

NUMBER:	2.7
SUBJECT:	WRONG PERSON ON WARRANT
CATEGORY:	BOOKING
DATE:	OCTOBER 9, 2013
REVISED DATE:	JULY 30, 2015
RELATED SECTIONS:	
IN COMPLIANCE WITH:	

POLICY:

To establish standard procedures for processing an arrest where the individual has been identified as the Wrong Person on Warrant (**WPOW**).

RESPONSIBILITY:

It is the responsibility of the Records & ID Division's Booking Section to accurately update criminal history information on individuals booked into a San Diego County Detention Facility when it has been confirmed that the individual is not the subject of the warrant and the arrest is deemed as a Wrong Person on Warrant (**WPOW**).

PROCEDURE:

When a **WPOW** arrest has been identified, it is normally found through the update process and/or one of the various ways listed below:

- A. The arresting agency may inform the facility that the person in custody is not the subject of the warrant.
- B. The District Attorney's Office, may request a fingerprint comparison be done on the subject in custody, the case has not been entered into JURIS or the information has been entered into the wrong system number.
- C. The subject in custody informs the Detention Facility staff that the warrant does not belong to him/her. There may be a co-defendant or the jail has updated the information to the wrong JIMS record.

When the Update Clerk discovers the fingerprints of the subject in custody do not match the fingerprints of the subject on record that originated the warrant, the following procedures will be followed:

- A. Check JIMS to see if the subject was booked in error, or if both subjects are in custody. The Detention Facility may have mistakenly put one document number on two subjects. If this is the case, contact the Detention Facility where the subject is housed, and ask them to

verify the document number on the court paper and to make the necessary correction if needed.

- B. There may be a typographical error. Run a DA09 transaction (**DA09 last name/first name//year of birth**) to see if any numbers are transposed or typed incorrectly. Ask the Detention Facility to verify the document number by looking at the paperwork. If a typo error occurred, ask them to correct the document number in JIMS. The Records staff will correct the document number in IBM mainframe if needed. Ask Cal-ID to correct the document number on the FPC in the Store & Forward and re-launch the booking.
 - C. There are several possible situations where it may look like a Wrong Person On Warrant, but it is not, such as:
 - 1. Material Witness (2621 PC).
 - a. Sometimes this charge is entered by the Detention Facilities as a 2620 PC which is a further proceeding charge. It is not until the Update Clerk runs the document number that we find a discrepancy. The Update Clerk will call the Detention Facility to inquire if the charge is for Material Witness. If it is, the Detention Facility Booking Supervisor will be able to go into JIMS and correct the charge to 2621 PC. Then Cal-ID will fix and re-launch the FPC.
 - 2. Contempt Charge.
 - 3. MC21 (traffic) case number and not DA case.
 - 4. It is a new case number or the defendant is a new co-defendant and the DA screen has not been updated by the court to include the subject.
 - 5. Either the booking number entered by the court is incorrect and the DA system number is correct or the DA system number is incorrect, meaning the booking number belongs to the subject but the case is tied to the wrong DA system number and the booking number is correct. All evidence of prior booking number, mugshot and prints support that they belong to the subject in custody.
 - 6. The Detention Processing Technician booked the case number belonging to another subject who is also in custody, court papers were switched.
 - 7. The booking number of the subject is tied to the wrong JIM number and the case number belongs to the subject in custody.
- If it has been determined that any of the above is the scenario, all necessary corrections should be made and the booking should be worked as usual.
- D. Run a **DA10 Qdocument number** and then run a **RI05 Abooking number** on the number that is in the DA screen. If the booking number comes up with a different system number, contact the DA's office to let them know the booking is in the wrong system number and should be moved to the correct system number. The DA then has the option of moving their

case number to the system number with the active criminal history. Notify the DA's office by email; attach a printout of the DA10 screen and RI02 with the correct system number the court case belongs to.

