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# **Un-served Arrest Warrants: An Exploratory Study**

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**National Institute of Justice**  
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# Un-served Arrest Warrants An Exploratory Study

## Research Purpose

News articles on huge backlogs of warrants,<sup>1</sup> along with several well-publicized cases involving heinous crimes committed by offenders with outstanding warrants,<sup>2</sup> have given rise to the question of whether better service of warrants could prevent the incidence of violent crime. The National Institute of Justice (NIJ) retained Science Applications International Corporation (SAIC) and the Institute for Law and Justice (ILJ) to examine the extent to which increasing the effort to serve warrants may be an effective public safety strategy against violent crime.

While practitioners and researchers who deal with warrants, criminal bookings, and criminal court services are generally aware of the nature of outstanding warrants, there has been little systematic study of what they are and how they are served. Consequently, while the common belief is that the bulk of outstanding warrants are for lesser crimes and failures to appear in court on lesser crimes, there really has been no attempt to put numbers to this belief. In part, the failure to associate numbers with warrants is because warrants historically have not been automated and most tracking of warrants has been done with paper files. The automation of warrants and tracking of warrants is relatively new.

This exploratory research is based on four hypotheses, which served as the basis for locating sites to provide data.

**Hypothesis 1: The largest single group of outstanding warrants at any time is composed of bench warrants for failure to appear in court. The largest group of underlying charges is composed of traffic citations.**

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<sup>1</sup> Two newspaper articles on warrant backlogs are illustrative. These are an Associated Press release, dated June 1, 2003, entitled "Backlog of warrants take back seat to everyday crime" and an Arizona Republic article by Judi Villa, "70,000 warrants piled up in county" (May 31, 2003). According to the later article, Maricopa County receives 300 new warrants each day.

<sup>2</sup> In August 2002, Roy Dean Ratliff was wanted for kidnapping and rape of two teenagers at gunpoint from a lover's lane. At the time, he was wanted for parole violations and for sexual assault. See N. Madigan, "Two Girls Are Found Alive 12 Hours After Kidnapping," *New York Times* August 2, 2002; "Kern County Kidnapper Had Been Wanted for Rape," *Mercury News* (Aug. 2, 2002); J. Guccione *et al.*, "Teens Rescued, Abductor Killed After Massive Statewide Search," *L.A. Times* (Aug 2, 2002).

This hypothesis arises from general observation in several studies by one of the authors of this report.<sup>3</sup>

**Hypothesis 2: Violent crimes (defined as crimes against persons) constitute a small percentage of the warrants outstanding.**

This hypothesis arises from the known distribution of criminal data. Violent felonies are a small percentage of the felony crimes, and violent misdemeanors are a small percentage of the bookings.<sup>4</sup>

**Hypothesis 3: Police warrant squads give priority to warrants related to violent and other felony crimes.**

This hypothesis comes from general discussions with staffs of warrants squads during the initial stages of this project. All of the warrants squad staff list the first problem in serving warrants as a lack of resources to go after and find the persons named in all warrants. Consequently, prioritization is based on the most serious crimes.

**Hypothesis 4: The persons charged with most violent crimes do not have outstanding warrants other than those associated with the crime event for which the warrant was issued.**

Simply put, when a police investigation leads to the detection of a prime suspect in a major crime, investigators obtain a warrant and seek to serve it. Warrants on serious crimes are immediately served if possible. This leads to a lower likelihood that a person will have a large number of outstanding warrants.

## **Warrant Services**

A criminal arrest warrant is a command from a court ordering law enforcement officials to arrest the individual named in the warrant. Under the 4<sup>th</sup> Amendment to the Constitution, an arrest warrant can be issued only after there has been a sworn complaint filed, based upon a judicial finding that there is probable cause to believe that a crime has been committed and the named individual committed that crime. These “probable cause” warrants are but one category of criminal arrest warrant.

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<sup>3</sup> Randall Guynes, unpublished reports to Montgomery County Maryland (1991), Washington County, Oregon (part of a report by Kimme, Associate [1993]), to Sedgwick County, Kansas (report by Kimme Associates [1994]), and to Stark County, Ohio (1995 and 1999).

<sup>4</sup> Ibid.

A second criminal warrant is a bench warrant issued by a court for violation of a court order. The most common type of bench warrant is for failure to appear in court after being ordered to do so. Bench warrants may also be issued for failure to pay court-ordered fines, failure to comply with conditions of release, or failure to obey other court orders.

In sum, arrest warrants are not all the same.<sup>5</sup> Most significantly, for this research, criminal arrest warrants differ according to the seriousness level of crime involved and the specific crimes that underlie the warrant's issuance. Arrest warrants may also differ on their geographic scope and time duration.

### **Identifying the Warrants "Problem"**

There is very little research literature in the criminal justice field on warrants. Historically, the discussion is found primarily in legal sources dealing with the definition of warrants. In practitioner publications, the focus is on efficiency, with most of the literature presenting new or alternative ways to serve warrants. In the popular press, there is little reference to warrants except when an especially violent crime is committed by someone who has a warrant outstanding. These stories lead to a public outcry, especially when the reporting media makes estimates of outstanding warrants. The estimates become the chief source of information for the public because there is no uniform system for tracing warrant rates, as there is with crime rates.

According to the Bureau of Justice Statistics (BJS), 81 percent of county police, 83 percent of local police, and 98 percent of sheriffs' offices serve arrest warrants. In keeping with their different responsibilities only 57 percent of state police agencies serve arrest warrants.<sup>6</sup> Virtually all state and local agencies that serve warrants also maintain some type of computerized warrant files.<sup>7</sup> BJS has found that 59 percent of agencies provide direct computer access for some field officers on wanted suspects.

Accurate information about the numbers of persons wanted is not available, other than from a few local jurisdictions. First, warrants are court documents. If the court maintains a

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<sup>5</sup> Although not a criminal warrant, civil arrest warrants are also widely used for a variety of purposes, such as enforcing court orders that an individual pay child support.

<sup>6</sup> Brian Reeves, *Law Enforcement Management and Administrative Statistics, 1999: Data for Individual State and Local Agencies With 100 or More Officers (2000)* US Department of Justice: Bureau of Justice Statistics.

computerized tracking of warrants, the system is not necessarily linked to any computerized booking system. Historically, the first computerized warrant systems were usually managed by police departments or sheriff's office where staff entered information (from paper warrants) that were considered important to the agencies in tracking their own service efforts. However these systems were usually standalone systems and were not linked to the arrest and booking systems. The consequence is that keeping the warrants to be served and then updating files to indicate that they had been served were filled with manual tasks that did not necessarily get done in a timely manner.<sup>8</sup> Although the technology is changing rapidly with many police, sheriffs, and courts beginning to link and integrate information systems, the problem remains in many cities and counties throughout the country.

