

## Arraignment on Arrest Warrant Protocol

General. A defendant who receives notice of an arrest warrant, may, through counsel, calendar the matter for an out-of-custody arraignment. The calendar request will be captioned "Arraignment on Arrest Warrant." Appearing at such an arraignment on an arrest warrant and participating in the protocol described below does not guarantee that the defendant will remain out of custody. A judge may determine to remand the defendant into custody at the arraignment on the arrest warrant.

Calendaring. An "Arraignment on Arrest Warrant" may be calendared in Dept. 23 on the 1:46 p.m. calendar on the 2nd and 4th Monday of each month. The calendar request must be filed at least two (2) court days before the requested arraignment date. Each Arraignment on Arrest Warrant Calendar will be limited to 10 matters. The arrest warrant will not be recalled pending the scheduled arraignment as further described below.

Notice. Within 24 hours of the matter being calendared, the defendant's attorney will email a copy of the "Arraignment on Arrest Warrant" document to the Sheriff's Office, District Attorney's Office, and Pretrial Services.

Booking Required. On the day of the scheduled arraignment or before, the defendant must go to the lobby of the Main Jail for an informal booking. This informal booking will **not** result in the arrest warrant being served or executed and the arrest warrant shall **not** be canceled in CLETS. The warrant will not be deemed served or executed until the defendant appears in court and is arraigned on the complaint underlying the arrest warrant.

- A defendant who attempts to informally book before the calendar request is received by the Sheriff, may be taken into custody.
- The informal booking desk is open from 11:30 a.m. to 8 p.m. Monday through Friday on a first come, first serve basis.
- If a defendant informally books on the day of the scheduled arraignment, the defendant shall arrive at the Main Jail by 11 a.m. to ensure the informal booking occurs before the court appearance. Defendants who have calendared their matters for Arraignment on Arrest Warrant shall be given priority for booking by the Sheriff's Office.
- The defendant must bring a copy of the warrant, notice of warrant, and/or warrant number, and valid identification (driver's license, passport (U.S. or foreign), state identification card, or consular identification card) to the informal booking.
- If the defendant has another warrant or warrants that preclude release, the defendant will be booked on those other warrants and may be taken into custody.

Proof of Booking. After informal booking, the defendant will be provided paperwork showing proof of the informal booking. The Sheriff's Office will email proof of the informal booking to the court, District Attorney's Office, and the defendant's attorney.

Appearance in Court. After the informal booking, the defendant must attend the scheduled out-of-custody arraignment and must present the proof of informal booking paperwork.

If the defendant fails to appear for arraignment after informal booking, the arraignment will be taken off-calendar and the arrest warrant will remain in effect. The booking will not be updated as completed and will be deleted from the system after 90 days. The booking number will then become null/void.

If the defendant appears in court for arraignment on the arrest warrant and has not informally booked and proof of booking cannot be established, the matter will be taken off calendar. The defendant may be taken into custody on the unserved warrant.

Deactivation of the Warrant. After the defendant appears in court and is arraigned on the complaint underlying the arrest warrant, the court will recall the warrant and notify the service agency of the recall so that they may remove the warrant from CLETS.

Booking Updates. The court must indicate the order of the "Court Ordered Booking" on the minute order. A copy of the minute order will be sent to the Sheriff's Office. The Sheriff's Office will use the minute order as documentation for the legal reason for the booking and will update the booking with the case details once the warrant is recalled. This will allow the booking to report to the local and state criminal history.