# ELECTRONIC SEARCH WARRANT DWI

E/3532277B

Law Enforcement Officer

A05F28B2



#### **OBJECTIVES**

This training will demonstrate the procedures used to:

- Complete the search warrant application
- Assign to a Judge for review
- Receive the warrant after issuance
- Modify warrants in response to a rejection from a judge



# **ECHARGING SYSTEM**

Criminal Complaints

eDWI

eCitations

Incident Referral

eWarrants



### **ESEARCH WARRANT BENEFITS**

- Reduce time and costs to process DWI forms and search warrants.
- Reduce duplicate data entry.
- Increase data accuracy and consistency.
- Enable workflow management and visibility to charging documents and DWI forms.



#### **FEATURES**

Role-based user rights

Select the eCharging Document to Create:						
Charging Instrument	DWI Admin Form	Incident Report	Search Warrant			
Criminal Complaint	DWI Forms Wizard	Incident Reporting System	Search Warrant			
Citation	CVO Form Wizard					

Electronic signing

 Seamless exchange of application and signed warrant within one, secure, electronic system Sign and Submit

#### ISSUED

future access

Signed by Judge: Kent Judgetest on 10/18/2016 Execute by: 10/28/2016

Download Reciept Form

Click to downloa



### WARRANT TYPES

- DWI (Including Criminal Vehicular Operation/Homicide)
- General warrants all other investigations
- 626A (Tracking, pen register etc) Future development



# NOT INCLUDED IN EWARRANTS

## **Court integration**

Workflow ends with receipt of judicially signed warrant.

Warrant filing through MN State Courts Electronic Filing Service (eFS)



# LAW ENFORCEMENT OFFICER PROCEDURES

1/3532277B

DWI eSearch Warrant





Login

#### Welcome to eCharging

NOTICE: The Implied Consent law does not apply when blood (or urine) samples are obtained as a result of a search warrant. If eCharging is used to process a search warrant DWI, the DWI event should be archived and not published.

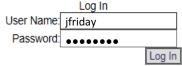
The Implied Consent law does cover the taking of blood (or urine) from an <u>unconscious</u> driver. Those tests results should be reported to the Department of Public Safety via eCharging even if a search warrant was obtained.

PLEASE REPORT ANY ISSUES TO THE BCA SERVICE DESK:

Phone: 888-234-1119 or 651-793-2500

eCharging "IN-CUSTODY" DWI After Hours support line: 651-793-3060

Email: bca.servicedesk@state.mn.us

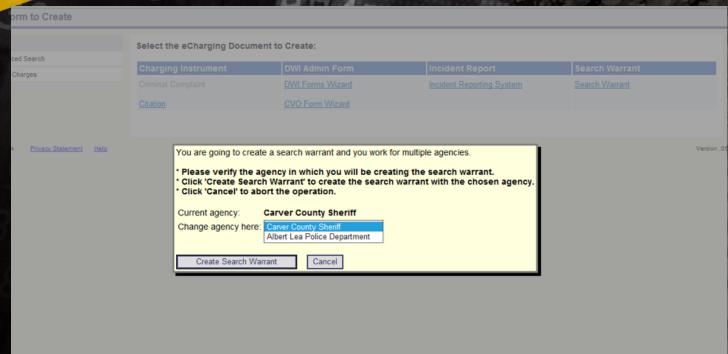


Don't have an account? Request one. Forgot password?



## **MULTI-AGENCY OFFICERS**

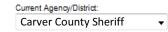
Confirm you are creating the warrant in the correct agency:

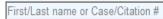


Select correct agency and click "Create Search Warrant"