Many state systems maintain warrant records for crimes within the state.<sup>9</sup> However, there are two problems with collecting estimates across the states. First, local police agencies may or may not keep all of their warrant service records up-to-date as described above. Second, the state systems often do not track all bench warrants that are issued for lower class misdemeanors. Consequently warrants that have been served do not necessarily show up at the state level. Congressional testimony indicates that there are over 500,000 warrants in the National Crime Information Center database.<sup>10</sup> However, this does not include persons wanted for misdemeanor offenses. In addition, there may be thousands of felony arrest warrants that are not entered into NCIC.<sup>11</sup>

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<sup>7</sup> According to BJS, 85 percent of all state and local agencies that serve arrest warrants have computerized warrant records.

<sup>8</sup> In a study of courts, police, and jail management systems in Miami in 1985, the author and colleagues found problems with arresting a person several times on a warrant after the warrant was served. This occurred when a person was served; the service had not been updated in the "new" local warrants systems; and in a later traffic stop, the patrol officer checked and found a warrant outstanding because the system had not been manually updated yet.

<sup>9</sup> E.g., Virginia State Police "2001 Facts and Figures" reports having over 43,000 wanted persons in their centralized database.

<sup>10</sup> David Loesch, Assistant Director, Federal Bureau of Investigation, Statement to Committee on Judiciary, June 21, 2000.

<sup>11</sup> Local agencies may not enter fugitive information into NCIC, for example, when they do not intend to seek extradition from another state due to the costs of extradition.

The effectiveness of warrant service has not been often examined. Nevertheless one such study identified found that issuance of arrest warrants against domestic violence offenders who had fled the scene when police arrived tended to reduce subsequent violence.<sup>12</sup>

### **Responsibility for Serving Warrants**

Historically the responsibility of serving warrants belongs to the Sheriff's Office. In almost all state constitutions, the Sheriff's Office is a constitutional office with responsibility for serving the court enforcement needs. Typically, this includes both civil service (e.g., court summons, eviction orders, and a host of other civil enforcement activities) and criminal service (warrants for arrest, summons, and other criminal court enforcement). These responsibilities are the ones that historically led to the sheriff's responsibility for the jail (i.e., holding persons over for court).

In many jurisdictions, police departments (particularly county police departments) have taken responsibility for service of warrants. However even in this situation, the sheriff may be responsible for fugitive warrants from out-of-state. All of the very large offices of the sheriff and police departments will have special warrants squads whose primary duties are to serve warrants.

Regardless of who has official responsibility for warrants, the service of warrants may be done by any law enforcement agency. In one of the sites discussed in the research here, the Sheriff's Office of Hennepin County, Minnesota has the primary responsibility for warrant service. Nevertheless, the Minneapolis Police Department will also serve warrants when they discover an outstanding warrant on a person that they have stopped for other reasons.

In addition, detectives who investigate crimes will often seek arrest warrants directly. For example, when detectives identify a suspect and believe that there is adequate evidence to support arrest and indictment, they will go to a judge (often through a prosecutor) to get an arrest warrant. In these cases, the detective will serve the warrants themselves rather than go through the warrants squad.

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<sup>12</sup> F.W. Dunford, "System-Initiated Warrants for Suspects of Misdemeanor Domestic Assault: A Pilot Study," *Justice Quarterly* 7(4) (1990): 631-653.

## Strategies for Serving Warrants

Regardless of the exact number of warrants outstanding, police agencies and sheriffs' offices have the common problem of finding ways to serve warrants. The major issue is that of allocating resources. Under current procedures in most jurisdictions, at least two officers are expected to be present for an arrest in order to assure safety of the officers. Hence the cost of the personnel time for two officers to go to the location of the person to be arrested and return to a booking station is the starting cost. Again in larger jurisdictions, arrests usually include fingerprinting, mug shots, and more extensive computer checks. In short, an arrest requires a lot of resources. The major problem for law enforcement agencies that are responsible for warrant service is how to best use limited resources for the most effective service.

One example of special efforts aimed at improving warrant service is a letter service program in Lawrence, Kansas.<sup>13</sup> A second approach in areas with multiple jurisdictions and high profile warrants is to use a multi-jurisdictional approach. One example is a warrant unit within the Washington, D.C. Metropolitan Police Department and its expansion to a jurisdiction-wide task force in coordination with several federal agencies.<sup>14</sup>

Other approaches include electronic automation of court notification to police of warrant issuance,<sup>15</sup> reduction of risk when serving warrants,<sup>16</sup> and ways to handle special problem issues of serving warrants out-of-county.<sup>17</sup>

The National Highway Traffic Safety Administration funded a report on ways to more effectively serve warrants in cases involving driving under the influence of alcohol or drugs (DUI). Similarly a National Institute of Justice project reports on systems for arresting probationers and parolees for whom warrants have been issued.<sup>18</sup>

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<sup>13</sup> See David Born *et al*, "Arrest Warrant Letter Service," *Police Chief* 58 (12) (1991): 49-53.

<sup>14</sup> Ross Swope, "Benefits of a Special Warrant Squad," *Law & Order* 49(5) (May, 2001): 109.

<sup>15</sup> Mark Perbix, "Automating Arrest Warrants Between Courts and Law Enforcement," *Police Chief* 68 (10) 2001: 102-107.

<sup>16</sup> W.E. Burroughs, "High Risk Warrant Service" *Police and Security* 10(6) 1994: 38-41, 43.

<sup>17</sup> Marty Martins, "Out-of-County Enforcement: Serving Warrants and Making Arrests," *Law Enforcement Quarterly* 30(2) (2001) 30-32.

<sup>18</sup> Police-Corrections Partnerships, (National Institute of Justice, Issues and Practices (1999).

## **Methodological Approach**

The study methodology involved two efforts. First, we contacted a number of police agencies to inquire about their experiences with un-served warrants and their ability to track warrants both in terms of substantive issues behind the warrants and the way in which the warrant was served—specifically, what type of new crime the person was charged with at the time of service (if such a new crime was the basis of the service). In addition, the study team asked about any special activities the agencies were involved in to help in the service of warrants. While the phone contacts and the preliminary research were essential to determining the data analysis that is central to this research, there is no attempt to fully describe these contacts. They are used in the conclusions to discuss experimentation that is current in police departments around the country. The second effort was to obtain data from two law counties that provided an in-depth look at numbers of warrants and degree of success in service.

### **Site Selection**

Based on the activities involved in the agencies contacted, the study team found two sites (Montgomery County, Maryland and Hennepin County, Minnesota) that had data to support an empirical look at the relation between the volume of outstanding warrants and new incidents of violent crime.

#### **Hennepin County, Minnesota**

With population of 1,116,200, Hennepin County is located on the eastern side of Minnesota near the Wisconsin border. Approximately 80 percent of its residents are White, nine percent are African-American, and almost five percent are Asian. Over four percent are Hispanic or Latino. The county's median household income in 1999 was \$51,711, higher than the state median of \$47,111. The major city is Minneapolis with a sizeable population.

Warrants are primarily the responsibility of the Sheriff's Office, which includes a warrants division for carrying out that responsibility. There are a number of small cities with police departments as well as the Minneapolis Police Department adding law enforcement services to the county. All bookings (other than municipal ordinance) are done through a combined jail/police booking at the jail under the County Sheriff. Centralization of booking results in a connection between arrests and warrants. The jail booking is linked to the court

system through case number and a unique individual number assigned to persons who are booked for crimes.

