

Standing Order re Book and Release/NBR Warrants

Based on the Protocol developed by the Adult Detention Initiative, in which the 4th Judicial District Court plays an integral role, and the Book and Release Policy adopted by the Hennepin County Attorney's Office on November 19, 2018, relating to defendants who are sent a complaint summons to appear on a felony in Hennepin County, the following Standing Order is effective until further Order of this Court.

- A. This standing order applies to all Gross Misdemeanor (except DWI and domestic-violence related offenses) and Felony cases charged by summons in Hennepin County. It replaces the July 1, 2018 Standing Order related to Book and Release/NBR Warrants.**
- B. When Issued** – Court clerks will issue a Book and Release/NBR Warrant for each defendant who is sent a summons to appear in court for a non-domestic-violence related or DWI gross misdemeanor or a felony and who fails to appear at the first arraignment on the case, as long as no other active warrant exists for the defendant.
- C. Book and Release/NBR Warrants** – The Book and Release/NBR Warrant will be a bench warrant with a \$0 amount of bail and a narrative comment shall be made in MNCIS that it is a Book and Release/NBR Warrant.
- D. Law Enforcement** – When a law enforcement officer in Hennepin County encounters a person who has a warrant, the officer will call the warrant office to determine what type of warrant is in place. If there is an active Book and Release/NBR Warrant, the officer will bring the defendant to the jail. This can be the county detention facility or a local police facility. When a law enforcement officer outside Hennepin County encounters a person with a Book and Release/NBR Warrant, the person shall be transported to the Hennepin County Jail for the Booking Procedure.
- E. Booking Procedure** – If the Book and Release/NBR Warrant is the only basis for the arrest, the defendant will be booked, photographed and fingerprinted. The officer or jail staff will complete a release citation and court slip with the new court appearance date. Refusal to sign the court slip alone is not a basis to detain the defendant, but will be noted. The release citation will be efiled with the District Court.
- F. Fail to Appear** – If the defendant then fails to appear at court on the designated appearance date, a bench warrant with monetary bail shall issue.
- G. New Offense** – If the defendant is being booked on a new offense or new PC hold, the defendant may be booked and held on the new offense despite having a Book and Release/NBR Warrant. The defendant shall not be held solely on the Book and Release/NBR Warrant; therefore, if the other issue(s) is/are resolved, the jail will release the defendant with a court notice to appear out of custody.

BY THE COURT:

Dated: January 14, 2019

Ivy S. Bernhardson
Chief Judge of District Court