Search





Manage Forms

**Notifications** 

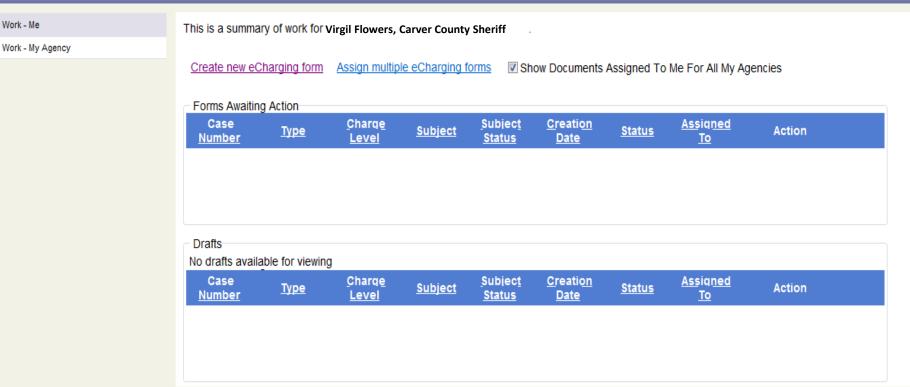
Preferences

Reports

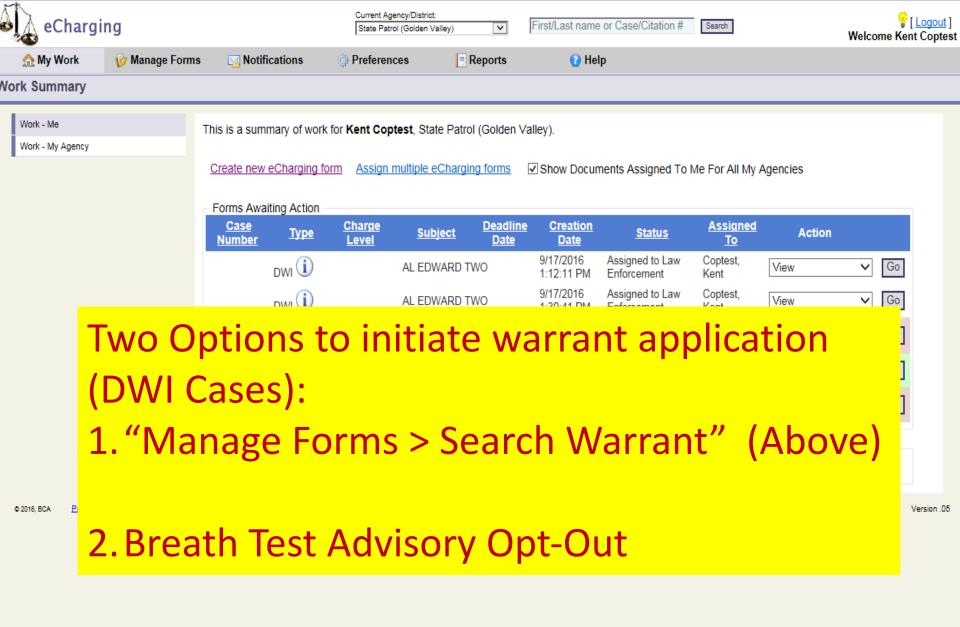
(1) Help

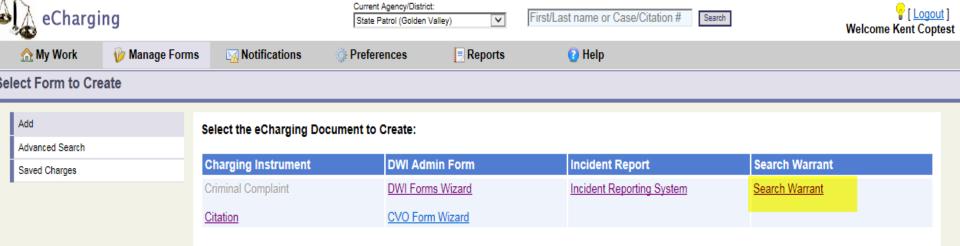
#### Work Summary

Work - Me



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Current Agency/District:

