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<b>Policy:</b>	<b>106.150</b>
<b>Title:</b>	<b>Adult Warrants</b>
<b>Effective Date:</b>	<b>2/26/25</b>

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**PURPOSE:** To provide consistent procedures for the issuance of warrants for individuals in the custody of the Department of Corrections (DOC) who are alleged to have failed to report for their commitment date or violated their conditions of release, or have escaped from a correctional facility.

**APPLICABILITY:** Minnesota Department of Corrections (DOC); warrants unit, community services division, fugitive apprehension unit members, and the hearings and release unit (HRU)

**DEFINITIONS:**

**Agent** – an employee or a designee of the DOC, a community corrections act (CCA) organization, or a county that is assigned to supervise persons on supervised release, conditional release, or parole.

**Article File Records** – a database managed by the Federal Bureau of Investigation (FBI) that contains records and information on stolen articles and lost public safety, homeland security, and critical infrastructure items of identification.

**Body only** – a type of warrant where an arrest involves the person remaining in custody until there is a disposition by the HRU, the individual expires from DOC supervision, or the warrant is quashed.

**Case File** – an electronic file where supporting documentation of warrants issued is stored, which is referred to by the FBI as the Records Management System (RMS).

**Complainant** – an agent for the purposes of the extradition process (see definition below).

**Criminal History System / Interstate Identification Index (CHS/III)** – the national index of state and federal criminal histories in the United States.

**Extradition** – a process where an individual is transferred from one jurisdiction to another jurisdiction (for example, from another state to a MN DOC facility) to address violations of their conditions of release.

**Hit Confirmation** – 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.

**Individual** – a person who is either incarcerated in a DOC facility or under supervision of an agent who is employed by the DOC, a CCA organization, or a county.

**Minnesota Hot Files (MNHOT)** – a name given to identifying information concerning wanted and missing persons, stolen vehicles, and identifiable stolen property of several types.

***Nightcapped*** – a warrant signed by a judge authorizing the arrest of a party at any time. **The DOC does not require authorization to arrest a releasee with an active warrant and the department’s warrants are valid 24 hours per day and are body-only.**

***Officer of the day (OD)*** – the HRU officer designated to handle reports of alleged release violations on a particular day.

***Probable cause*** – reasonable grounds to believe that alleged violation conduct has occurred.

***Query*** – a search in the FBI and Minnesota Driver and Vehicle Services (DVS) data systems to obtain a releasee’s criminal history or driving records or to compare that information to what the DOC possesses to verify that it is both true and correct.

***Second Party Check*** – when someone other than the person entering the warrant information checks the information for accuracy and completeness.

## **PROCEDURES:**

- A. Authority for issuance and cancellation of adult warrants
1. The DOC warrants unit staff issue warrants for the apprehension and detention of individuals who fail to report on their date of commitment to the commissioner of corrections, and for those individuals under DOC jurisdiction who are alleged to have violated their conditions of release.
  2. The warrants unit staff provide administrative control for warrant issuance and for entering and canceling warrants in the National Crime Information Center (NCIC) (nationwide system) and the Minnesota Justice Information System (MNJIS) (statewide system).
  3. Warrants unit staff coordinate the location, apprehension, and transport of individuals classified as release violators or fugitives with the assistance of agents, law enforcement agencies, and the DOC’s central transportation unit (CTU).
- B. Warrant Issuance – Wanted Person Record Entry (see Technical Guide for Warrant Procedures, attached)
1. Agents contact the HRU for issuance of a warrant after reviewing criteria in Policy 106.113, “Responding to Alleged Violations of Release Conditions by Adult Individuals on Release.”
  2. If a warrant is approved, the officer of the day (OD) provides written authorization to the warrants unit to issue a warrant during business hours and to MCF-Oak Park Heights staff after hours.
  3. Warrants unit staff complete a query in the Driver and Vehicle Services (DVS) database, Criminal History System / Interstate Identification Index (CHS/III) database, and the individual’s case file (that is the FBI’s Records Management System (RMS)) to obtain additional identifying information to complete a warrant. Warrants unit staff retain a digital copy of these query findings in an electronic folder labeled with an individual’s last name and OID.
  4. Warrants issued by the DOC are fully extraditable and body-only and given the numerical value of “1”. To comply with audit requirements administered by the BCA and FBI, the following extradition limits must be provided in policy. They are assigned and given numerical or alphabetical values as follows when a warrant is entered by an agency:
    - a) **1 – Felony - Full Extradition – is when an individual is extraditable from anywhere in the continental United States of America.**

