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Civil Warrant of Body Attachment (Bench Warrant)
(Re-issue DB 17-151)

The purpose of this Bulletin is to outline steps officers should follow when a **Civil Court** issues a “Bench Warrant.”

The Superior Court of California, Civil Division, has authority to issue a Civil Warrant of Body Attachment (Bench Warrant) directing any peace officer in the State of California to (1) arrest the identified person and bring that person to the court that issued the warrant or (2) if that court is not in session, to the custody of the Sheriff of the City and County of San Francisco (SFSD) and the Sheriff of San Mateo County for Airport Bureau personnel.

Issues that arise when detaining individuals under a civil court-issued bench warrant are (1) those warrants are not entered into CLETS or PIN computer systems and (2) SFSD Central Warrants Bureau cannot confirm the warrant. To avoid arresting an individual that is not in fact wanted, Officers shall, before serving the warrant, confirm that such civil warrants are valid by contacting the Sheriff’s Department of that county’s jurisdiction.

These warrants can only be confirmed Monday through Friday, during normal business hours. Officers should contact the SFSD’s Civil Division at (415) 554-7235, to confirm the warrant’s status as valid. There are no after hours or weekend contact numbers to confirm the warrant’s status.

Prepare a detailed incident report following any arrest made under civil court-issued warrants. Include identification of the Sheriff’s representatives who assisted in confirming the warrant’s validity and attach a scanned copy of the warrant to the report. If the warrant cannot be confirmed, officers cannot make an arrest. Officers shall document any detention and provide a certificate of release per 849(b) PC.

Members assigned to the Airport Bureau shall follow San Mateo County procedures regarding Civil Court issued Bench Warrants.


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.