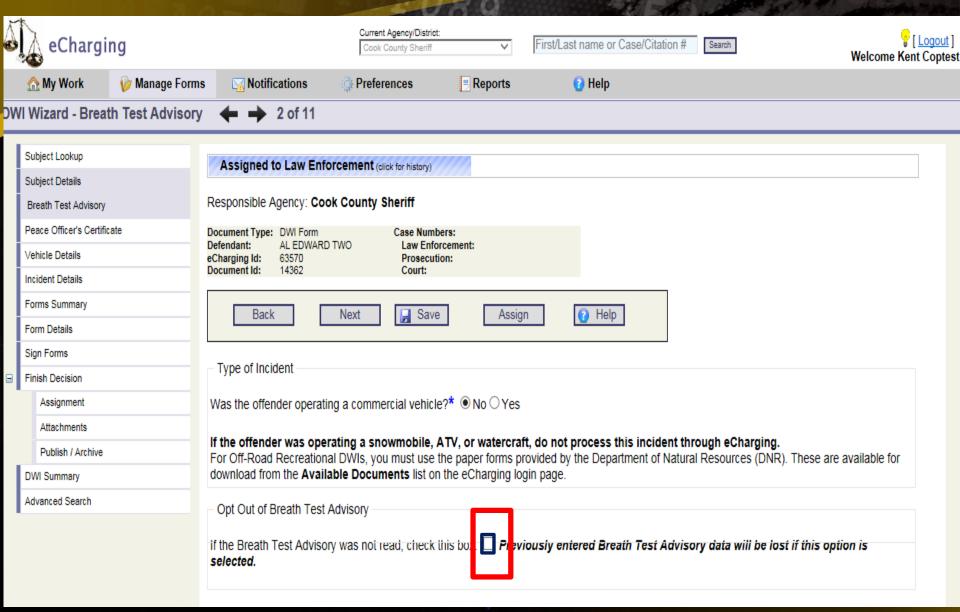
© 2016, BCA Privacy Statement Help Version .05

## **BREATH TEST ADVISORY OPT-OUT**

### DWI Event initiated in eCharging

- Determination made to seek search warrant
  - Breath Test Advisory not completed
  - Link to search warrant from eDWI
- DWI event remains in work queue
  - Officer should return to DWI event to enter lab kit info.
  - Refusals and failures are to be published on search warrant cases.

### **BREATH TEST ADVISORY OPT-OUT**





Was the offender operating a commercial vehicle?\* ● No ○ Yes

If the offender was operating a snowmobile, ATV, or watercraft, do not process this incident through eCharging.

You must use the paper Off Road Recreational DWI & Implied Consent forms provided by the Department of Natural Resources (DNR). These are available for download from the **Available Documents** list on the eCharging login page.

Opt Out of Implied Consent Advisory

Opt Out Reason

In the field below, explain why the Implied Consent Advisory was not read. Include the following information:

- · Was a search warrant used?
- Was the offender unconscious or otherwise unable to refuse the test? If so, what were the circumstances?
- If appropriate, provide the names and titles of medical personnel able to affirm your opinions and observations.

Search Warrant applied for.

Enter up to 5000 characters, 5000 remaining.

Start Search Warrant Application

Your narrative report should also describe the reasons why the Implied Consent Advisory was not read.

# BREATH TEST ADVISORY OPT-OUT

#### • WARNING:

 Do not open additional eCharging windows if you are already logged in.

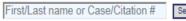
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Reports

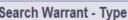


Print Preview

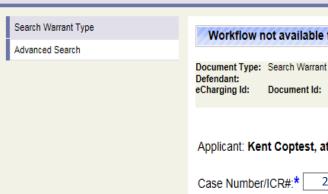
Help

Help





My Work



Manage Forms

Workflow not available for this document.

Preferences

Case Numbers: Law Enforcement: Prosecution: Court:

Applicant: Kent Coptest, at the State Patrol (Golden Valley)

20161018 Case Number/ICR#:\*

Document Id:

**Notifications** 

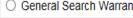
Reason for application for search warrant:\*

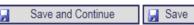
Select the Appropriate category:

• DWI Search Warrant (including Criminal Vehicular Operation and Criminal Vehicle Homicide) to collect test samples of blood or urine.