- b) 2 – Felony - Limited Extradition – is when an individual is extraditable from locations indicated in the miscellaneous field (MIS). **(The DOC does not use this value).**
  - c) 3 – Felony - Surrounding States Only – is when an individual is extraditable from North Dakota, South Dakota, Iowa, and Wisconsin. **(The DOC does not use this value).**
  - d) 4 – Felony - No Extradition – is when an individual is extraditable from Minnesota only and limited by any additional information contained in the MIS field. **(The DOC does not use this value).**
  - e) A – Gross Misdemeanor and Misdemeanor - Full Extradition – is when an individual is extraditable from anywhere in the continental United States of America. **(The DOC does not use this value).**
  - f) B – Gross Misdemeanor and Misdemeanor – is when an individual is extraditable from locations indicated in the miscellaneous field (MIS). **(The DOC does not use this value).**
  - g) C – Gross Misdemeanor and Misdemeanor - Surrounding States Only – is when an individual is extraditable from North Dakota, South Dakota, Iowa, and Wisconsin. **(The DOC does not use this value).**
  - h) D – Gross Misdemeanor and Misdemeanor – is when an individual is extraditable from Minnesota only and limited by any additional information contained in the MIS field. **(The DOC does not use this value).**
  - i) S – Sign and Release (MN only) – is when an individual is not subject to extradition and dispatch contact for court date information is placed in the MIS field. **(The DOC does not use this value).**
5. Warrants issued by the DOC are not nightcapped. To comply with audit requirements administered by the BCA and FBI, the following must be identified by the issuing agency according to the level of offense:
- a) Gross Misdemeanor and Felony warrants are automatically nightcapped. **(The DOC does not enter a value).**
  - b) Misdemeanor warrants require an additional signature from the judge. **(The DOC does not enter a value).**
6. Warrants unit staff enter the warrant in the Minnesota Hot Files (MHOT) and National Crime Information Center (NCIC) (nationwide system) databases using the message key Enter Warrant (EW). Warrants unit staff enter the record with all information available.
7. Warrants unit staff place a caution entry with appropriate caution indicators when an individual’s behaviors or history warrant such notice.
8. Warrants unit staff enter supplemental data to the record, which includes such examples as scars, marks and tattoos, aliases, and additional dates of birth.
9. Warrants unit staff enter the individual’s DOC photograph using the Enter Image Message (EIM) key if an image is available. BCA and FBI procedures allow for a DVS photograph to be used in order to meet this requirement; **however, the DOC uses their own photograph of the releasee.**
10. Warrants unit staff complete a query in MNHOT and NCIC to verify their entry and retain an electronic copy of their entry in the case file.

11. Warrants unit staff complete a second party check per agency policy (see Technical Guide for Warrant Procedures, attached),
  12. Warrants unit staff validate the record according to NCIC standards and retain any updated documentation used during the validation process in the case file.
  13. Following a confirmed hit confirmation warrants unit staff place a locate on the record using message key Locate Wanted (LW).
  14. To comply with audit requirements administered by the BCA and FBI, policy must include information regarding situations where an agency may authorize an individual to be released after completing a Sign and Release Warrant – Court Date and Defendant Information Form. **The DOC does not issue this type of warrant or use this process.**
  15. Within five days of a locate being placed, a detainer must be placed in the MNHOT and NCIC record using the message key Detain Wanted (DW).
  16. The record will remain active until extradition occurs.
  17. Warrants unit staff electronically enter the official warrant action into the correctional operations management system (COMS) to reflect the issuance of the warrant and update apprehension information on the HRU iShare site.
- C. Hit Confirmation (see Technical Guide for Warrant Procedures, attached)
1. Warrants issued by the HRU must be available for hit confirmation 24 hours a day, 365 days a year. If unavailable, warrants unit staff must identify who will be providing hit confirmation services on their behalf by placing instructions in the miscellaneous field (MIS) of the MNHOT record.
  2. Warrants unit staff or Sentence Administration Unit (SAU) staff notify the supervising agent that a person is in custody, the location of custody, any known pending charges, and the new expiration date if stop time or escape time occurred.
  3. Hit Confirmation Procedure
    - a) Warrants unit staff retain an electronic copy of the hit confirmation, ensure the individual's warrant is still outstanding, and ensure the wanted person is still within the extradition limits on the record.
    - b) Warrants unit staff confirm the hit with the originating agency using message key YQ and enter the request number (RNO) in the message.
      - (1) Warrant unit staff enter the number "1" for the first request, and if an agency fails to respond within the specified time, warrants unit staff send a second request, entering the number "2" in the RNO field.
      - (2) A copy of the 2<sup>nd</sup> request is automatically sent to the Bureau of Criminal Apprehension (BCA).
      - (3) If an agency fails to respond to the second request, warrants unit staff send a third request, entering the number "3" in the RNO field.
      - (4) A copy of the 3<sup>rd</sup> request is automatically sent to the BCA, as well as to the NCIC.

