

NOVEMBER ROLL CALL TRAINING

Jail High-Risk Critical Task/Identity Verification

The purpose of this policy is to direct the procedure for verifying the validity of arrest warrants and identity of those persons entering the jail facility based upon an active warrant for arrest.

Due to identity theft, occasional database errors, and potential oversights in the warrant recall process, it is essential that jail staff take all reasonable steps to positively identify those brought in on warrants and to verify the validity of the warrant itself.

There are various ways in which the wrong person could be lodged in a detention facility. A misidentification case is a case where the arrestee protests that they are not the person named in the warrant and that the arresting officer has mistaken them for someone else.

An identity theft occurs when the arrestee acknowledges they are the person named in the warrant but insists the underlying offense was committed by someone else who falsely identified themselves to officers using the arrestee's name and date of birth. For instance, John Smith is caught by police for shoplifting, Smith falsely identifies himself to officers as Jeff Jones, and the officers issue the theft citation under the name Jeff Jones. The citation later goes to warrant under the name Jeff Jones, and Jones is subsequently arrested on the warrant even though he had nothing to do with the shoplifting offense.

A database identity error occurs when a warrant is mistakenly issued under an incorrect (innocent) person's name in the criminal justice database. This can occur when two individuals in a database share the same or similar names and/or dates of birth, and the warrant is mistakenly issued under the wrong person's name.

An invalid arrest warrant case occurs when the arrestee protests that the warrant has already been resolved with the court or agency holding the warrant. This can occur when the warrant has been recalled by the court but was not properly removed from state and/or federal databases.

Scenario: A prisoner arrives at booking and protests the arrest, claiming mistaken identity, a database error, invalid arrest warrant, etc.

Question: What steps must the booking officer initiate?

Answer: In cases where arrestees protest their arrest based on mistaken identity, a database error, or an invalid warrant, the booking officer shall immediately document the protest and notify a supervisor of the situation. Jail staff shall photograph and fingerprint the arrestee and take reasonable steps to verify the arrestee's identity and validity of the warrant. Potential means of verifying the arrestee's identity and validity of the warrant including checks of the agency's database, NJCIS (driver's license/State ID photos, jail booking photos, arrests records, etc.), AFIS fingerprint submission, Interstate Identification Index (III) records, court records, arrest reports related to the underlying crime, and checks of open-source information such as social media accounts.