



# Minneapolis Police Department Policy and Procedure Manual

Number:  
9-300

## Volume Nine – Enforcement Policies

### Warrants

#### 9-302 Arrest Warrants

(04/08/22) (xx/xx/24)

Revisions to prior policies: (06/12/02) (06/19/02)

##### I. Purpose

The purpose of this policy is to provide clear guidelines for the lawful issuance and execution of arrest warrants. This policy promotes transparency, accountability, and public trust while maintaining compliance with federal, state, and local laws. Members shall adhere to the relevant guiding principles listed in 9-100 and 9-200.

##### II. Policy

###### A. Legal Principles

In accordance with P&P 5-102:

1. Members shall not arrest any person or search any premises except with a warrant or where a warrantless arrest or search is authorized without warrant under the laws of the United States. (see P&P 9-202 Warrantless Searches and P&P 9-100 Adult Arrests and Citations)
2. Members shall not knowingly restrict the freedom of people, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.

###### B. Serve Within Minnesota

Members may serve warrants within the State of Minnesota.

###### C. Confirm Warrant

1. Members in contact with a person suspected to be wanted on a warrant shall confirm that the warrant exists through MECC.
2. If a warrant is from out of state, members shall obtain the number of the warrant from MECC and provide it to personnel at the Hennepin County Jail (HCJ).

**D. Suspect photographs or briefing sheets**

If available, suspect photographs or briefing sheets should be obtained prior to serving felony warrants or when attempting felony pick-ups.

**E. Arrest Warrants Executed on a Residence**

For arrest warrants involving a residence:

1. It must be known that the person currently at the location.
2. It shall only be executed at the location at which the person resides.
3. Risk Assessment Form shall be completed and include a written plan approved by a supervisor at the rank of Commander or above that addresses, at a minimum, all the following:
  - a. Whether the member intends to engage in a dynamic entry in the execution of the warrant, including the use of battering rams, FSDDs (P&P 5-314), or other devices or strategies.
  - b. Alternatives to dynamic entry must be considered based on the specific factors known to a member when completing the risk assessment form, such as waiting for the residence to be empty, contacting the people in the residence, the use of warnings or commands, and justification for not applying non-dynamic entry strategies.
  - c. Reasonable efforts so that no guests, children, elderly, or vulnerable people are in the residence at the time of the execution of the warrant, including the results of pre-warrant execution surveillance about the residents and their activities; and if those people are present in the residence, measures to be taken to protect their safety.
  - d. Measures taken or to be taken to protect the safety of neighbors or bystanders.
  - e. Ensuring that race, ethnicity and other demographic characteristics are not improperly used to justify the warrant.

**F. Announce Arrest and Inform Subject of Warrant**

In accordance with MN Statute section 629.32 and P&P 5-301, the member shall inform the subject that the member is acting under a warrant and shall show the person the warrant if requested to do so. An arrest by a member acting under a warrant is lawful even though the member does not have the warrant in hand at the time of the arrest, but if the arrested person so requests the warrant must be shown to that person as soon as possible and practicable. A member may lawfully arrest a person when advised by any other member in the state that a warrant has been issued for that person.

The member may show the warrant via the squad computer.

**G. Using Force to Make Arrest**

Force may only be used to make an arrest in accordance with P&P 5-300, and Federal, State and local laws.

**H. Time of Arrest Warrant Service****1. Misdemeanor arrest warrants**

In accordance with MN Statute section 629.31, an arrest may for a misdemeanor shall only be made during the hours of 8:00 am and 10:00 pm and only on the days of Monday through Saturday, subject to the exceptions below:

- a. An arrest for a misdemeanor may be made on Sunday or between 10:00 p.m. and 8:00 a.m. on any other day when the judge orders in the warrant that the arrest may be made between those hours; or
- b. When the person named in the warrant is found on a public highway or street.

**2. Gross misdemeanor and Felony arrest warrants**

In accordance with MN Statute section 629.31, an arrest for a felony or gross misdemeanor may be made on any day and at any time of the day or night.

**I. Transport**

If a warrant does exist for the person, they shall be transported to HCJ.

**J. Warrant Processing- Additional Charges**

Members arresting a suspect who also has outstanding warrants, may process the suspect on both the warrant and the additional offense.

**K. Accountability**

Members who provide knowingly inaccurate or incomplete information in support of these warrants and supervisors who review and approve such warrants may be subject to discipline up to and including termination, civil, or criminal liability.

**L. Supervisory Review of Arrest Warrants****1. Preliminary Review**

- a. Supervisors shall first complete an initial review of all reports of arrest warrants in accordance with P&P 4-601 Report Responsibility to ensure the report and warrants contain all of the required elements and members are adhering to MPD policies. Supervisors shall approve or return the report for revision by the end of their shift.

- b. Supervisors are responsible for reviewing any pending reports by the end of their shift.
- c. No report shall sit in the pending queue longer than 24 hours without a supervisor review and approval.
- d. If all elements of the report are not completed accurately and thoroughly, the supervisor will send the report back to the member. The member must make the necessary changes and send the report back to the supervisor before the end of their shift.

## 2. Comprehensive Review

- a. Supervisors shall complete a comprehensive review of all elements of the report within 72 hours of the search. The comprehensive review may be done at the same as the preliminary review or can be completed within 72 hours.
- b. The supervisor conducting the comprehensive review shall document and report:
  - i. Arrest warrants that appear unsupported by PC or are otherwise in violation of MPD policy or law.
  - ii. “Boilerplate” or conclusory language, inconsistent information, lack of articulation of the legal basis for the action, or other indications that the reports or forms may contain information that was not accurate at the time it was reported.
  - iii. Lack of clarity with respect to the specific role and involvement of each MPD member, including specifying which member saw or heard information or engaged with or observed a person engaging in a particular manner or completing a particular activity.
  - iv. Violations of the non-discriminatory policing policy (P&P 5-104).
- c. If further review is necessary to properly assess one of the above required elements (i-iv) or any other potential policy or legal issues, the supervisor shall send the comprehensive review to the Lieutenant or another secondary reviewer (which can be a supervisor at least one rank above the person who completed the report that is being reviewed).
- d. The secondary reviewer shall review relevant BWC video and other evidence as necessary to complete the review.
- e. If violations or misconduct is found during any review of the report, the supervisor or secondary reviewer shall make a referral to Internal Affairs.
- f. Supervisors who fail to conduct complete, thorough, and accurate reviews of arrest warrants may be subject to discipline.