

**COUNTY OF MORRIS
OFFICE OF THE SHERIFF**

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2:1 PURPOSE

The purpose of this policy is to designate the types of warrants which are executed by the Morris County Sheriff's Office and to outline certain general limitations on those executions.

***NOTE:** Numbers in brackets [] are C.A.L.E.A. Accreditation Standard references.

2:2 POLICY

It is the policy of the Morris County Sheriff's Office that all warrants be executed in a manner consistent with this policy as well as other applicable policies contained in this volume and those policies dealing with use of force and arrest, search and seizure.

- 1) All Morris County Sheriff's Office Warrant Officers must refer to the S.O.P. entitled ["Warrant Section Organization and Administration" \(Vol. VIII, Chap. 9\)](#) for additional provisions pertaining to those topics covered in this policy.
- 2) When arrests are made, the Morris County Sheriff's Warrant Section will transport prisoners in accordance with the S.O.P. entitled ["Transportation of Prisoners" \(Vol. VI, Chap. 7\)](#).
- 3) Morris County Sheriff's Officers assigned to the Morris County Sheriff's Warrant Section will apply restraining devices, such as handcuffs, leg shackles, belly chains etc., in a manner that is conducive to the particular situation and the particular subject being taken into custody. The S.O.P. entitled ["Use of Restraining Devices" \(Vol. VI, Chap. 6\)](#) will be used as a guideline when using restraining devices.

2:3.1 Warrant Types

- 1) Violation of Probation (VOP) Warrant: This warrant is issued by the court for the arrest of defendants who, after a hearing, have been found guilty of violating some aspect of their probation.
- 2) Contempt of Court (COC) Warrant: This warrant is issued by the court for the arrest of an individual who has failed to obey a court order.
- 3) Non-Support Warrant: This warrant is issued by the court for the arrest of an individual who has been found, after a hearing, to have failed to make child support payments or alimony payments as previously ordered by the court. These warrants are posted, maintained and accessed through the NJ Kids Database.
- 4) Sheriff's Labor Assistance Program (SLAP) Warrant: A SLAP Warrant is issued for the arrest of an individual who was previously sentenced to the SLAP Program and has subsequently failed to appear when required.
- 5) Domestic Violence (DV) Warrant: A DV Warrant is issued for the arrest of an individual who, after a hearing, has been found to have violated the provisions of a domestic violence restraining order which had been previously issued against them.
- 6) Juvenile Warrant: A Juvenile Warrant is issued by the Family Court for the arrest of a juvenile who has violated some portion of a previous court order.
- 7) Out of State and Out of County Warrants: These warrants are received from jurisdictions outside of either the State of New Jersey or the County of Morris when it is discovered, by the issuing authority that the individual for whom the warrant was issued is residing in Morris County.
- 8) Criminal Process Documents (Warrants): The execution of criminal process documents will be governed by written policies that will include, but not be limited to:

- A. The types of warrants to be executed;
 - B. The territorial limitations upon the executions of warrants;
 - C. Time requirements for the execution of warrants;
 - D. Any legal provisions for summoning aid; and
 - E. Legal provisions (if applicable) respecting immunity from arrest (i.e., diplomats).
- 9) Civil Warrants: Special Civil Part Warrants (SCP) and Law Division Warrants are two (2) types of civil Warrants.

2:3.2 Provisions for the Execution of Criminal Warrants

- 1) Only Morris County Sheriff's Office personnel will handle the execution of criminal warrants. [74.3.2]
- 2) Territorial limitations:
 - A. Officers of the Morris County Sheriff's Office may not travel outside the extradition limit to pick up a defendant who is in custody in another jurisdiction as a result of a Morris County Warrant.
 - B. If the defendant is in custody outside of the State of New Jersey, they may only be retrieved when:
 - 1) They waive their right to an extradition hearing and is willing to be returned to New Jersey; or
 - 2) They are ordered returned to New Jersey as a result of an extradition hearing. ~~or~~
 - C. In the absence of A or B above, a Governor's Warrant is applied for, and received by this Office within ninety (90) days of the defendant being taken into custody.
 - D. Should the defendant be located beyond the two-hundred (200) mile radius, the Morris County Prosecutor's Office shall be contacted when Morris County Sheriff's Warrant Officers will be flying while armed and plane tickets are necessary.
 - E. All other warrants may only be executed within the boundaries of the State of New Jersey.
- 3) Time requirements: Unless specified in the body of the warrant, there are no time requirements governing the execution of a criminal warrant.
- 4) Summoning of aid: There are no legal requirements regarding the summoning of aid during the execution of a VOP Warrant. However, Morris County Sheriff's Officers executing the

warrant outside of Morris County should notify the proper authorities within that area of the reason for their presence.

- 5) Use of Force: Morris County Sheriff's Officers executing a warrant must remain in compliance with the S.O.P. entitled ["Use of Force" \(Vol. III, Chap. 16\)](#) and the S.O.P. entitled ["Arrest, Search and Seizure" \(Vol. III, Chap. 32\)](#).
- 6) Immunity from arrest: If, upon the execution of a warrant, the subject of that warrant provides documentation or other evidence which causes the Morris County Sheriff's Officer to reasonably believe that person may be subject to immunity from arrest (i.e.: diplomat), the Morris County Sheriff's Officer will:
 - A. Contact the Morris County Sheriff's Warrant Section Supervisor and explain the situation to him/her.
 - B. The Supervisor will then attempt to contact the judge, who issued the original warrant, provide the details of the situation to the judge and request that the judge either authorize the arrest or vacate the warrant.
 - C. The Supervisor will then relay the judge's disposition to the Morris County Sheriff's Officer who will act accordingly.