DEPARTMENT OF CORRECTIONS

Technical Guide for Warrant Procedures

The Bureau of Criminal Apprehension (BCA) provides oversight to the Minnesota Department of Corrections (DOC) Hearings and Release Unit (HRU) regarding the issuance of warrants and the apprehension and detention of wanted individuals. The Federal Bureau of Investigations (FBI) procedures for hit confirmations, wanted person entries, second party checks and validations must be contained within an agency's policies to satisfy audits conducted by the BCA. The following document contains the technical instructions for these procedures, which are non-specific to the HRU, but meet the minimum requirements of the BCA and the FBI.

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GLOSSARY / KEY

CON = Confirmation Status
DW = Enter Detainer
EIM = Enter Image
EN = Enter Person Supplemental Data
EW = Enter Wanted Person
LW = Locate Wanted Person, Temporary Felon
MIS = Miscellaneous
QDR = Driver Record Query

QMP = Query Current/Previous Motor Vehicle Registration
QP = Query Persons Files
QR = Criminal History Full Record Query
PRI = Priority
RMS = Records Management System
RNO = Request Number
YQ = Hit Confirmation Request
YR = Hit Confirmation Response

Hit Confirmation Procedures

A "hit' is a positive response from the Minnesota and/or national database of wanted or missing persons and property where a query appears to match the person or property in the response.

NCIC HIT CONFIRMATION POLICY

Agencies that enter records into MNHOT/NCIC must be available for Hit Confirmation 24 hours a day, 365 days a year. If unavailable, the agency must identify who will be providing Hit Confirmation services on their behalf by placing instructions in the Miscellaneous (MIS) field of the hot file record.

HIT CONFIRMATION PROCESS

NCIC policy requires an agency receiving a hit on another agency's record to contact the record-holding agency to confirm that the record is active. If the property or subject is confirmed, a locate shall be entered by the locating agency. For a Wanted Person Records, a detainer shall by entered by the wanting agency.

HIT CONFIRMATION PROCEDURE

1. Retain a copy of the hit, either an electronic or hard copy.
2. Ensure the subject or property is still outstanding.
   a. For wanted person, the location of the wanted person is within the extradition limits on the record.
3. Confirm the hit with the originating agency using message key YQ.
   a. RNO – Request Number. Enter 1, 2, or 3 to indicate the number of times the request has been sent.
      i. For the first request, enter 1.
      ii. If an agency fails to respond within the specified time (10 minutes or 1 hour), send a second request, entering 2 in the RNO field. A copy of the 2nd request is automatically sent to the BCA.
      iii. If an agency fails to respond to the second request, a third request shall be sent, entering 3 in the RNO field. A copy of the 3rd request is automatically sent to the BCA, as well as NCIC.

   b. PRI – Priority. The agency requesting confirmation of a hit must determine the appropriate response time.
      i. URGENT (10 minute response): when the hit is the only basis for detaining a suspect or the nature of a case requires urgent confirmation.
      ii. ROUTINE (1 hour response): when a person is held on local charges, property has been located under circumstance when immediate action is not necessary or an urgency confirmation is not required
4. If the originating agency indicates that the hit is not active, notify the requesting person to not arrest the subject or recover the property.

HIT CONFIRMATION RESPONSE

1. Retain a copy of the confirmation request, either electronic or hard copy.
2. Confirm the request priority and respond within the corresponding time allowed.
3. Check the case file to determine if the person's whereabouts remains unknown or property is still missing.
4. Use message key YR to respond.
    a. CON – Confirmation Status. Enter one of the following codes:
        i. Y – Yes, entry is valid.
        ii. N – No, entry is no longer valid
        iii. P – In process of being confirmed.
        iv. E – Valid, but awaiting decision on extradition.
5. If the originating agency confirms that the hit is still active and the subject was arrested or property recovered, the recovering agency shall enter a locate on the record.
6. Retain a hard or electronic copy of the confirmation and the locate documentation.

DOCUMENTATION OF THE HIT CONFIRMATION PROCESS

All hit confirmations shall be retained in the case file. Documentation of the confirmed hit is essential and may assist in the event that the agency needs to substantiate the action(s) taken pertaining to a hit confirmation.

