



Training Bureau Bulletin

TBB # 018-2022

December 7, 2022



WARRANT and I-Card CHECKS

PURPOSE

As a result of a settlement of a putative class action lawsuit in federal court where plaintiffs allege that NYPD was unlawfully detaining individuals to conduct “record searches” including warrants and I-cards, Legal Bureau implemented changes to the Patrol Guide Sections 208-22 “Performing Local, State and Federal Warrant Checks” and 208-23 “Computerized Investigation Card System”. This training memo reemphasizes Department policy with regard to when warrant and I-card searches may be performed by members of the service.

KEY POINTS OF THE REVISIONS

- A person may not be detained while a search for a warrant or investigation card is conducted unless reasonable suspicion exists that the person was committing, committed or is about to commit a felony or Penal Law misdemeanor or there is probable cause that the person committed a crime, violation, or vehicle infraction.
- Once reasonable suspicion is established, the suspect may be detained only as long as necessary to confirm or dispel your suspicion.
- The authority to detain an individual ends when the tasks tied to the reason for the stop are completed or reasonably should have been completed.
- A member of the service may not continue to detain an individual for the purpose of searching for a warrant or I-card when the tasks tied to the reason for the stop are completed or reasonably should have been completed.

EXAMPLE

- Should you stop a vehicle based on probable cause that the driver is talking on a cellphone, but when you approach you realize that she/he was not talking on a cellphone, you may not continue the stop of the vehicle in order to run a warrant or I-card search after you realize that no offense had taken place.

NYPD officers who violate the Patrol Guide revisions to 208-22 and 208-23 that are outlined in this bulletin may be subject to discipline under NYPD Disciplinary System Penalty Guidelines.

Members of Service are directed to refer to Patrol Guide 212-11 “Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops” when detaining individuals.

If a member of the service has questions related to performing a warrant, I-card, or any other record search, they may call the Legal Bureau at 646-610-5400.