- c) The agency requesting confirmation of a hit must determine the appropriate response time, which is entered in the system using the priority (PRI) key.
  - (1) When the hit is the only basis for detaining a suspect or the nature of a case requires urgent confirmation, the response is entered as urgent, which allows for a 10-minute response window.
  - (2) When a person is held on local charges, property has been located under circumstances when immediate action is not necessary, or an urgency confirmation is not required, the response is entered as routine, which allows for a one-hour response window.
  - (3) If warrants unit staff or their designees determine the hit is not the result of an active HRU warrant, warrants staff or the designees notify the requesting agency to not arrest the individual.

#### 4. Hit Confirmation Response

- a) Warrants unit staff retain an electronic copy of the confirmation request, confirm the request priority, and respond within the corresponding time allowed.
- b) Warrants unit staff review the case file to determine if the person's whereabouts remain unknown and use the hit confirmation response message key (YR) to confirm an individual's status.
- c) Warrants unit staff enter one of the following codes on the confirmation status key (CON); codes are entered as follows:
  - (1) Y – Yes, entry is valid.
  - (2) N – No, entry is no longer valid
  - (3) P – In process of being confirmed.
  - (4) E – Valid but awaiting decision on extradition.
- d) If warrants unit staff confirm that the hit is still active and the individual was arrested, the recovering agency must enter a locate on the record.
- e) The warrants unit retains an electronic copy of the confirmation and the locate documentation.

#### 5. The warrant is maintained until:

- (1) The individual is restructured;
- (2) The individual has a violation hearing resulting in a disposition;
- (3) The individual is returned to Minnesota from another state;
- (4) The individual is returned to a Minnesota correctional facility (MCF); or
- (5) The requesting party requests that the hold be quashed.

#### 6. All documentation regarding the hit confirmation process is saved in the electronic case file.

#### D. Second Party Checks (see Technical Guide for Warrant Procedures, attached)

- 1. A second party check is required for all MNHOT file record entries and modifications. Someone other than the person entering the warrant information checks the information for accuracy and completeness as follows.
- 2. Second party checks ensure all available sources (DVS database, CHS/III database, and local records) were queried to obtain a true and correct description individual's appearance. The

warrants unit staff accomplish this by:

- a) Running a query of the record and obtaining a copy of the active MNHOT and NCIC entry.
- b) Comparing the information from the sources against the active MNHOT and NCIC record to verify the record is accurate and complete.
- c) Updating the record as needed using either the modify or supplemental message key associated with the record type.
- d) Documenting the second party check was completed by electronically noting it in the individual's case file.

3. The warrants unit saves all queried record documentation in the case file.

E. Validation (see Technical Guide for Warrant Procedures, attached)

1. Validation requires the record-holding agency to confirm the MNHOT and NCIC files are complete, accurate, and still active. The record-holding agency must validate all hot file records except for article file records every 60 to 90 days from entry and yearly thereafter.

2. Validation Procedure

- a) Warrants unit staff contact the complainant to ensure the record should remain active. To comply with audit requirements administered by the BCA and FBI, policy must include information regarding situations where an agency might also contact the victim, prosecutor, or court during the validation process. **The DOC only contacts the complainant (agent) during the validation process.**
- b) The warrants unit staff remove any record from the MNHOT and/or NCIC that is no longer active.
- c) The warrants unit staff complete a query in the DVS database, CHS/III database, and local records to check for additional or updated data.
- d) The warrants unit staff compare the record against the new supporting documentation to ensure data is both accurate and contains all available information in the case files and/or from the data sources.
- e) The warrants unit staff update records as needed when agency-related information is modified or when new or additional information becomes available.