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Wanted Person Records

Upon receiving authorization from the issuing agency, a wanted person record shall be entered into MNHOT/NCIC immediately, not to exceed three days, when conditions for entry have been met.

WANTED PERSON RECORD ENTRY

1. Query DVS, CHS/III criminal history files, and RMS to obtain additional descriptors. Retain a copy of these queries in the case file.

2. Verify extradition limits
    a. 1 – Felony - Full Extradition: Pickup anywhere in the nation
    b. 2 – Felony - Limited Extradition
        i. Pickup outside MN to locations indicated in the MIS field.
    c. 3 – Felony - Surrounding States Only
        i. Pickup in North Dakota, South Dakota, Iowa and Wisconsin.
    d. 4 – Felony - No Extradition
        i. Pickup in Minnesota only, any limits indicated in the MIS field.
    e. A – Gross Misdemeanor and Misdemeanor - Full Extradition
        i. Pickup anywhere in the nation
    f. B – Gross Misdemeanor and Misdemeanor - Limited Extradition
        i. Pickup outside MN to locations indicated in the MIS field.
    g. C – Gross Misdemeanor and Misdemeanor – Surrounding States Only
        i. Pickup in North Dakota, South Dakota, Iowa and Wisconsin.
    h. D – Gross Misdemeanor and Misdemeanor - No Extradition
        i. Pickup in Minnesota only, any limits indicated in the MIS field.
    i. S - Sign and Release (MN only)
        i. No pickup, enter dispatch contact for court date information in MIS field.

3. Determine if the warrant is nightcapped.
    a. Gross Misdemeanor and Felony warrants are automatically nightcapped.
    b. Misdemeanor warrants require an additional signature from the judge.

4. Enter the warrant in MNHOT/NCIC using the message key Enter Warrant (EW). Make sure to pack the record with all information available.

5. When applicable, caution the record using the appropriate caution indicator(s).

6. Enter Supplemental Data such as additional identifiers, scars, marks and tattoos, aliases, additional dates of birth, etc., to the record.

7. The agency may enter an image using the message key EIM if an image is available.
    a. The use of a DVS image is available for this purpose

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8. Query MNHOT/NCIC to verify entry and retain a copy for the case file.

9. Complete a second party check per agency policy.

10. Validate the record according to NCIC standards. Retain any updated documentation used during validation in the case file.

11. Following a confirmed Hit Confirmation

    a. For those records authorizing an arrest, a locate shall be placed on the record using Message Key Locate Wanted (LW)
    b. For sign and release warrants, completion of Sign and Release Warrant- Court Date and Defendant Information Form

12. Within five days of a locate being placed, a detainer shall be placed on the record using the message key Detain Wanted (DW).

13. The record will remain in the active until extradition occurs.

Second Party Checks

A second party check is required for all hot file record entries and modifications. Second party check is when someone other than the person entering the record checks the record for accuracy and completeness.

SECOND PARTY CHECK PROCEDURE

1. Ensure all available sources such as DVS, III/CHS criminal history and local records were queried to obtain descriptors. Verify records queried were stored in the case file.

2. Query the record to obtain a copy of the active MNHOT/NCIC entry.

3. Compare the information from the sources against the active MNHOT/NCIC record to verify the record is accurate and complete.

4. Update to the record as needed using either the modify or supplemental message key associated with the record type.

5. Document the second party check was completed in the case file. Documentation may be physically initialing in the case file or electronically noting it in the RMS.

Validations

Validation requires the record-holding agency to confirm that the hot file record is complete, accurate, and still active.

The record-holding agency shall validate all hot file records except for Article File records. Per the NCIC schedule, validations occur 60-90 days from entry and yearly thereafter.

VALIDATION PROCEDURE

1. Contact the complainant, victim, prosecutor, or court to ensure the record should remain active.

2. Remove any record from the MNHOT/NCIC that is no longer active.

3. Query DVS, III/CHS criminal history, and local records to check for additional or updated data.

4. Compare the record against the new supporting documentation to ensure:
    a. Data is accurate.

    b. The record contains all available information in the case files and/or from the data sources.

5. Update records as needed when:
    a. Agency-related information, such as extradition limits or hit confirmation, and/or contact information is modified.

    b. New or additional information becomes available.

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