



OPERATIONS ORDER

RAMEY WARRANTS

The purpose of this order is to outline the use of Ramey Warrants of Arrest.

I. Ramey Warrants

- A. Ramey warrants are arrest warrants based on probable cause.
 - 1. A Ramey warrant may be issued at any time, day or night
 - 2. A Ramey warrant does not require review by a deputy District Attorney, or filing with the clerk of the court prior to serving.
 - 3. A Ramey warrant is as valid as a warrant issued by a complaint.
 - 4. The Ramey warrant can be entered in the NCIC system under an agency case number.
 - 5. The use of a Ramey warrant of arrest is presumed lawful and the burden to prove it is not placed on the defendant(s).

II. A Ramey Warrant Must be Prepared in Writing for Each Defendant

- A. A probable cause complaint declaration in support of an arrest warrant (Ramey warrant) must be completed and signed by investigators, along with attachments to establish probable cause.
 - 1. Oral affidavits may be used.
 - 2. Telephonic affidavits may be used.
 - 3. Existing crime reports may be used.
 - 4. A written statement may be used.
 - 5. A combination of all of the above may be used.

- B. Once signed by the judge, the Ramey warrant may be served immediately.
 - 1. It does not initiate a criminal proceeding.
 - 2. It does not have to be recorded with the court before the arrest.

III. Search Warrants and Ramey Warrants May Be Obtained at the Same Time

- A. The search warrant affidavit should establish probable cause to both search **and** arrest.
- B. The probable cause complaint declaration in support of an arrest warrant form, along with attachments, may establish probable cause for the Ramey warrant and a search warrant.
- C. A certificate of service must be completed by the arresting officer after an arrest or release (Section 849[b] PC) on a Ramey warrant.

IV. Instruction manuals prepared by the District Attorney for Ramey warrants are located in each Detective Bureau.