From previous research in domestic violence studies and from telephone discussions in this study, the study team was aware of the aggressive approach to warrant service in Hennepin County, Minnesota. The warrants division is extracted from and can be related back to the courts and jail data. These connections provide the ability to link warrants to the underlying charges that caused the warrants to be issued. Minnesota also provides a different approach to the management of traffic citations. A traffic citation calls for the person cited to show up at an administrative hearing to either pay the fine or schedule a court trial. Anyone who fails to either pay or show up for the administrative hearing has his/her license suspended by the State of Minnesota. This is recorded and the person duly notified that his/her license has been suspended. There has been no judicial hearing; so there is no judicial failure to appear and, hence, no warrant. The consequences of this change does not show up in our overall warrants distribution analysis because of the time period used for looking at overall distributions. However, it is a significant intervention in the avoidance of unnecessary warrants issuance.

### **Montgomery County, Maryland**

Montgomery County, Maryland, borders Washington, DC on that city's northern side. It is one of the nation's wealthier counties, with a 1999 median household income of \$71,551, which is considerably higher than that of Maryland (\$52,868) or the US as a whole (\$41,994). The 2000 Census reports that the county had 873,341 residents in that year. Almost 65 percent of residents are White, 15 percent are African-American, and 11 percent are Asian. Almost 12 percent of residents are of Hispanic or Latino heritage. The county is a suburban county in which there is no major large city. Rather the largest city is Washington, DC. In addition, the county to the east is a large suburban county itself. Just south (and across the Potomac River) are two large Virginia jurisdictions (Fairfax County with almost 1 million citizens, and Arlington County with almost 400,000). Finally Maryland's largest city, Baltimore, is approximately 20 miles away to the northeast.

In Montgomery County, countywide law enforcement is in the hands of a county police department. The jail is under the direction of a county corrections department. The sheriff still

has responsibility for civil issues arising out of the court and receives out-of-state warrants. The Montgomery County Police Department maintains a separate warrants squad.

Through previous research efforts with Montgomery County, the study team recognized the fact that information systems among the agencies could be integrated. Although Montgomery County does not have courts, jail, and police systems fully integrated, they have made substantial efforts to keep them linked by data references of case numbers and person numbers.

## **Data Selection and Re-Coding Techniques**

To examine the hypotheses above, the research team sought two sets of data from the sites. The first set is designed to address the total distribution and service of warrants. The second set is designed to examine the outstanding warrants at the time of arrest of violent offenders.

*Warrant Distribution Data.* The first set of data was designed primarily to address the first three hypotheses. We wanted data that would allow the examination of (1) the length of time that a warrant is in existence, (2) the tracking of warrants from initiation to completion, and (3) connections between bench warrants and violations-of-probation warrants back to the original charge. In reverse order, the last of these three issues requires recent data to take advantage of connections between police, jails, and courts. At the same time, the second criteria requires a set of data at least three to four years old in order to allow for a maximum of closures on the warrants. The first criteria needs a data set with the original dates of issuance in the warrants served during the period of data collection. To optimize on these criteria, the team asked for data for six months during either 2000 or 2001.

In summary, the defining characteristics of the data were:

- All warrants that were served, active and un-served, or issued during a six-month period.
- Crime charge that was the basis of the warrant.
- The underlying charge for bench warrants for violation of probation/parole and for failure to appear.
- Date of issue of the warrant.
- Date of service of the warrant.

Montgomery County was able to provide the warrant data meeting these criteria for March 1, 2001 through August 31, 2001, with service dates up to February 10, 2004. Warrant data from Hennepin County were also obtained but found to be of limited value because the records contained the date of disposition rather than the service date of the warrant. While the data are still useful for distribution purposes, the time to disposition is obviously longer than the time to serve since the final disposition depends upon prosecutor and court action.

*Booking - Warrant Dat.:* This dataset is designed to address the last hypothesis. Even if the first three hypotheses about distributions are correct, there is still an open question as to whether persons arrested for violent offenses are the ones who have serious warrants outstanding. The reference is to serious warrants because the bulk of the warrants that are for traffic and minor property misdemeanors are not normally associated with violent offenders. Moreover, the penalties these offenders may suffer would not have any significant impact on deterring violent crime. (That is not to say that a stiff fine for a traffic citation will not have an impact on traffic citations. It just does not seem likely to affect one's propensity toward violent crime against persons.)

The data requested to address the fourth hypothesis focuses on the situation of arrested persons. The research team asked for data with the following features:

- Six months arrest and charge data from 2003
- All charges in the arrest
- All warrants against the person at the time of arrest
- Crime type that the warrant was based upon
- Date of arrest booking
- Date of warrant issuance
- Date of warrant service.

The booking charge data allows for an analysis of six months of arrest data to determine whether there were any offenders who were charged with violent crimes who had outstanding warrants that had they been served might have prevented the current incident. Since the time period is six months, it is possible for a person to have more than one warrant issued on different events during the period of time. Hence closure date is necessary to assure that any warrant listed for the charged person was active at the time of the booking. Similarly, as much as

possible, the research calls for identification of bookings that occur for the warrant. If a warrant is issued, an officer immediately serves that warrant, and if there was no warrant other than the one issued, then for the purposes of the hypotheses here the current warrant would not be considered “outstanding.” On the other hand, if a person is picked up for a new crime and the police discover that the person has a warrant outstanding, then that latter warrant is considered outstanding and could constitute a piece of evidence against the hypothesis.

Both Montgomery and Hennepin County provided these data. While the two sites have some differences in how records are kept and in charge codes (as well as underlying legal definitions of crime), the data is adequately comparable to fill the needs of this study. These two sets of data from 2003 are the basis for the second analysis.

### **Data Management for Analysis**

The major effort of data management was to recode charge data (whether for booking or for warrants) into consistent categories. The effort was directed toward categories that have meaning in terms of major and minor violent offenses, major and minor property offenses, traffic related issues due to bench warrants, and other major recognizable categories. The final determination of classifications is as follows:

- **Major crimes against persons** – generally felonies against persons such as murder and non-negligent manslaughter, aggravated assault, forcible rape, robbery, and other felonies in which there is a victim that may have physical harm.
- **Minor crimes against persons** – generally misdemeanors against persons such as simple assault, harassment, and non-forcible criminal sexual conduct.
- **Major property crimes** – generally felonies such as auto theft, burglary, and felony theft, fraud, and destruction of property.
- **Minor property crimes** – generally misdemeanors such as simple theft, fraud, and destruction of property.
- **Weapons offenses** – crimes in which possession or use of a weapon was the primary charge.
- **Drug sales** – sale, distribution, manufacture, or possession with intent to sell illegal drugs.
- **Drug possession** – possession of illegal drugs or drug paraphernalia (does not include alcohol charges).

In addition, status offenses and bench warrants were kept in the mix for warrants. These include:

- Failure to Appear (bench warrant)
- Violation of Probation or Parole
- Failure to Pay Fine
- Contempt of Court

Finally, two other cases remain ungrouped in the warrants because they were small in number and it was unclear where to put them:

- Weapons
- Fugitive Warrant from another jurisdiction.

