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DUI Telephonic Search Warrant Procedures
(Re-issue DB 17-111)

In an effort to efficiently process DUI Search Warrants, members should adhere to the DUI Telephonic Search Warrant Procedures, which are attached to this Department Bulletin.

Members with questions about the procedure should contact the Lieutenant of the Legal Division at (415) 837-██████


WILLIAM SCOTT
Chief of Police

Per DB 19-070, sworn members are required to electronically acknowledge receipt and review of this Department Bulletin in HRMS. Any questions or clarification regarding this policy should be made to sfpd.writtendirectives@sfgov.org who will provide additional guidance about the directive.

TELEPHONIC SEARCH WARRANT PROCEDURES

1. The Law Enforcement Officer (LEO) shall fill out the search warrant and **make a copy**. The copy is known as the **duplicate copy to the original search warrant**. The Judge's Signature area on the original search warrant shall be left blank for the Judge to sign at a later time. When feasible, members should review their Body Worn Camera footage of the incident prior to filling out the warrant to ensure accuracy. Members are reminded the affidavit is a sworn declaration upon penalty of perjury that will be scrutinized in court.
2. Contact the Duty Judge (Phone # [REDACTED]) via the answering service. When prompted by the recording, [REDACTED] for DUI blood draw search warrant. This activates the recording of the conversation. This recording/conversation should be conducted away from the detained subject. Members do not need to consult with a District Attorney for this warrant.
3. The Duty Judge administers an oath to the LEO.
4. The LEO then reads the statement of probable cause, the terms of the search warrant and provides any additional information required to the Duty Judge.
5. If the Duty Judge finds probable cause, he/she will authorize the officer to sign the judge's name to the **duplicate original search warrant**. **In paragraph one (1) of the duplicate original warrant, the member writes in the judge's name where it says "Printed Name."** Next to it in the Signature line the member writes, **"Officer _____ for Judge _____"** and puts the member's initials next to it. The duplicate copy warrant becomes (at least temporarily) the "search warrant."
6. The officer shall note the date and time the Judge commanded issuance.
7. When the warrant is served, the officer shall note the date and time of service on the duplicate copy of the warrant. Write these on the bottom of the copy of the warrant "Service, date, time." Give the arrestee a copy (make a copy after service) of the served warrant.
8. Once the warrant is served and blood obtained, the affiant officer shall complete the SF County **search warrant return** form. The form is a one page form which

is located in the SFPD Forms folder. Give the arrestee a copy (make a copy after service) of the unsigned return.

9. The Officer will deliver the **duplicate copy of the search warrant** obtained telephonically along with the **unsigned original warrant** for signature to the issuing Duty Judge no later than the next business day. Ideally, the officer who requested the warrant should deliver these documents, but any police officer can deliver these documents.
10. THE OFFICER WHO REQUESTED THE WARRANT MUST PERSONALLY DELIVER THE **search warrant return** FOR SIGNATURE TO THE DUTY JUDGE WITHIN TEN(10) CALENDAR DAYS OF ISSUANCE. The officer should ask the Duty Judge the best time/location to have the warrant signed.
11. The Officer or assigned officer will deliver **the duplicate search warrant**, the "signed search warrant", and the search warrant return form to the staff at room 101 at the Hall of Justice (0830-1600). Get a copy of the final "search warrant" and either upload it as an attachment in Crime Data Warehouse (CDW) or book it as evidence. A copy of both the signed and the duplicate search warrant should be attached to the police report.
12. If the officer who requested the warrant is unable to deliver the **duplicate copy of the search warrant and unsigned original warrant** for signature (next business day) and/or personally deliver the **search warrant return** for signature (within 10 calendar days of issuance) from the issuing Duty Judge during his/her regularly scheduled shift, he/she must notify the on-duty Watch Commander.
13. The Watch Commander will confirm with the officer the time/location to get the warrant signed. Depending on the agreed upon time and location of meeting the Duty Judge, availability of the officer, time constraints, and unit staffing, the Watch Commander will have the discretion on how to best deliver the documents in Steps #9, #10 and #11. Options may include, but are not limited to: granting reasonable overtime to the officer to facilitate the deliverance of the documents, adjusting the officer's regular schedule (upon concurrence with the Officer), or a combination of the two in addition to assigning another officer to partially deliver the documents as provided in Step#9. Ideally, for continuity, the officer who requested the warrant should deliver these documents. If the officer filing the warrant is not the officer who obtained the warrant, a **supplemental police report must be generated**. The supplemental report should also indicate whether the warrant was booked into evidence or uploaded into CDW.