



City of Racine Police Department
Policy and Procedure

Number: 1107

Subject: Return of a Search Warrant		CALEA Standard:
Date Issued: 08-15-80	Effective Date: 07-29-11	Revision Number: 5

POLICY: The Racine Police Department has an established procedure in order to ensure that all Search Warrants are returned to the Court System within a timely manner and within established guidelines set forth by the applicable statutes.

PROCEDURE: The Search Warrant must be returned to the Clerk of Courts within 48 hours of execution or termination. (In computing the time within which a search warrant must be returned, the court may exclude the hours between 4:30 P.M. Friday and 8:00 A.M. Monday). When returning a Search Warrant, the following steps shall be taken:

- MEMBER:**
1. If the Search Warrant is executed within the five (5) day time limit:
 - a. Complete the bottom of the Search Warrant, RETURN OF THE OFFICER:
 - (1) List all items confiscated; or if nothing was confiscated, list nothing taken.
 - (2) Indicate the date the Search Warrant was served.
 - (3) Date and sign the Search Warrant.
 - b. Prepare documents for the Clerk of Courts, consisting of:
 - (1) The original Search Warrant,
 - (2) The original Sworn Affidavit Form, and
 - (3) If any property was confiscated, a photocopy of the BEAST inventory record.
 - c. Make four (4) copies of the above documents.
 - d. Forward the original and two (2) copies of the Documents to the Detective Unit, Attention: D.A./Court Liaison Officer.
 - e. Forward a copy to Records.
 - f. Retain one copy for your work file if desired.
 2. If the five (5) day time limit between issuance and execution expires without execution, complete the Search Warrant, RETURN OF THE OFFICER section:
 - a. Indicate the reasons not executed on the Search Warrant.
 - b. Date and sign the Search Warrant and forward it to a Supervisor (Detective Unit preferred) for review.
 3. If the filing of the warrant following its execution could place the success of the investigation in jeopardy the primary Investigator, working with the DA's Office and the Court can move to have the warrant sealed pending the completion of the investigation. This could also apply to a warrant that was not served and is being rewritten.

SUPERVISOR: Ensure the return of the Search Warrant has been completed properly and forward paperwork to the D.A. / Court Liaison Officer.

- COURT LIAISON OFFICER:**
1. If the search warrant was executed, deliver the original and two copies of the documents to the Clerk of Courts for date/time stamping. Deliver these sets of the stamped documents to the D.A. Office Manager.
 2. When the search warrant was not executed, return the voided warrant to the issuing judge via the D.A. Office Manager.

RECORDS:

1. Upon receipt, process the Search Warrant and Affidavits, and the Property Inventory Record.

- RELATED PROCEDURES:**
- [1104 – Developing a Sworn Affidavit to Support a Search Warrant](#)
 - [1105 – Issuance of a Search Warrant](#)
 - [1106 – Executing a Search Warrant](#)
 - [Table of Contents](#)

**LEGAL
REFERENCE:**

Wisconsin Statute, Chapter 968.17