When relevant in the analyses below, failures to appear and violations of probation are subdivided into the underlying charge.

## **Distribution and Service of Warrant**

Analysis of the warrant data from Montgomery County allows us to address the first three hypotheses for the study.

### **Montgomery County Warrants**

Exhibit 1 on the following page shows the number of warrants that were outstanding at some time during the six-month period of March through August 2001. The main results from the exhibit are as follows:

- 59.8 percent of the warrants were for failure to appear in court, with another 12.1 percent for violations of probation or parole.
- Only 1.6 percent of the warrants were for major crimes against persons, and 4.5 percent for minor crimes against persons.

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**Exhibit 1: Total Number of Warrants by Crime Type  
Montgomery County, March – August 2001**

<b>Warrant Category</b>	<b>Number</b>	<b>Percent</b>
Major crimes against persons	177	1.6
Minor crimes against persons	511	4.5
Major crimes against property	593	5.2
Minor crimes against property	560	4.9
Weapons	6	0.1
Drugs - sales, distribution, possession with intent	35	0.3
Drugs - possession, paraphernalia	45	0.4
Failure to Appear (FTA)	6,816	59.8
Violation of Probation (or Parole) (VOP)	1,383	12.1
Fugitive/bench warrant other jurisdiction	1	0.0
Miscellaneous	27	0.2
Failure To Pay Fine	534	4.7
Nuisance oriented	52	0.5
Traffic-related, DUI	58	0.5
Contempt of Court	28	0.2
Contempt -- Child Support	<u>565</u>	5.0
Total	11,391	100.0
Classification Missing	73	
Total Warrants in Data Set	11,464	

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Exhibit 2 shows the distribution of warrants when the underlying charge for the Failures to Appear (FTAs) and Violations of Probation (VOPs) are placed into the appropriate crime categories. The results are as follows:

- Traffic-related cases now account for almost one-third of the warrants.
- 2.3 percent are for major crimes against persons and 9.1 percent for minor crimes against persons.

Even when accounting for all of the underlying charges, it is clear that the overall warrant distribution during a given period of time is dominated by misdemeanor charges.

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**Exhibit 2: Warrant Charges or Underlying Charges  
Montgomery County, March – August 2001**

<b>Charge or Underlying Charge</b>	<b>Number</b>	<b>Percent</b>
Major crimes against persons	266	2.3
Minor crimes against persons	1,041	9.1
Major crimes against property	1214	10.7
Minor crimes against property	2,028	17.8
Weapons	99	0.9
Drugs - sales, distribution	153	1.3
Drugs - possession, paraphernalia	1,037	9.1
Traffic-related, DUI	3,765	33.1
Other	1,712	15.0
Fugitive/bench warrant other jurisdiction	4	0.0
Missing Charge for FTA and VOP	<u>72</u>	0.6
Total of Classified Charges	11,391	100.0
Classification Missing	73	

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The most significant finding about the total distribution of warrants is that they were not issued for charges related to crimes against persons. In fact the violent (or crimes against persons) crimes account for only 11.4 percent of the total set of cases. Assuming that weapons charges should be added to violence against person adds less than one percentage point. If one were to assume that all of the missing VOP and FTA cases were violent (even though not likely based upon the distribution of known cases), only another six-tenths of a percentage point would be added. In short, the bulk of warrants are not for violent offenses.

**Warrant Closures**

Warrants may be closed in a number of different ways other than the actual physical arrest of an individual. Some closures are the equivalent of an arrest in the sense that the purpose of the warrant is accomplished. For example, a person with a bench warrant for not showing up for traffic court may satisfy the warrant by paying the fines associated with the traffic citation. Although there has not been an arrest, the issue of the warrant (as well as the case) has been resolved. Exhibit 3 shows the closures of warrants that were active in some way during the period of time and two statistics on the time to close the warrants. The first is the median days to close. Half of all the warrants are closed before and after the median. The 80<sup>th</sup> percentile is the number of days that pass by the time that 80 percent of the warrants are closed.

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**Exhibit 3: Warrants by Closure Status and Days to Close  
Montgomery County, March – August 2001**

<b>Status</b>	<b>Number</b>	<b>Percent</b>	<b>Median Days to Close</b>	<b>80<sup>th</sup> Percentile</b>
Closed by arrest	5,273	46.3	46	260
Closed by recall	3,041	26.7	3281	3726
Closed by arrest, other jurisdiction	1,155	10.1	99	400
Closed and forwarded	290	2.5	7	20
Closed by return	278	2.4	64	233
Closed by surrender	253	2.2	15	34
Closed by countermand	184	1.6	23	91
Open	880	7.7	N/A	N/A
Open with detainer	<u>37</u>	<u>0.3</u>	N/A	N/A
<b>Total</b>	<b>11,391</b>	<b>100.0</b>		

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The following brief explanations describe the type of closures in Exhibit 3.

*Closed by Arrest*

The warrant is closed upon the arrest of the person by the assigned agency. Half of the cases that are closed by arrest are done so within 46 days. Eighty percent of the cases resolved by arrest are done so within less than a year (260 days)

*Closed by Recall*

Most jurisdictions have procedures for closing old warrants that have not been served and are not likely to be served because even the existence of the person is uncertain at the time. It is an administrative recall in which the parties determine that the warrant is un-servable. In Montgomery County, this process takes place periodically for warrants that are over 5 years old. Consequently both the median and 80th percentile are over 5 years old.

*Closed by Arrest by Other Jurisdiction*

The person was arrested in another jurisdiction and the warrant served with that arrest. The median (99 days) and the 80th percentile (400 days) reflect the fact that these subjects of warrants do not remain (or never were) in the Montgomery County Jurisdiction.

*Closed and Forwarded*

These are warrants that are forwarded to another agency or jurisdiction for execution and closed as a warrant for the existing agency. Since this is essentially an administrative action based on who should be responsible for serving the warrant, it is done fairly rapidly. In fact 80 percent of these warrants had been closed within 20 days.

### *Closed by Surrender*

The person for whom the warrant is issued surrenders to the agency or court. Although the warrant is not served by arrest, it may be surrendered as a result of action by the police. It is likely that many of these were closed as a result of telephone or other contact such that the person discovers the warrant is outstanding and surrenders to take care of the warrant without arrest. Notice that the median is only 15 days and 80 percent are resolved in 34 days.

### *Closed by Countermand*

The warrant is withdrawn by the court due to some legal error. In essence, the warrant is recalled as though it never existed. The median of these closures is only 23 days. The 80th percentile is 91.4 days.

### *Closed by Return*

A warrant issued on probable cause may be “returned un-served” if the person is indicted or otherwise treated by the courts in a way that makes the warrant either un-servable or irrelevant. For example, a warrant issued for failure to pay a fine may be returned as a result of the person paying the fine and court costs without having been arrested. These median (64 days) and the 80th percentile (233 days) are very similar to the closures by arrest.

### *Open Warrants*

These are the warrants that have not been served at the time that the warrants check was last done. In this case, these are warrants that were issued or were otherwise active during the 6-month period in 2001 and had not been successfully served by February 10, 2004 when the data set was generated.

