

# JACKSONVILLE POLICE DEPARTMENT

## PREPARING, SERVING, AND RETURNING WARRANTS

Policy: 12-5  
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**PURPOSE:** To provide officers with basic guidelines to effectively prepare an affidavit warrant, and serve and return a warrant.

**POLICY:** It is the policy of this Department to properly obtain, safely execute, and accurately return warrants.

### **PROCEDURES:**

#### I. PREPARING AN AFFIDAVIT WARRANT

- A. An officer wanting a warrant issued must have articulable facts and circumstances to support enough probable cause to obtain a warrant of someone's person.
- B. The application for the warrant must describe with particularity the statute violated, the probable cause leading the officer to believe the offense has been committed, and the person committing the offense. This will be supported by one (1) or more affidavits under oath before a judge.
- C. The warrant affidavit must contain the following:
  1. The individual's name;
  2. Date of birth;
  3. Race/Sex;
  4. Home address; and
  5. Phone number, if known.
- D. Any other witness to the offense, including other officers, will be listed at the bottom of the affidavit form so they can be subpoenaed, and will include their:
  1. Name;
  2. Address; and
  3. Phone number.
- E. Once the warrant affidavit is completed, the officer must present the affidavit to the prosecutor's office for approval. The prosecutor will review the affidavit and confirm that it contains the probable cause needed and verify that they will be willing to prosecute the case.
- F. Once the prosecutor's approval is received, the officer will present the affidavit to the court office. The officer will swear to the facts listed in the affidavit and then sign the affidavit. The Court Clerk will then sign and notarize the affidavit and then present it to the judge for final approval.
- G. If the judge approves the affidavit, he will sign it and a warrant will be issued.

#### II. EXECUTING AN ARREST WARRANT

- A. Unless officer safety, destruction of evidence, flight of a suspect, or other exigency exists, to serve an arrest warrant on a person at a residence, officers must knock on the door, announce their presence, and, as indicated by the circumstances, wait a reasonable amount of time before entering.
- B. An arrest warrant should be executed without unreasonable delay. After an arrest warrant is executed, it must be returned to the court where the accused is brought and notice given to the prosecuting attorney.