F. Extradition Process

1. Warrants unit staff facilitate all extraditions and prepare extradition documents for individuals on release who are arrested outside the State of Minnesota.
2. To initiate the process, warrants unit staff prepare and send a cover sheet to the arresting agency / holding facility with identifying information specific to the individual, and include a copy of the warrant, offender summary report (located in COMS), and the current conditions of release document.

3. For individuals released to an interstate compact, warrants unit staff prepare and send an interstate cover sheet to the holding facility with identifying information specific to the individual, the interstate coversheet, a copy of the warrant, and the offender summary report (located in COMS).
4. Warrants unit staff update the arresting agency information in MNHOT and NCIC and provide all contact information for the Minnesota Department of Corrections when an arresting agency fails to request confirmation of the issuing agency's contact information.
5. Warrants unit staff update the arrest and note any local criminal charge information in the HRU iShare database.
6. If an individual waives extradition, and the arresting state has acknowledged the pre-signed waiver of conditions of release document, a hearing officer reviews the matter and determines if the individual is an essential transport back to the State of Minnesota. The warrants unit confirms the maximum pick-up date from the arresting state and arranges transportation back to the State of Minnesota with the Central Transportation Unit (CTU).
7. If the individual refuses to waive extradition or the arresting agency does not acknowledge the pre-signed waiver, the Governor Warrant process is initiated.

#### G. Governor's Warrant Process

1. A Governor's Warrant is the formal extradition process taken when an individual refuses to waive extradition or the court from the outside jurisdiction fails to acknowledge the pre-signed waiver of extradition.
2. Warrants unit staff request the following supporting document to confirm the identity of the individual:
  - a. Official fingerprints from the BCA Minnesota Justice Information System (MNJIS) Fingerprint Unit;
  - b. Certified court documents on the current offense;
  - c. Current violation report from the agent of record with original signature included; and
  - d. Supporting warrant documents that include both the warrant authorization and the official copy of the warrant.
3. The warrants unit prepares the application for extradition for supervised release violators, which includes declarations, the Department of State letter, and all required exhibits.
4. Warrants unit staff submit the documents to the Minnesota Governor's Office for execution and distribution to the arresting state.
8. After the arresting state has acknowledged the certified warrant, warrants unit staff confirm the maximum pick-up date from the arresting state and arrange transportation back to the State of Minnesota with the CTU.

#### H. Apprehension and detention order criteria

1. If an agent determines an immediate need exists to gain custody of an individual, and the agent has been unsuccessful connecting with an OD, an Adult Apprehension and Detention Order (attached) may be used in accordance with criteria outlined in DOC Policy 201.010, "Adult Community Supervision."

2. The agent completes the Adult Apprehension and Detention Order (attached) and coordinates the individual's apprehension with law enforcement.
3. As soon as possible after issuance of the Adult Apprehension and Detention Order, the agent contacts the OD for the required approval and issuance of a warrant.
4. The agent distributes the completed Adult Apprehension and Detention Order to the HRU and to the director of the community supervision agency in which the agent is employed. Apprehension and detention orders are documented in Corrections Services Technology Solutions (CSTS).
5. The individual must not be detained under an Adult Apprehension and Detention Order for more than 72 hours (excluding weekends and holidays).

**INTERNAL CONTROLS:**

- A. Records of all activity related to issuance, maintenance and cancellation of warrants are entered into COMS, and are maintained on the HRU iShare site.
- B. Apprehension and detention orders are documented in Corrections Services Technology Solutions (CSTS).

**REFERENCES:** Minn. Stat. §§ [243.05](#), subd. 1(c)-(e); [243.58](#); [629.23](#); and Minn. Rules [2940.3000](#), [2940.3200](#), and [2940.3400](#)  
[Policy 106.090, "Officer of the Day \(OD\) – Hearings and Release"](#)  
[Policy 106.109, "Juvenile Apprehension and Warrants"](#)  
[Policy 106.113, "Responding to Alleged Violations of Release Conditions by Adult Individuals on Release"](#)  
[Policy 201.010, "Adult Community Supervision"](#)

**REPLACES:** Policy 106.150, "Warrants," 10/20/15.  
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

**ATTACHMENTS:** [Adult Apprehension and Detention Order](#) (106.150D) ([public pdf of 106.150D](#))  
[Technical Guide for Warrant Procedures](#) (106.150E) ([public pdf of 106.150E](#))

**APPROVALS:**  
Commissioner of Corrections