### *Open with Detainers*

These are warrants in which the offender is known to be in the custody of another jurisdiction. The agency has put a detainer on the person with the agency that is holding him or her.

## **Summary of Warrant Status**

Exhibit 4 shows the percent of warrants closed by arrest, administratively closed, and still open (as of February 10, 2004). Warrants “closed by arrest” in Exhibit 4 include arrests (by either Montgomery County or other jurisdiction), surrendered warrants, and returns. Warrants closed by countermand or by recalls are included in “closed administratively.” Those that are open (whether with detainer or not) are included in the percent open.

**Exhibit 4: Summary of Warrant Status  
Montgomery County, March – August 2001**

<b>Category</b>	<b>Number</b>	<b>Percent Closed by Arrest</b>	<b>Percent Closed Administratively</b>	<b>Percent Open</b>	<b>Total</b>
Weapons	6	100.0	0.0	0.0	100.0
Drugs - possession, paraphernalia	45	88.9	6.7	4.4	100.0
Drugs - sales, distribution	35	82.9	14.3	2.9	100.0
Major crimes against persons	177	81.4	11.9	6.8	100.0
Nuisance oriented	52	73.1	17.3	9.6	100.0
Major crimes against property	593	71.7	21.9	6.4	100.0
Minor crimes against persons	511	70.8	25.8	3.3	100.0
Contempt -- Child Support	565	68.5	23.5	8.0	100.0
Violation of Probation	1,383	67.8	25.8	6.4	100.0
Traffic-related, DUI	58	62.1	32.8	5.2	100.0
Failure to Appear	6,816	58.2	32.5	9.3	100.0
Contempt of Court	28	57.1	28.6	14.3	100.0
Miscellaneous	27	55.6	44.4	0.0	100.0
Minor crimes against property	560	51.6	42.7	5.7	100.0
Failure to Pay Fine	534	50.4	43.3	6.4	100.0
Fugitive/bench warrant other jurisdiction	1	0.0	100.0	0.0	100.0
<b>Total</b>	<b>11,391</b>				

Results from Exhibit 4 generally support Hypothesis 3, which states that warrant service is prioritized with those related to violent crimes and other felony crimes having top priority. In particular,

- Drugs (both sales and possession) and major crimes against persons were closed by arrest in over 80 percent of the cases.
- Minor crimes against persons and minor property crimes were cleared in about 72 percent of the cases.
- Lowest closures by arrest are for minor crimes against property and failures to pay fines at about 51 percent each.

The 71 percent of nuisance oriented crimes falling next in the order was not expected, but of no particular consequence to this study. In summary, in the case of Montgomery County, it appears that the drug cases are given highest priority, followed by felony violent crime, felony property crimes, and misdemeanor crimes against persons. Misdemeanor crimes against property and failure to pay fines are clearly less of a priority when allocating limited resources.

Obviously, the success in arresting persons charged in warrants is not simply one of priority. For a variety of reasons some persons may be harder to find than others. Nevertheless, the success coupled with the median time to serve gives an indication of the priority for the different categories. This is again demonstrated in Exhibit 5, which shows the time to serve and the number of open cases for all cases that were not closed administratively.

The exhibit gives the following results:

- Major and minor crimes against persons have the shortest time periods at 12 and 10 days, respectively.
- The median time for major crimes against property is 44 days.
- Longer median times are shown for FTAs (65 days), minor crimes against property (95 days), and failure to pay fines (112 days).

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**Exhibit 5: Time to Arrest by Category  
Montgomery County, March – August 2001**

<b>Warrant Category</b>	<b>Arrests</b>	<b>Median Days</b>	<b>80<sup>th</sup> Percentile</b>	<b>Open Cases</b>
Major crimes against persons	144	12	109	12
Minor crimes against persons	362	10	115	17
Major crimes against property	425	44	303	38
Minor crimes against property	287	95	461	32
Weapons	6	18	134	0
Drugs - sales, distribution, possession with intent	29	40	315	1
Drugs - possession, paraphernalia	40	43	294	2
Failure to Appear (FTA)	3,963	65	308	635
Violation of Probation (VOP)	937	37	232	89
Miscellaneous	15	14	71	0
Failure to pay fine	269	112	340	34
Nuisance oriented	38	17	193	5
Traffic-related, DUI	36	71	227	3
Contempt of court	16	6.5	105	4
Contempt — child support	<u>386</u>	22	76.6	<u>45</u>
Total arrests by warrants	6,953	51	273	917

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## Warrants Initiated During Selected Months

Exhibit 6 shows the distribution of warrants *initiated* during the six-month period with a comparison column for the percentage of the total set of warrants active at some time (see Exhibit 1). The percentages are very close to those of the overall percentage found in Exhibit 1. Only the FTAs from Exhibit 1 are more than a percentage point higher, and only “Contempt – Child Support” is more than a percentage point higher for the crimes initiated during the period.

The underlying charges for FTAs are also similar to the overall structure found in Exhibit 2. Fifty percent of the FTA warrants were for either traffic or failure to pay fines. Another 28 percent are for minor property crimes or nuisance crimes.

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### Exhibit 6: Warrants Issued During Six Months by Type Montgomery County, March – August 2001

Crime Type	Number	Percent	Percent from Exhibit 1
Major crimes against persons	153	2.3	1.6
Minor crimes against persons	331	5.1	4.5
Major crimes against property	372	5.7	5.2
Minor crimes against property	239	3.7	4.9
Weapons	3	0.0	0.1
Drugs - sales, distribution, possession with intent	25	0.4	0.3
Drugs - possession, paraphernalia	29	0.4	0.4
Failure to Appear (FTA)	3,781	57.8	59.8
Violation of Probation/Parole (VOP)	779	11.9	12.1
Fugitive/bench warrant other jurisdiction	1	0.0	0.0
Miscellaneous	18	0.3	0.2
Failure To Pay Fine	306	4.7	4.7
Nuisance oriented	35	0.5	0.5
Traffic-related, DUI	26	0.4	0.5
Contempt of Court	23	0.4	0.2
Contempt ---- Child support	<u>423</u>	<u>6.5</u>	<u>5.0</u>
Total	6,544	100.0	100.0

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The closures for crimes initiated in the six-month period are also similar to the overall pattern once adjusted for the “recalls.” The recalls relevant to the warrants issued during the six-month period were not part of the five-year dead-warrants procedure; so they were recalled due to other actions by the court or prosecutor. As a consequence, this category is only nine percent

of the cases, as contrasted to 26.7 percent overall. The bulk of the difference of 17.7 percentage points is taken up in an additional 10 percentage points for closures by arrest and an additional five percentage points of cases remaining open. The other two to three percentage points are distributed over other categories.

The largest percentage of closed warrants was due to arrest (56.1 percent) as shown in Exhibit 7. Including the arrests in other jurisdictions and those closed by surrender and return, 72 percent of the warrants were closed by February 10, 2004 when this data was extracted.

