3. The Verification Officer will accompany the entry team or an officer assigned to the entry team to positively identify and point out the correct location described in the arrest warrant. It is not necessary for the Verification Officer to accompany the entry team into the warrant location when the entry is made.
- F. When entering a private premise, officers announce their identity and purpose and demand admittance. When exigent circumstances exist which unduly jeopardize the safety of the officers, other persons, or the security of the person sought, the officers need not announce their identity or purpose before entering to execute a felony warrant.



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- G. When officers are refused entry after demanding admittance or when exigent circumstances exist, the officers may forcibly enter the premises to execute a felony arrest warrant.

.08 PLANNED FORCED ENTRY

- A. In planning a forced entry, the warrant execution supervisor reviews SAPD Form #8-PWC. This form is designed to determine the degree of probability of death or serious bodily injury.
- B. When the warrant execution supervisor determines a high probability of death or serious bodily injury exists, the supervisor, or his designee shall contact a Special Weapons and Tactics Unit supervisor to determine the necessity for inclusion of Special Weapons and Tactics Unit members in the execution of the warrant.
- C. In all planned forced entries, the warrant execution supervisor ensures enough officers are present to adequately protect the safety and security of all persons involved.
1. This includes the presence of uniform officers to identify the group as members of the Department.
 2. In normal circumstances, uniformed officers enter the premises with non-uniformed officers.

.09 PLANNED FORCED ENTRY RESPONSIBILITIES

A. Warrant Execution Supervisor:

1. Assigns a “Verification Officer” when applicable in accordance with this procedure;
2. Reviews and approves all arrest warrants, SAPD Form #OP-2003, SAPD Form #8-PWC, and SAPD Form #8-WIC, *Warrant Intel Checklist*, prior to execution of the arrest warrant;
3. Ensures location has been properly identified, adequate manpower and equipment are available, and all provisions of this procedure are being followed for the proper and safe execution of the warrant;
4. Ensures adequate steps are taken to provide for the safety and security of the officers involved, items being sought, and any persons who may be at the scene of the execution of the warrant;
5. Ensure uniformed officer(s) are present at the location named in the arrest warrant;
6. Except during periods of extenuating circumstances, accompany officers in the execution of the warrant; and
7. Ensures the dispatcher is notified before and after the execution of the warrant.

B. Officer in charge:

1. Conducts warrant research in accordance with SAPD Form #8-WIC;
2. Physically views the location to be searched in order that a precise address and description can be obtained, or ensures the warrant verification officer involved with the warrant physically views the location;
3. Completes SAPD Form #8-PWC and submits it and all documentation to the warrant execution supervisor for evaluation prior to execution of the arrest warrant;
4. If the warrant execution supervisor will not be present when the warrant is executed, ensures adequate steps are taken to provide for the safety and security of the officers involved, items being sought, and any persons who may be at the scene of the execution of the warrant;



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5. If the warrant execution supervisor will not be present when the warrant is executed, he develops a written plan for the arrest warrant to ensure the location has been properly identified, adequate manpower and equipment is available, and all provisions of this procedure are being followed;
6. Assigns officers to the "Entry Team," "Security Team," and "Search Team";
7. Ensures all officers involved are aware of their assigned duties and responsibilities;
8. If the warrant execution supervisor will not be present when the arrest warrant is executed, he notifies that Supervisor before and after executing the warrant; and
9. The duties of the Officer-in-Charge do not supersede those of the Warrant Execution Supervisor, when that Supervisor is present.

C. Verification Officer:

1. When planning to execute an arrest warrant, a single officer (other than the Officer-in-Charge) will be assigned by the Warrant Execution Supervisor as the Verification Officer.
2. The Verification Officer is responsible for positively identifying the correct location where the warrant will be executed and for directing the entry team to the correct location. The Verification Officer will confirm the address or warrant location description named in the warrant and warrant affidavit is the same as the address or location description where the warrant will be executed.
3. The name of the Verification Officer will be listed on SAPD Form #OP-2003 and on SAPD Form #8-PWC.
4. The Verification Officer will accompany the entry team or an officer assigned to the entry team to positively identify and point out the correct location described in the arrest warrant. It is not necessary for the Verification Officer to accompany the entry team into the warrant location when the entry is made.

.10 DECONFLICTION

- A. The South Texas HIDTA Investigative Support Center (managed by SAPD) has been designated as the hub for deconfliction services by the South Texas HIDTA Executive Board. As such, it is the single point of contact for the entire South Texas Region. They can be contacted by phone at 207-2495.
- B. Prior to executing a planned forced entry, the Officer-in-Charge or Warrant Execution Supervisor must notify the Deconfliction Unit. If a location of interest is listed with the Deconfliction Unit, the Officer-in-Charge or Warrant Execution Supervisor shall contact the officer who placed the location into deconfliction for resolution. Any conflicts not resolved shall be elevated to the Supervisor in charge of the Unit who placed the location into deconfliction and the Warrant Execution Supervisor for resolution.

.11 CRIME VICTIM NOTIFICATION PROGRAM

- A. Officers arresting by warrant any person wanted for offenses listed below shall route a copy of the incident report to the applicable follow-up investigative unit:
 1. Any crime resulting in death or serious bodily injury;
 2. Any crime where death, serious bodily injury or retaliation in the future is threatened;
 3. Domestic Violence;



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4. Sexual Assault; and
5. Stalking.

B. For complete information on the VINE program, refer to GM Procedure 616, *Crime Victim Notification Program*.

.12 TRAINING

- A. When executing a planned “high risk” forced entry, prior to assignment as an entry team, security team or arrest team member, the Officer, Detective and Supervisor will be provided training for the specific duties assigned while executing the arrest warrant. The training will be documented and will include, at a minimum, the following courses of instruction:
1. Intelligence gathering;
 2. Building entries;
 3. Room clearing;
 4. Weapons handling;
 5. Breaching techniques;
 6. Shield handling techniques; and
 7. Evidence handling procedures.
- B. At a minimum, training shall be conducted on a quarterly basis to maintain proficiency in the above listed skills.
- C. The Unit Director will be responsible for maintaining a record of all training.