- E. Pull both jackets if available. The jacket of the booking number that originated the document number (the system number on the DA screen), and the jacket of the subject in custody on the **WPOW**. Compare the fingerprint cards from each jacket, and the fingerprint cards on the back of the booking sheet that originated the document number.
- F. If there are no jackets, print and compare the FPC from the archives for each system number. Check Application Xtender for the booking that originated the document number. Look for a court paper that has the document number.
- G. If the prints do not match, complete the "Notification of Wrong Person in Custody" form (see attachment). The "Information on Wrong Subject" is the person currently in custody, which is the booking you are working from, and the "Information on Original Arrest" is information from the DA screen.
- H. Print out the booking sheet, mugshot and FPC for each subject, to show the arrest that originated the warrant. If there is a court document, print that also.
- I. Notify by phone, the Detention Facility where the subject is currently in custody, ask for the name of the person you notified and fax a copy of the **WPOW** paperwork to them. Also notify the DA's office by county mail, enclosing a copy of the **WPOW** form and the supporting documentation.
- J. Update the SR31 screen using the following terminology:

WRNT SERVED PC ON WRONG PERSON SCR12345

In the remarks section, type "**NSA SYS#00XXX 0X0X0X**". This is the system number that the original booking is under.

- K. If both subjects have the same name and date of birth, update the RI09 (MIS ID) screen, if one exists. Type "**RI07 System Number**", and then print out the screen. Type the "**RI07 System Number**" for the other one; compare all the names for aliases. To create **RI09** Mis-ID notations, type in our agency, the password and your name and office phone number. Mark "A: for all aliases in common to both subjects (compare the RI07 screens to see which names they have in common). In the remarks section type, "This subject is not the same person with document number SCR12345. The fingerprints do not match." Also, if it applies, "This subject has the following scars, marks and tattoos..." and, if it applies, anything else of note. Do the same for both subjects. (Use RI03 instead of RI09/RI07 and add to remarks NSA (the system of the other subject) and move the CAFIS to the CII FCN FIELD) Updated July 6, 2016
- L. If the subject arrested on **WPOW** is out of custody, complete the **WPOW** procedure, but do not notify the Detention Facility nor fax them any paperwork. Add the following note to the

WPOW form: "**No one was notified, subject is out of custody**". When the jail jacket arrives, scan into ApplicationXtender.

- M. If there is no booking number in the DA10 screen, then the Records staff cannot confirm whether or not we really have the wrong person in custody. You may search the subject's SR31 summary screen or the booking documents in the jacket or in ApplicationXtender for a prior arrest that generated the warrant. If you find one, you can go ahead and complete the **WPOW** procedures as usual. If no prior arrest can be found, complete the WPOW paperwork and add the notation "**No paperwork to support**". **Do not** notify the Detention Facility or fax any paperwork. Add the notation "**Poss WPOW-No Paperwork to support**" to the remarks section in the SR31 screen and Place on your Supervisor's desk.
- N. If there is a purged booking number with a CII number in the DA screen, try to locate the **original jackets in our files. If prints are available in Cal-ID/DOJ archive, comparison will be made to check Wrong Person on Warrant. If Cal-ID archive does not have the prints available but the arrest is found on the Rap of the CII number of the original arrestee, the current subject is the wrong person on warrant and Wrong Person on Warrant paperwork should be completed. Then you may call DOJ Command Center for the fingerprint of the original arrestee by giving them the CII number and booking number (if any).**
- O. If there is no booking number and no CII number, try to get a copy of the report from the arresting agency. The arresting agency's report may include, photograph, fingerprints, marks and tattoos, etc., which may help identify the original arrestee.
- P. CPR numbers – Type the CPR number in the Document # field in JIMS Booking Summary for possible wrong person on warrant on CPR numbers if the CPR number cannot be run in SDLaw. Call Probation if verifying CPR numbers is needed.
- Q. If after all efforts have been made and there is no paperwork to support and if both subjects are in custody, both subjects need to have an identity hearing to determine which person the warrant belongs to. Do not send any paperwork to the Detention Facility or the District Attorney. Do not update the **SR31**. The subject will have to go to court for a ruling from the Judge. Make a copy of the SDLaw and RI02 and place at the Queue with a note, "subject will go to court for a ruling from the judge".

For samples and screenshots, please refer to Booking Desk Reference Section 2.7