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**Exhibit 7: Warrants Issued During Six Months by Closure Status  
Montgomery County, March – August 2001**

<b>Status</b>	<b>Number</b>	<b>Percent</b>
Closed by arrest	3,671	56.1
Closed by recall	590	9.0
Closed by arrest, other jurisdiction	677	10.3
Closed and forwarded	269	4.1
Closed by surrender	217	3.3
Closed by return	149	2.3
Closed by countermand	127	1.9
Open	816	12.5
Open with Detainer	<u>28</u>	<u>0.4</u>
Total	6,544	100.0

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The distribution of closures and open statuses over crime types is consistent with the overall cases during the six-month period. New major person crime warrants initiated during the time period were overwhelming closed by arrest (81.1 percent either arrested or surrendered). Almost eight percent were still open at the time this data was extracted and the remaining 10 percent were closed by either recall (9.9 percent) or closed by other administrative means. Violations of probation were similarly handled with 79 percent being served by arrest or surrender, 10.6 percent open, and the remainder handled administratively. Drug sales warrants were served at an almost 90 percent rate, while misdemeanor crime warrants were served at an 89.4 percent rate.

For closed cases, it remains only to look at the times to dispose. For this purpose, the cases included are those closed by arrest, return, or surrender. The charge types are ordered by the median days to serve in Exhibit 8. Aside from the Contempt of Court (12 cases) and the

Weapons (3 cases), the lowest median times are found with crimes against persons. In addition, they have the lowest number of days for successfully serving 80 percent of the warrants served (excepting again the 12 cases for Contempt of Court). At the same time, Failures to Appear and Failures to Pay Fines are among the highest numbers of median days to service. Once again, the indirect evidence is that the Montgomery County Police focus attention on first serving warrants for violent offenses.

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**Exhibit 8: Time to Close Warrants Issued in 2001  
Montgomery County, March – August 2001**

<b>Crime Type</b>	<b>Cases</b>	<b>Median Days</b>	<b>80th Percentile</b>
Contempt of Court	12	3	13
Minor crimes against persons	296	6	31
Weapons	3	7	118
Major crimes against persons	124	8	49
Miscellaneous	12	11	47
Nuisance oriented	31	12	92
Drugs - possession, paraphernalia	26	14	94
Contempt -- child support	285	17	49
Major crimes against property	302	21	113
Traffic-related, DUI	21	24	113
Violation of probation (VOP)	634	26	87
Minor crimes against property	182	30	199
Failure to Appear (FTA)	2,603	35	138
Drugs - sales, distribution	21	40	178
Failure to Pay Fine	157	52	233

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**Open Warrants Issued in 2001**

Finally, outstanding warrants issued in the time frame and not served were examined to determine if there was a directional bias toward warrants that might be contributors to violent offenses. The expectation should be that the warrant squads would put greater effort on the higher level violent and property crimes with the consequence of a lower percentage of these remaining outstanding.

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**Exhibit 9: Un-served Warrants  
Montgomery County, March – August 2001**

<b>Category</b>	<b>Number</b>	<b>Percent</b>
Major crimes against persons	12	1.3
Major crimes against property	38	4.1
Minor crimes against persons	17	1.9
Minor crimes against property	32	3.5
Drugs - sales, distribution	1	0.1
Drugs - possession, paraphernalia	2	0.2
Failure to Appear (FTA)	635	69.2
Violation of Probation (VOP)	89	9.7
Failure to pay fine	34	3.7
Nuisance oriented	5	0.5
Traffic-related, DUI	3	0.3
Contempt of court	4	0.4
Contempt -- child support	<u>45</u>	<u>4.9</u>
Total	917	100.0

NOTE: Warrants were un-served as of the cutoff date for data collection, February 10, 2004

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The warrants left un-served after almost three years follow the patterns of expected priorities (see Exhibit 9). Arrest warrants for major crimes against persons were 2.3 percent of the total warrants issued and only 1.3 percent of those still outstanding. Warrants for minor person crimes were 5.1 percent of the warrants issued and only 1.9 percent of those un-served. Weapons and drugs were too small to be meaningful, but they follow the same pattern. Violations of Probation were 11.9 percent of the warrants issued but only 9.7 percent of those remaining un-served. Finally, major property offenses were 5.7 percent of the warrants issued and only 4.1 percent of those remaining. The differences are found in the lower priority warrants. While FTAs accounted for 57.8 of the warrants issued, they accounted for 69.2 percent of the un-served. Similarly Failures to Pay Fines were the cause of 4.7 percent of the originally issued warrants but only 3.7 percent of the un-served warrants.

### **Hennepin County Warrants**

As noted in the introduction, we did not get data on time of warrant service for Hennepin County. Instead, the data set has the date of disposition. Nevertheless, the distribution of warrants outstanding at some time during a six-month period (July – December 2000) of time is available.

As shown in Exhibit 10, the overall view of Hennepin County is similar to Montgomery County. The Hennepin County data have the underlying charges for FTAs and VOPs so Exhibit 10 reports only crime charges. Hence, the major person crimes accounted for 2.0 percent in Hennepin County compared to the 2.3 percent in Montgomery County. Minor person crimes at 10 percent compares to Montgomery county's nine percent (including 312 cases with underlying minor person crimes associated with FTA). Traffic and motor vehicle related crimes are higher for Hennepin County—46.7 percent compared to Montgomery County's 30 percent (including underlying charges). The point of these comparisons is to affirm that at least in these two cases, Hennepin and Montgomery Counties, warrants for violent offenses are few relative to the non-violent offenses.

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**Exhibit 10: Total Warrants  
Hennepin County, July – December 2000**

<b>Crime Type</b>	<b>Number</b>	<b>Percent</b>
Major crimes against persons	496	2.0
Major crimes against property	1,526	6.0
Minor crimes against persons	2,571	10.1
Minor crimes against property	2,408	9.5
Weapons	152	0.6
Drugs – sales, distribution, possession with intent	311	1.2
Drugs – possession, paraphernalia	1,706	6.7
Miscellaneous	1,081	4.3
Nuisance oriented	2,396	9.4
Traffic-related, DUI	11,856	46.7
Contempt of court	12	0.0
Obstruction, false information	732	2.9
Escape, flee, fugitive, resist	<u>164</u>	<u>0.6</u>
Total	25,411	100

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**Warrants Service Conclusion**

The purpose of this analysis was to address three hypotheses. The first of these hypotheses was that the bulk of warrants outstanding at any given time are not the result of violent crimes. Rather, they are for failures to appear in court – usually for minor traffic or misdemeanor cases. The second largest group of outstanding warrants is likely to be composed of misdemeanors and other petty offenses. This hypothesis seems clearly to be confirmed based

on the data from the two selected counties. FTAs and minor property crimes were the highest categories for Montgomery County. The Hennepin data shows all warrants broken down into the underlying charges, and traffic related cases were almost one-half of the cases.

The second hypothesis was that warrants for violent crime would be a relatively small percentage of total crimes. For all warrants, major crimes against person were under two percent of the warrants, and minor crimes against persons was less than five percent for Montgomery County and two percent and ten percent for Hennepin County.