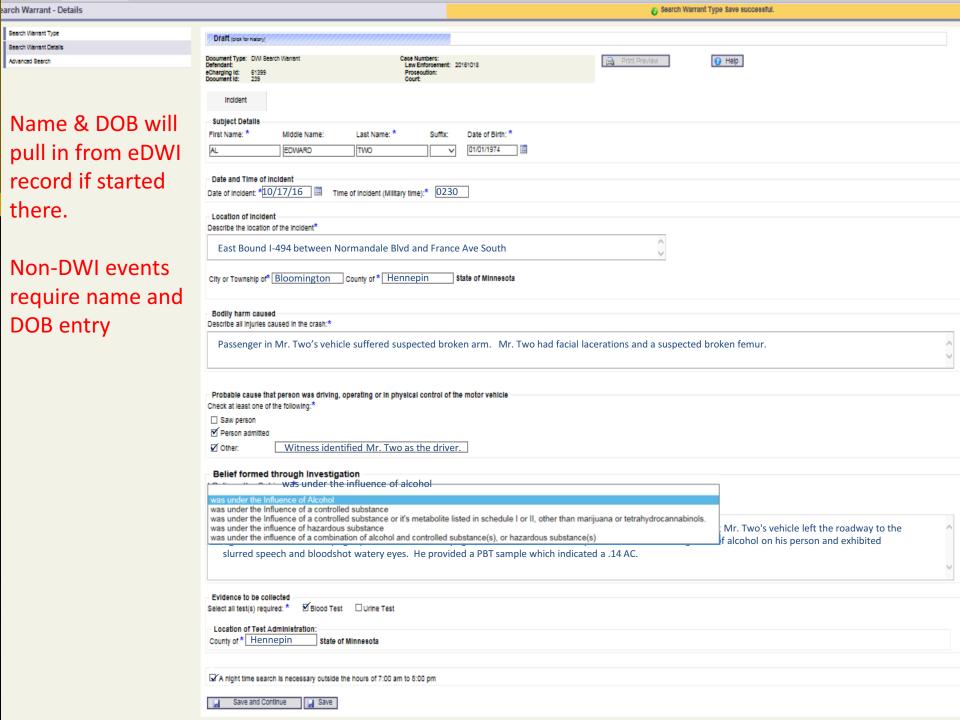
Has the subject been involved in a motor vehicle crash causing bodily harm?

