

	<b>KENOSHA POLICE DEPARTMENT</b>			
	<b>POLICY AND PROCEDURE</b>			
	<b>74.2 Processing Municipal Warrants &amp; Municipal Commitments</b>			
<b>Effective Date:</b>	5/4/1984	<b>Revision Date:</b>	8/1/2003	
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**I. PURPOSE**

The following defines the procedure by which a municipal warrant or commitment is issued and processed.

**II. DEFINITIONS**

- ◆ **Warrant** - Requirement of a valid arrest warrant:  
An arrest warrant must:
  1. Be in writing and signed by the judge.
  2. State the name of the crime charged and the statute section alleged to have been violated.
  3. Have a copy of the complaint.
  4. State the name of the person to be arrested.
  5. State the date of issue, the name of the person issuing it and the title of his/her office.
  6. Command that the accused be arrested and brought before the person issuing the warrant.
- ◆ **Commitment** – A warrant by which a court or magistrate directs an officer to take a person to prison/jail.

**III. PROCEDURE**

- A. A municipal warrant or commitment will be authorized by the City of Kenosha Municipal Judge and processed through the Municipal Court Office.
- B. The Municipal Court Officer will receive those documents and will file them in Joint Services Records.
- C. An officer shall ensure that the warrant or commitment is valid and contains the necessary requirements. If it does not the warrant or commitment shall be considered to be defective and shall not be served.
- D. In all case when a municipal warrant or commitment has been served, satisfied or withdrawn, it should be cancelled through Joint Services Records.
- E. A warrants issued through Municipal Court and satisfied through an arrest or the posting of bond will be processed as follows:
  1. Municipal Court Officer or Clerk will notify the Police Department of the cancellation by the cancellation notice sheet.

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2. The Court Office will turn the cancellation notice sheet into Joint Services Records.
  3. The Court Officer will return the warrant to Municipal Court.
- F. If a municipal warrant or commitment is satisfied at the Joint Services Counter, the Clerk will cancel the document with C.I.B., remove it from the file and have it placed into Court Officer's bin to be returned to Municipal Court.

### **IV. DEFENDANTS DETAINED ON MUNICIPAL WARRANTS AND/OR COMMITMENTS:**

#### **A. A. Defendant detained in the City of Kenosha**

A defendant detained within the City of Kenosha will be afforded the opportunity to post bond or contact a person to post bond for them. If the person is unable to secure the bond, the conditions set forth in the warrant or commitment will be complied with.

#### **B. Defendants detained in Walworth or Racine Counties**

Request detaining agency to collect the amount stated on the warrant in cash, money order or personal check and forward to us. If the bond is \$50.00 or more and warrant cannot be satisfied in this manner, the defendant will be picked up and returned to Kenosha. The defendant will subsequently be brought before the Municipal Judge.

#### **C. Defendants detained in other counties**

Request detaining agency to collect the amount stated on the warrant in cash, money order or as a last alternative, a personal check and forward to us. If the warrant cannot be satisfied in this manner, the following guideline will be used to determine if the defendant is to be returned to Kenosha to appear in court.

- a. If the subject is detained in jurisdiction that is located South of State Highway 10 and East of State Highway 51 the subject will be returned to Kenosha to appear in court if the bond amount is \$500.00 or more.
- b. If the subject is detained in any other jurisdiction within the State and the bond is \$1000.00 or more the subject will be picked up and returned to Kenosha.
- c. It will be at the discretion of the Shift Commander whether or not the distance to be traveled and the amount due justify returning the defendant to Kenosha. If it is decided not to return the defendant to Kenosha and the bond has not been collected, advise the detaining agency to release the defendant and request the defendant to forward a money order to us. Cancel with C.I.B.
- d. If the Police Department finds it impractical to bring the defendant before the Court, the defendant should be released and the City Attorney's Office should be notified so that the complaint warrant or commitment may be dismissed. A person cannot be deprived of his freedom on several occasions by out of city Wisconsin Police agencies without being brought before the judge who issued the warrant.
- e. If a defendant is detained by an out of city agency, and we are advised that the bond has been paid, immediately cancel the want with C.I.B. and remove the warrant and warrant folder from the file and leave for the Court Officer. Records will hold the warrant in a suspended file until the bond is received.