The third hypothesis was that police warrants squads typically use some sort of priority scheme that will maximize the use of resources to serve warrants for the more serious crimes. While we had no direct information on priorities, the low median times along with high closure rates on crimes against persons (from the Montgomery County data) is certainly consistent with and supportive of this hypothesis.

The selection of data from three years ago allowed the research team to see the effects for service of warrants. At the same time, the team could track forward a group of warrants that were issued during the six-month period. In this manner, a fixed number of warrants could be tracked to see what the norms for closure are over almost a three-year time frame. In almost three years, 87.9 percent of the cases initiated were closed by one means or another. For purpose of checking priorities, the closure rate was taken without the administrative closures. Generally speaking, the more significant the threat of an offender (as determined by crime type) the lower the median time to serve the warrant.

Returning to the major theme of the research, the distribution and general service of warrants do not provide any support for the theme that violent crime would be significantly decreased by a higher level of warrant service. However, the data in this section is based only on the distribution of warrants. In the next section the issue is addressed from the point of view of arrests for persons charged with violent crimes.

## **Arrests and Outstanding Warrants.**

In the prior section on outstanding warrants, the research indicated that outstanding warrants tend to be for lesser offenses. Moreover, there is distributional evidence to suggest that the police prioritize the most serious offenses for service. The question remains, however, as to

whether there are high incidences of outstanding warrants for violent offenders. To address this question, the research team took a detailed look at six months of arrest/bookings for both counties. In this analysis, the issue shifts from the service of warrants *per se* to the question of what the outstanding warrants are for persons charged with violent offenses.

A short methodological aside is required to understand the distributions shown in the arrests tables in this part of the report. First, an arrest in any jurisdiction may have multiple charges, and those charges may be a mixture of felonies and misdemeanors as well as crimes against persons and against property. Second, an arrestee may have multiple warrants outstanding. Consequently the challenge in data manipulation is to combine the multiple charges into a single record. At the same time, the warrants must be associated with the arrest to which they apply.

For the purposes of this report, we consider only those charges generally considered by the public to be of highest severity: major crimes against persons, minor crimes against persons, drugs (sales or possession), and major property crimes. We think of these in a hierarchal fashion with major crimes against person more serious than minor crimes against persons, which in turn are more serious than drugs (sales or possession), and major property crimes as the last category. Each relevant arrest is put into one of these categories based on the hierarchy.

## **Montgomery County**

There were 5,470 arrests made in Montgomery County during January through June 2003. About half of these arrests were *warrant arrests*—those in which the police served arrest warrants issued by the courts. The other half are *non-warrant arrests* that arise in a variety of ways including arrests made at a crime scene, arrests by officers who directly observe a crime while patrolling, arrests by detectives, and others.

Exhibit 11 summarizes the four selected charges as prioritized by seriousness. Just over eight percent of the cases involve major crimes against persons. Another 17.3 percent included minor crimes against persons as the highest charge. Together, crimes against persons represent almost 70 percent of all arrests made in Montgomery County during the six months.

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**Exhibit 11: Selected Charges for Arrests  
Montgomery County, January – June 2003**

Total arrests = 5,470

<b>Charge</b>	<b>Number</b>	<b>Percent of Arrests</b>	<b>Non-warrant Arrests</b>	<b>Warrant Arrests</b>
Major crimes against persons	462	8.4	351 (76.0%)	111 (24.0 %)
Minor crimes against persons	949	17.3	648 (68.3%)	301 (31.8 %)
Drugs (sale or possession)	1,575	28.8	1,170 (74.3 %)	405 (25.7 %)
Major property crimes	838	15.3	218 (26.0 %)	620 (74.0 %)
Total	3,824	69.9	2,387 (62.4 %)	1,437 (37.6 %)

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The last two columns in Exhibit 11 give the breakdowns of charges by non-warrant and warrant arrests. Seventy-six percent of the major person crime arrests had no warrants at all. Slightly lower were the minor person crimes with 68.3 percent having no warrants. For drug charges, 74.3 percent were non-warrant arrests, and for major property crimes, only 26.0 percent were non-warrant arrests.

Of the 111 warrant arrests for major person crimes, 74 had a single major person warrant for the crime charge in the arrest. An additional 18 had a warrant for the major person charge and additional warrants, while 19 others had lesser warrants outstanding. That leaves only eight percent (18 plus 19) that could have been affected by prior service of warrants.

A similar pattern is found in minor person crimes where 68.3 percent of the arrestees had no active warrants. Another 198 or 20.9 percent had warrant arrests on the minor person charge in the warrant. In this case, there were two arrests in which there was an outstanding, active warrant for a major person crime. These two cases (approximately two-tenths of one percent) could have been affected by earlier warrant service on the major offense.

In the case of drug charges, there were six arrests (less than four tenths of one percent to the 1,575 cases) in which there was outstanding warrants for major crimes against persons and five arrests in which there was a minor person charge outstanding. The numbers are so low that they are not pursued further here. Similarly, the major property charges had one arrest (out of the 838 arrests) that had an active warrant for a major person crime and five arrests that had an active warrant for a minor person crime.

## Hennepin County

During July – December 2003, Hennepin County had a total of 20,703 bookings. Consistent with the results that were seen in Montgomery County, 23 percent (4,763) of the bookings had at least one outstanding warrant. As indicated in Exhibit 12, major and minor person crimes also were similar in percentage to Montgomery County (within a percentage point of total arrests on major crime and within 4 percentage points on minor crime). However, the set of cases in Hennepin County are only 46.7 percent of the cases in Hennepin County while they are almost 70 percent in Montgomery County. The difference may be attributable in part to the presence of the “Mall of Americas” in Hennepin County with the attendant increase in minor property crimes associated with the large retail sales.

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### Exhibit 12: Selected Charges for Arrests Hennepin County, January – July 2003<sup>19</sup>

Total arrests = 20,703

Charge	Number	Percent		
		of Arrests	Non-warrant Arrests	Warrant Arrests
Major crimes against persons	1,555	7.5	1,218 (78.3 %)	337 (21.7 %)
Minor crimes against persons	2,764	13.4	2,012 (72.8 %)	752 (27.2 %)
Drugs (sale or possession)	3,254	15.7	2,280 (70.1 %)	974 (29.9 %)
Major property crimes	2,095	10.1	1,561 (74.5 %)	534 (25.5 %)
Total	9,668	46.7	7,071 (73.1 %)	2,597 (26.9 %)

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Hennepin County has a higher non-warrant arrest rate than Montgomery County. At least 78.3 percent of the major person arrests and 72.8 percent of the minor person charges were non-warrant arrests. Drugs and major property are similar with most of the arrests made in context without pre-existing warrants.

Following the pattern observed in Montgomery County, 78.3 percent of the arrests for major person crimes had no warrants at all. Adding another 13.1 percent of arrests that are for

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<sup>19</sup> Because there can be and often are multiple charges per booking, the number and percent of charges are not to be considered parts of a whole – they are independent of one another. To illustrate, because it is possible (if not likely) for every booking to have a major person, minor person, major property, weapon, and drug sales charge, the percentage of bookings with each of these charges would be 100 percent and the total number of charges would be many times the total number of bookings.

the arrest charge, the combined total is 91.4 percent of the major crimes against persons cases that are unaffected by outstanding warrants.