- Yes
- O No
- Chapter 626 A Search Warrant
- O General Search Warrant

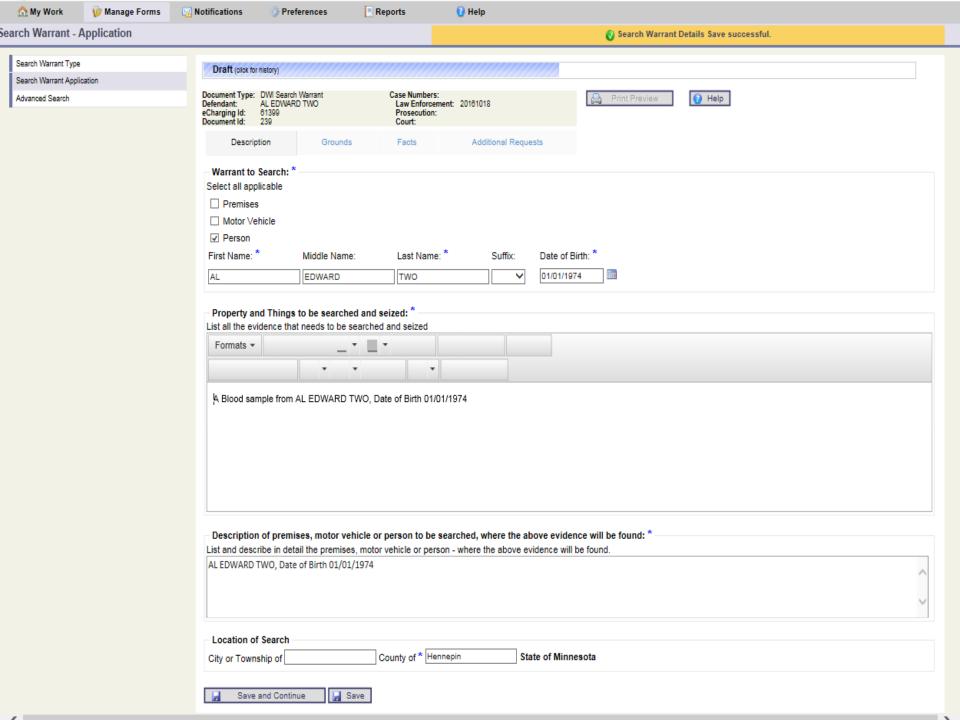


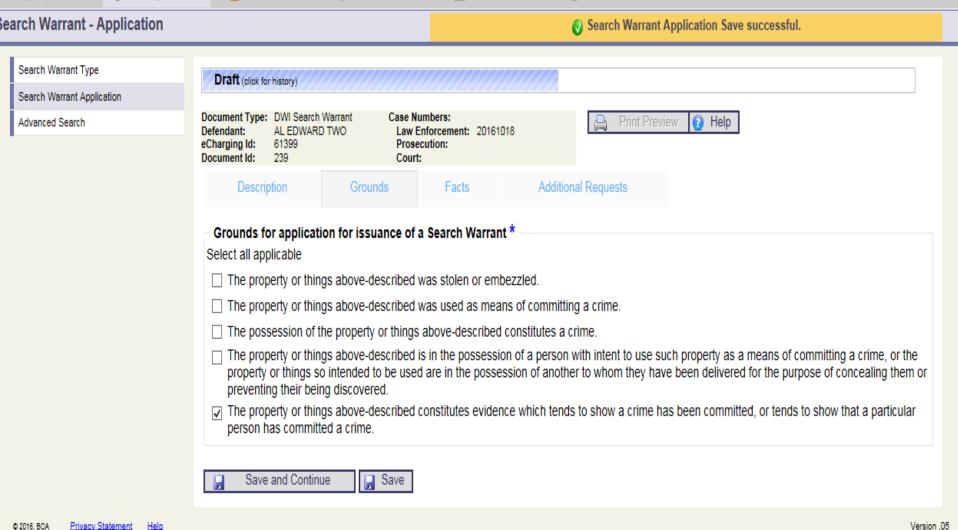


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Subject De					_	
First Name:	*	Middle Name:	Last Name: *	Suffix:	Date of Birth: *	
Al		Edward	Тоо	<b>~</b>	01/01/1974	
Date and T	ima af Inai	dané				
Date of Incide			of Incident (Military time	2). * 02:30		
Date of include	ent. 10717	72010 IIIIE	of incident (willtary time	5). [02.30		
- Location o	f Incident					
Describe the	location of	the incident*				
East Bo	und I-494	between Normanda	Le Blvd and France A	Ave South		
Enter up to 500 d	haracters. 434 r	emaining.				
City or Town	ship of* Blo	oomington	County of * Hennepin	St	ate of Minnesota	
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Reports

