


<b>POLICY 501.11</b>	<b>FUGITIVE APPREHENSIONS</b>	
	REVISED: 10/00, 01/12, 01/14, 11/16, 06/21, <b>10/22</b>	RELATED POLICIES:
	CFA STANDARDS:	REVIEWED: AS NEEDED

**A. PURPOSE**

The task of the fugitive detective will be to proactively investigate and identify fugitives, especially violent fugitives, who have an active and verified warrant for their arrest. The fugitive detective will develop a coordinated plan utilizing all necessary Departmental assets to determine the most effective investigative avenues to safely execute said warrant, with the ultimate goal of incarcerating these dangerous offenders. The fugitive detective will represent the Fort Lauderdale Police Department in a professional manner and provide all assistance and cooperation accordingly. All other Departmental personnel will adhere to the applicable portions of this policy where the arrest of a fugitive with an arrest warrant is to be conducted.

**B. POLICY**

It is the policy of the Fort Lauderdale Police Department that any fugitive having a confirmed, outstanding warrant be taken into custody as soon as practical, utilizing guidelines as outlined in Departmental Policies and pursuant to state and federal law. A fugitive suspect must be within the jurisdiction of the City when the arrest is affected, unless the arresting officer is otherwise empowered to make arrests outside this jurisdiction by virtue of being deputized. The apprehension of fugitives within the City of Fort Lauderdale will be given priority.

**C. PROCEDURES**

1. The primary function, though not necessarily the only task of the fugitive detective, is the apprehension of suspects with confirmed, outstanding warrant(s). The apprehension of violent fugitives and those with felony warrants will be given priority.
2. The Fugitive Detective(s) will assist local, state, or federal agencies on matters concerning the apprehension of fugitives within the jurisdiction of the City of Fort Lauderdale. Due to the on-call aspects of this assignment, the Fugitive Detective(s) must be available by mobile phone.

**D. WARRANT REQUIREMENTS AND PROCEDURES**

1. Residences
  - a. Among the many methods fugitives may employ to evade capture, concealment in a residence is a primary technique. An arrest warrant allows the search of such a residence, but only under the following conditions:

- b. The arrest warrant must contain the name of the fugitive to be arrested and the exact address of the residence in which the fugitive is believed to be concealing himself.
  - c. The nature of the arrest warrant must be fully explained to the person(s) having authority over the residence, as soon as it is deemed safe and practical by the serving detective.
  - d. The search of a residence will only be conducted when the charges are felony in nature and not misdemeanor.
  - e. The search of the residence shall only consist of a search of areas within the residence that the subject is likely to be concealed in.
  - f. If a forced entry is expected or necessary to arrest the fugitive, the SWAT Team shall be utilized. It shall be the responsibility of the supervisor on scene to notify the SWAT Commander of the request (This does not necessarily apply to fresh pursuit or active shooter scenarios).
2. When an investigation into the whereabouts of a fugitive requires the search of a residence not listed on the original arrest warrant, the detective shall;
- a. Obtain a search warrant for the premises authorizing a search,
  - b. Obtain consent from an individual authorized to provide consent (See consent section below) or,
  - c. Perform a diligent investigation to establish a reasonable belief that the fugitive actually resides at the new residence.
3. A diligent investigation for reasonable belief includes, but is not limited to, documenting the following:
- a. Determining if the fugitive's vehicle(s) are consistently present at the residence,
  - b. Whether the fugitive is receiving mail at the residence,
  - c. Has the fugitive been seen entering/exiting the residence utilizing a key,
  - d. Have neighbors identified the fugitive as residing at the residence.
4. Businesses
- a. Direct access: When a business entity is open to the public, and the public has direct access to the area in which the fugitive is located, no search warrant is required to enter the premises to arrest the fugitive.
  - b. No direct access: When a business entity is open to the public but there is no direct public access to the area where the fugitive is located, a search

warrant to enter the restricted area to search for the fugitive is required. If consent is given to enter the restricted location by a person with the authority to do so, no search warrant is required (see Consent below).

5. Search Warrants

- a. A search warrant for a fugitive must be based upon probable cause to believe that the fugitive is located within the residence or business location.
- b. If probable cause exists, that information leading to a fugitive's whereabouts is contained in a residence or business, the officer/Fugitive Detective may apply for a search warrant for that residence to obtain that information if consent to search said residence is denied.

6. Consent: Residence and Business Locations

- a. If consent is given to enter a private residence or a restricted access area of a business location (by a person with the authority to do so) for the purpose of executing an arrest warrant for a fugitive, an officer need not obtain a search warrant for such purpose. However, before any search, the officer will attempt to utilize the Department's "Consent to Search" form to verify and acknowledge that permission was obtained from the person in charge of the premises. The signed form will be submitted with the detective's completed offense report. In addition to utilizing the "Consent to Search" form, the officer should capture such consent via Body Worn Camera, if the situation permits.
- b. In the event verbal consent is given, but the person will not or is unable to sign a consent to search form, a witness detective/officer will be utilized to verify consent was obtained and obtain a sworn statement from the person giving consent when practical. The detective/officer will document in the offense report the manner in which the consent was given and identify any witnesses who were present when consent was given.
- c. Consent to enter either a residence or restricted business location can be withdrawn at any time, and the scope of the search can be limited by a person with the authority to do so. In such cases, the officer shall leave the area. If deemed necessary, a search warrant for the fugitive must be obtained unless consent is again received to re-enter the residence or restricted business location.

7. Emergency Situations

- a. If during the execution of an arrest warrant or search warrant for a fugitive, emergency circumstances occur which effectively change the conditions of the situation by putting the safety of an officer, the fugitive, or any member of the public in jeopardy, an officer can take action reasonably deemed necessary to ensure the safety of such individuals.

- b. It is appropriate for officers, when obtaining a search warrant for a felon located in a third party residence to secure the premises when consent to search such location has not been given by a person authorized to do so. Notwithstanding, should reasonable circumstances exist to believe that emergency conditions are present or will arise, immediate action will be taken to protect life without regard to securing the premises for a search warrant.

#### **E. REPORT AND DOCUMENTATION REQUIREMENTS**

1. If during the execution of an arrest warrant or search warrant for a fugitive, forced entry is utilized, causing injury or property damage, an offense report will be initiated. The offense report will detail any injury or damage, persons present in the residence at the time of the forced entry, as well as all pertinent facts leading up to the event. The Fugitive Detective's immediate supervisor will be notified in all instances where forced entry was necessary to affect an arrest or if substantial injury to the fugitive has occurred. When possible, photographs of property damage shall be taken and submitted as evidence.
2. An offense report will be generated any time a search warrant is executed.
3. An offense report and probable cause affidavit will be generated any time an arrest warrant is executed.
4. The offense report shall document that the person(s) of authority at a residence or restricted access business location at the time of the execution of an arrest or search warrant, were advised of the officer's legal authority to execute the warrant.
5. At the conclusion of an investigation resulting in the inability to locate a fugitive, the Broward County Sheriff's Office Warrant Narrative System will be updated by the Officer or Fugitive Detective(s).