A similar pattern is found in minor person crimes where 72.8 percent of the arrestees had no active warrant. Another 15.4 percent were warrant arrests on the minor person charge in the warrant. Hennepin County had a similar pattern of major person warrants outstanding for these minor charges at three-tenths of one percent (7 cases).

Like Montgomery County, Hennepin did not have many major or minor person warrants associated with bookings for drug or major property charges. There were 974 bookings on drug charges that had active warrants, but none involved a warrant for a major person offense. Only 19 or 2.0 percent of the total drug bookings had an outstanding warrant for minor person offense. Of the 534 major property bookings, just two had major person warrants and six had minor person warrants.

### **Arrests and Warrants Conclusion**

The detailed analysis confirms that the outstanding warrants are generally those associated with the current case or related charges. The majority of persons arrested for violent offenses against persons do not have any outstanding warrants beyond the specific case for which they were arrested.

## **Conclusions**

This research has examined two sets of data in order to get an understanding of the potential relationship between outstanding warrants and violent crime. The first set of data examined warrants that were active in the 2000-2001 time period. This time period was selected so that we could take a complete set of warrants outstanding and look both forward and backward to see what the warrants were and how long it takes to serve them. Two key results are:

- The bulk of the warrants are for non-violent offenses. The large group of bench warrants for failure to appear contains primarily underlying charges for traffic and non-violent misdemeanors.
- As evidenced by the mean and median times to serve warrants, police prioritize their time to serve warrants on violent offenders first.

The second set of data informs the question of whether more effort to serve warrants could affect the incidence of violent crime. The evidence from analysis of arrest data in Hennepin and Montgomery counties suggest that the vast majority of the crime, whether violent or non-violent, is committed by persons who do not have outstanding warrants.

While these conclusions suggest that the police are prioritizing to best protect the public, and that the major volume of outstanding warrants are not for violent offenses, these conclusions still beg the question of what should be done about outstanding warrants. Police departments still struggle with how to reduce the enormous backlog.

## **Reducing the Backlog of Warrants**

Both of the sites we used for this exploratory research have dedicated warrant units. Both sites actively work on their priorities and attempt to use best practices to get the maximum number of warrants served. Both have strategies for administratively eliminating warrants when the persons cannot be found, the warrant is too old to be effective, and when in context it will not be served. While these efforts help clear clutter from the systems, the backlog is still substantial.

The field research that the research team conducted to find good sources for the exploratory research also produced some clear evidence of efforts that are being made in the field. These efforts include:

- Dedicated warrant squad or multi-agency task force assigned to serve arrest warrants, including subunits assigned to precinct or district locations.
- Specialized units such as the domestic violence unit serving its own warrants using both dedicated staff and ad hoc assignments.<sup>20</sup>
- Patrol officers serving warrants as part of their routine field activities.
- Mixed structure that initially delegates responsibility for warrant service to local commands and establishes a special warrant unit to take over priority cases after 30 days.
- Precinct or district commanders establishing specialized warrant unit separate from a central warrant squad.
- Joining in multi-jurisdictional task force, often with federal agency involvement, to undertake periodic “sweeps” to arrest fugitives for whom warrants have been issued.

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<sup>20</sup> One jurisdiction reported having a Family Court unit to serve warrants in cases involving violation of orders of protection.

- Occasional special “sting” projects such as offering prizes (e.g., ocean cruise “winners”).
- Mailing letters to persons wanted on misdemeanor charges informing them that a warrant has been issued and asking them to report to the court or police.
- Publicizing warrant cases through placement in local newspapers and the department’s Internet site.

None of these methods is mutually exclusive of any of the other approaches to warrant service. Some agencies use many of these approaches simultaneously.

The experimentation of different police agencies in ways to serve warrants are often the results of pressures from external forces to get some types of warrants served. Since the norm is for the police to prioritize the efforts toward those persons most dangerous to society, other political forces may feel that warrants of interest to them get little attention. An obvious example is the normal low priority of serving warrants for failure to appear in traffic court. A judge may well point out that these failures to appear end up costing the entire judicial system and have an indirect effect on everyone’s ability to have access to the courts. In other words, these warrants also need to be served. The result for the police would be to get as many warrants served as possible without redirecting the entire force to warrants service.

## Research Needed

The problem of serving warrants for police departments is clearly a resource allocation issue. It is a given that they cannot serve all warrants even when they can find the people. They simply do not have the staff to do that and do all other police work simultaneously.

The experimentation by departments indicates they are seeking ways to enhance the service on high priority cases while trying to find alternative methods for dealing with low priority cases. This is a clear case for research on optimization. A study needs to be constructed and funded that would find Pareto-Optimal<sup>21</sup> solutions to mixing types of warrants service for types of crimes/offenders.

Examples of strategies might include:

- **Specialized units for highly prioritized crimes.** The “domestic violence” unit noted above is an example, but this specialized unit can also be switched from one

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<sup>21</sup> Pareto-optimal means that at least one person is better off and no person is worse off. In this case, it means that at least one set of warrants is served at a higher rate and no other warrants are served at a lower rate.

type to another from time to time in “sweep” like form. The style optimizes on high priority cases.

- **Improved prioritization procedures.** The prioritization of warrant services currently is accomplished by police departments in an *ad hoc* manner, based primarily on the seriousness of the charges in the warrants. A more formal system is needed that might include, for example, the criminal history of the person named in the warrant. Thus, a warrant for a minor property offense might be bumped up in priority if the named person has a history of major property offenses or crimes against persons.
- **Area based service.** Also like the sting, a group of warrant officer go to a geographic area of the city and arrest every person in the area that they can find who has an outstanding warrant. The technique optimizes officer time by minimizing travel time.
- **Civilian labor and publication to entice voluntary warrants service.** The use of telephone calls by civilian staff urging persons with outstanding warrants to come to the court and clear up the case optimizes costs and may resolve low warrants. If such techniques result in 25 to 50 percent of traffic FTAs to come and settle, then those are cases that the police do not have to spend limited resources to address.

For this type of study, one may well find one or more police departments that would be willing to participate in experimental treatments over a one to two year period. The experiments would require taking benchmarking assessments on both resource use and warrants served by types. The experiments themselves would involve applying one or more of the strategies above with reallocated resources. The two criteria for proof of success would be:

- Cost per warrant served would decrease.
- The solution is Pareto-Optimal at least for high priority warrants.

The experimentation of police departments on their own shows a clear willingness to look for solutions. Researchers should be able to find willing participants. The way in which warrants are served is something that is subject to experimental analysis. There are no necessary legal restrictions against the experimentation for finding optimal solutions. The expense of such a project should be reasonable. Besides the benchmarking and research costs, the added costs that may be necessary to cover departmental expenses are:

- Training officers for new strategies.
- Hiring civilian phone workers for the test period.
- Modifications of record keeping for tracking the experiment.

Whatever the costs, this is clearly research that would both help the law enforcement field in serving warrants. In addition, successful results are likely to be implemented fairly rapidly throughout the country.