

Subject Sign and release warrants
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Overview

A person charged with a crime may receive a summons to appear in court at a certain time. The summons can be mailed to the person's last known address. If the person fails to appear at the scheduled hearing, a court usually issues a warrant for the person's arrest. This bill establishes a sign and release warrant which allows courts to issue a warrant that directs law enforcement officers who encounter a person with a warrant for failing to appear in certain cases to give those defendants a new court date. It also establishes a procedure for law enforcement to provide defendants with that notice and record that the notice was given.

Summary

Section	Description
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1	Proceedings on summons to appear.
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Subd. 1. Issuance of summons to appear. Provides that a court may issue a summons to appear in accordance with the Rules of Criminal Procedure.

Subd. 2. Service of summons. Provides that a summons to appear may be served in accordance with the Rules of Criminal Procedure. Directs the court to record the manner in which the summons was delivered and, if sent by mail, whether it was returned as undeliverable.

Subd. 3. Failure to appear; issuance of a sign and release warrant. Starting January 1, 2024, directs a court to issue a sign and release warrant if the original summons was sent by mail, the summons was mailed to the person and returned as undeliverable, a person fails to appear in response to the summons, and the person had not failed to appear in the same case. Provides that the right to a sign and release warrant applies if the person was charged with a misdemeanor other than a targeted misdemeanor listed in Minnesota Statutes, section 299C.10, subdivision 1, or a gross misdemeanor other than one of the listed offenses. Lists excluded gross misdemeanors including DWI and qualified domestic violence-

Section **Description**

related offenses. Directs that a sign and release warrant may not require that a defendant post bail or comply with any other conditions and requires that notice of the existence of a warrant indicate that it is a sign and release warrant.

Subd. 4. When bail may be required. Establishes that a court may issue a warrant that requires the defendant to post bail or comply with other conditions if the court determines, by a preponderance of the evidence, that it is necessary for the protection of a victim, public safety, or the defendant.

Subd. 5. Sign and release warrant; law enforcement duties. Directs peace officers who encounter a person with a sign and release warrant to inform the person of the existence of the warrant, provide written notice of a new court date, and release the person from the scene. Directs peace officers to inactivate the warrant and submit a form or other notification to be filed in the court's electronic filing system to update the defendant's contact information and indicate that notice of a new court date was provided.

Subd. 6. Exception; lawful arrest. Establishes that nothing in this section prevents a peace officer from arresting a person for any lawful reason.

Subd. 7. Procedure to notify peace officers; scheduling new court dates. Directs county sheriffs to work with the courts to develop a procedure to inform peace officers about the type of warrant issued, permit officers to provide new court dates, permit officers or others to inactivate warrants, and file updated information in the court's electronic filing system. Permits sheriffs to develop forms.



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