Help

Manage Forms

My Work

**Notifications** 

Preferences



My Work



First/Last name or Case/Citation #



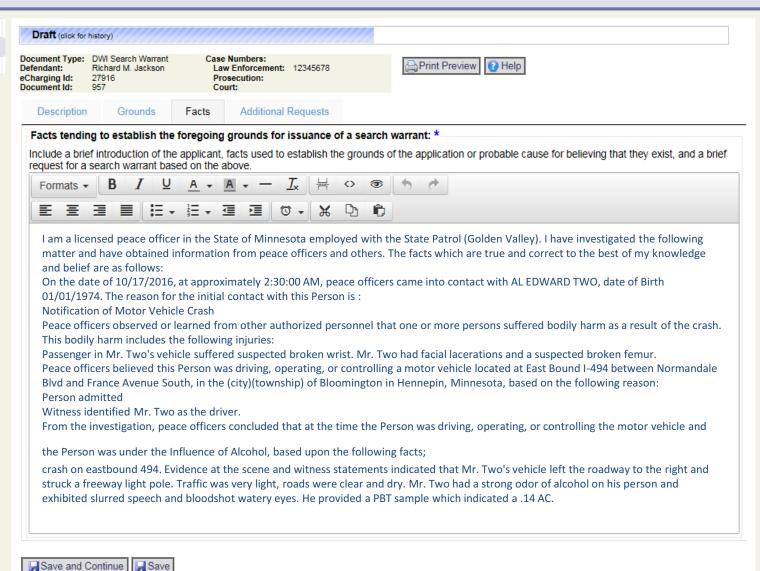
Search Warrant - Application

Manage Forms **™** Notifications Preferences

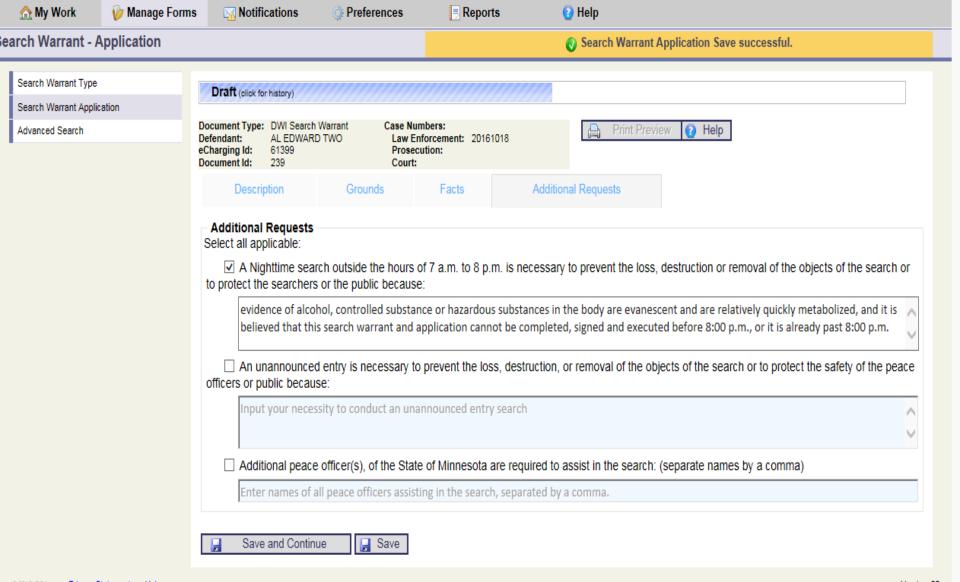
Reports

Help



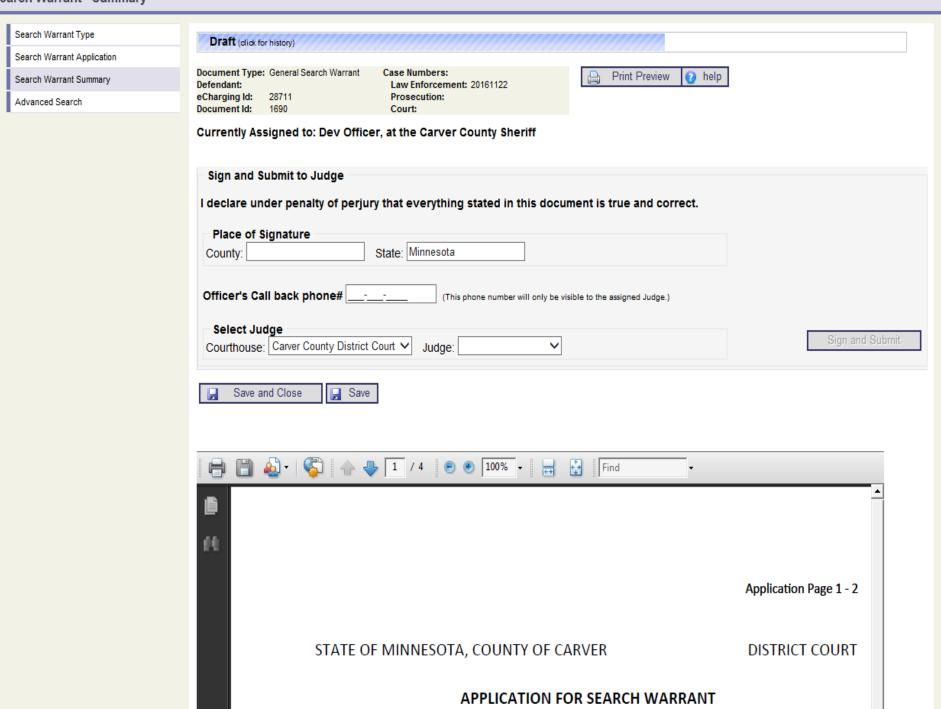


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Search Warrant - Summary



I know the content of this application and affirm that the statements contained in this application are true based on my own knowledge, or are believed to be true.

I believe that the following described property and thing(s), namely:

A Blood sample from AL EDWARD TWO, Date of Birth 01/01/1974

is or are on the Person described as:

#### AL EDWARD TWO, Date of Birth 01/01/1974

located in County of Hennepin, State of Minnesota.

I apply for a search warrant on the following grounds:

The property or things above-described constitutes evidence which tends to show a crime
has been committed, or tends to show that a particular person has committed a crime.

The facts establishing the grounds for issuance of a search warrant are as follows:

I am a licensed peace officer in the State of Minnesota employed with the State Patrol (Golden Valley). I have investigated the following matter and have obtained information from peace officers and others. The facts which are true and correct to the best of my knowledge and belief are as follows:

On the date of 10/17/2016, at approximately 2:30:00 AM, peace officers came into contact with AL EDWARD TWO, date of Birth 01/01/1974. The reason for the initial contact with this Person is :

Notification of Motor Vehicle Crash

Peace officers observed or learned from other authorized personnel that one or more persons suffered bodily harm as a result of the crash. This bodily harm includes the following injuries:

#### Application Page 2 - 3

 Passenger in Mr. Two's vehicle suffered suspected broken wrist. Mr. Two had facial lacerations and a suspected broken femur.

