**Adult Detention Initiative**

**Sign and Release Warrant**

**Hennepin County Protocol**

This protocol applies to defendants who are sent a summons to appear on a **misdemeanor** case, except for domestic violence related offenses, in Hennepin County. This protocol applies to those cases where it is the defendant’s true first appearance on the case.

**PROTOCOL:**

1. At the end of the arraignment calendar, the court clerk shall review all the misdemeanor cases where the defendant failed to appear. If this was the first appearance on the case, the defendant was issued a summons to appear in court and the defendant did not appear, the clerk will issue a sign and release warrant.
2. The sign and release warrant will be a bench warrant, with a $0 amount of bail and a narrative comment made in MNCIS that it is a sign and release warrant.
3. When law enforcement encounters a person who has a warrant, the officer will call the warrant office to see what type of warrant is in place.
4. If the officer is told it is a sign and release warrant:
	1. The warrant office will provide the officer with a court date and location
	2. The officer will fill out the sign and release form with the defendant’s information and assigned court date and location.
	3. The warrant office will then inactivate the warrant.
5. The defendant will be asked to sign the form.
6. If the defendant refuses to sign the form, the officers should fill out the form with the new court date. The officer shall write on the form **“refused to sign, court date given”**.
7. The officer will give the defendant a copy of the form and release the defendant at the scene.
8. The officer shall keep a copy of the form and turn it in for eFiling.
9. For warrants arising out of a Minneapolis case:
	1. For MPD Officers - the signed form shall be returned to the precinct by placing the form either in the precinct paralegal’s mail slot or in a designated box.
	2. For non-MPD officers – the signed form may be emailed to criminal.efiling@minneapolismn.gov
	3. The Minneapolis City Attorney’s Office will eFile the form into the existing MNCIS case by using the event code **Law Enforcement Notice of Release and Appearance (LENORELAPP).**
10. For warrants arising out of a Suburban Case:
	1. The form will be sent to your city prosecutors who will then eFile the form.
	2. The suburban prosecutor will eFile the form into the existing MNCIS case by using the event code **Law Enforcement Notice of Release and Appearance (LENORELAPP).**
11. The clerk of court will update MNCIS with the new court date and update the defendant’s personal contact information one the form is filed.
12. The clerk of court will also ensure that the warrant has been quashed in MNCIS.
13. If the defendant fails to appear at this new court date, a regular bench warrant shall issue.

**Other:**

1. If the defendant has an active warrant for any other reason – conditional release violation, probation violation or an active warrant on another case, etc., that defendant shall be taken to jail and booked on that warrant.
2. If law enforcement has come into contact with the defendant due to other criminal activity, if there is a Rule 6 reason, the defendant may be booked on the new offense, despite having a sign and release warrant on an open case.
3. If a defendant is booked into jail for a valid reason, the jail shall schedule the sign and release case to the next court appearance for the new case.
4. If the officer chooses to charge the defendant with other crimes, a citation may be issued or the new case may be referred to the prosecuting agency for a complaint.
5. If the jail releases someone on a sign and release warrant, their staff may use their regular court slip and not the sign and release form. The jail should set the court date out no later than 10 days as well using Friday court dates for weekend arrests.
6. Out of county stops:
	1. If a defendant is stopped outside of Hennepin County on a sign and release warrant, the Hennepin County Warrant Office will provide law enforcement with a new court date.
	2. The officer will verbally inform the defendant of the sign and release warrant and the new court date.
	3. The warrant office will then inactivate the warrant.
	4. A note will be placed in MNCIS to indicate the defendant was stopped outside of Hennepin County.
	5. If the defendant fails to appear at the given court date a bench warrant with monetary bail shall issue.