**ADI/JMRT**

**Gross Misdemeanor**

**(FTA Summons)**

**Book & Release/NBR Warrant Protocol**

This protocol applies to defendants who were sent a complaint summons to appear on a **Gross Misdemeanor** case, except for domestic violence related offenses or DWI offenses in Hennepin County, This protocol applies to those case/s 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 gross misdemeanor cases where the defendant failed to appear. If this was the first appearance on the case, the defendant was issued a complaint summons to appear in court and the defendant did not appear, the clerk will note this is a book and release warrant.
2. The Book and Release/NBR warrant will be a bench warrant with $0 bail and a narrative comment made in MNCIS that this is a Book and Release/NBR 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 Book and Release/NBR warrant the defendant will be brought down to the jail.
5. The defendant will be booked, photographed and fingerprinted
6. ICR will fill out a release citation with the appropriate court date (1-10 days from the arrest date), time and location along with the defendant’s information.
7. The defendant will be asked to sign the court slip
8. If the defendant refuses to sign the court slip, the release deputy should write, **“refused to sign, court date given”**.
9. The release deputy will give the defendant a copy of the court slip and release the defendant.
10. The warrant office will inactivate the warrant
11. A copy of the release citation will be efiled with the District Court.
12. The clerk of court will update MNCIS with the new court date and update the defendant’s personal contact information once the form is filed.
13. The clerk of court will also ensure that the warrant has been quashed in MNCIS.
14. 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., the defendant will not be eligible for book and release.
2. If the defendant is also being booked on a new offense or a new PC Hold, the defendant may be booked and held on the new offense despite having a Book and Release/NBR warrant on an open case.
3. Out of county stops:
	1. When out of county law enforcement encounters a person who has a warrant, the officer will call the Hennepin County Warrant Office to see what type of warrant is in place.
	2. If the officer is told it is a Book and Release/NBR warrant, the Hennepin County Warrant Office will provide law enforcement with a new court date.
	3. The officer will verbally inform the defendant of the book and release warrant and the new court date.
	4. The Hennepin County Warrant Office will then inactivate the warrant.
	5. A note will be placed in MNCIS to indicate the defendant was stopped outside of Hennepin County.
	6. If the defendant fails to appear at the given court date a bench warrant with monetary bail shall issue.
4. Hennepin County Suburban stops:
	1. When suburban 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.
	2. If the officer is told it is a Book and Release/NBR warrant the defendant will be booked, photographed and fingerprinted at the suburban police location. The officer does have the discretion to bring the defendant to the Hennepin County Jail for booking, photographing and fingerprinting.
	3. The officer will call the warrant office for an appropriate court date (1-10 days from the arrest date), the officer will then fill out a release citation with the court date, time and location along with the defendant’s information.
	4. The defendant will be asked to sign the court slip
	5. If the defendant refuses to sign the court slip, the release officer should write, **“refused to sign, court date given”**.
	6. The officer will give the defendant a copy of the court slip and release the defendant.
	7. The warrant office will inactivate the warrant
	8. A copy of the release citation will be turned in to District Court for eFiling.
	9. The clerk of court will update MNCIS with the new court date and update the defendant’s personal contact information once the form is filed.
	10. The clerk of court will also ensure that the warrant has been quashed in MNCIS.
	11. If the defendant fails to appear at this new court date, a regular bench warrant shall issue.