Peace officers believed this Person was driving, operating, or controlling a motor vehicle located at East Bound I-494 between Normandale Blvd and France Avenue South, in the (city)(township) of Bloomington in Hennepin, Minnesota, based on the following reason:

- Person admitted
- Witness identified Mr. Two as the driver.

From the investigation, peace officers concluded that at the time the Person was driving, operating, or controlling the motor vehicle, the Person was under the Influence of Alcohol, based upon the following facts;

Therefore, I seek a search warrant to obtain blood sample of the above named Person as evidence of the crime(s) of driving, operating or being in physical control of a motor vehicle while impaired, and criminal vehicular operation/homicide.

(End of Page)

Application Page 3 - 3

A nighttime search outside the hours of 7 a.m. to 8 p.m. is necessary to prevent the loss, destruction or removal of the objects of the search or to protect the searchers or the public because evidence of alcohol, controlled substance or hazardous substances in the body are evanescent and are relatively quickly metabolized, and it is believed that this search warrant and application cannot be completed, signed and executed before 8:00 p.m., or it is already past 8:00 p.m.

I request a search warrant be issued, commanding Kent Coptest, a peace officer of the State of Minnesota, and any other authorized person, to enter and search between the hours of 7 a.m. and 8 p.m., and a nighttime search outside those hours, to search the above described Person for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law, including authorization to have the seized property and thing(s) to be analyzed by a forensic laboratory.

I declare under penalty of perjury that everything stated in this document is true and correct.

Applicant:

#### STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

#### SEARCH WARRANT

TO: KENT COPTEST, A PEACE OFFICER OF THE STATE OF MINNESOTA.

WHEREAS, Kent Coptest has this day on oath made an application to this Court for a warrant to search the following described Person:

AL EDWARD TWO, Date of Birth 01/01/1974

located in State of Minnesota for the following described property and thing(s):

A Blood sample from AL EDWARD TWO, Date of Birth 01/01/1974

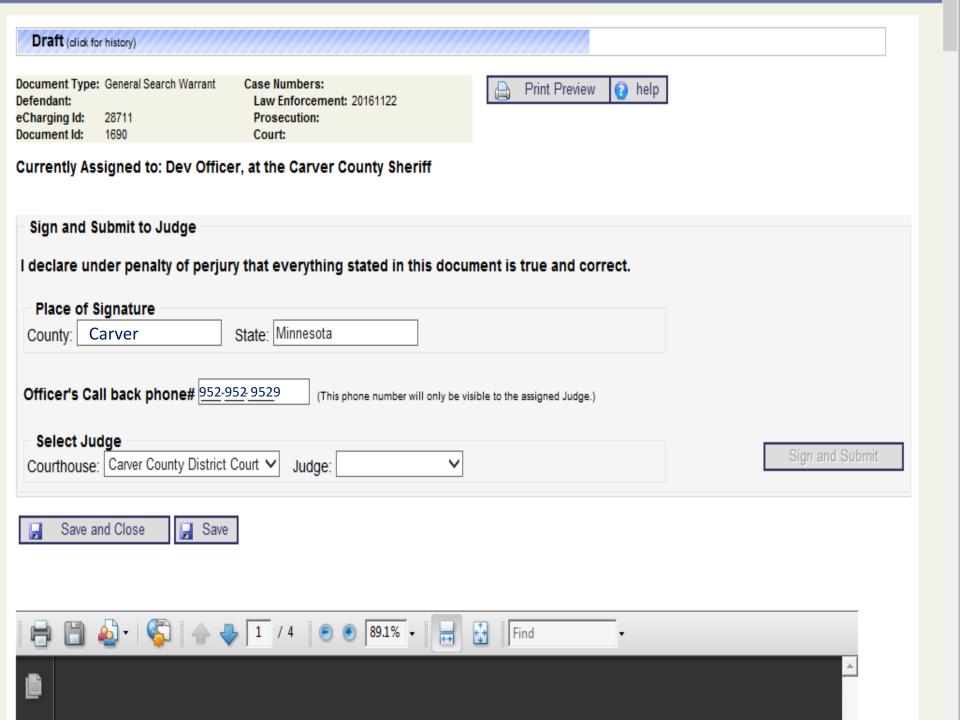
WHEREAS, the application of Kent Coptest was duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following ground(s):

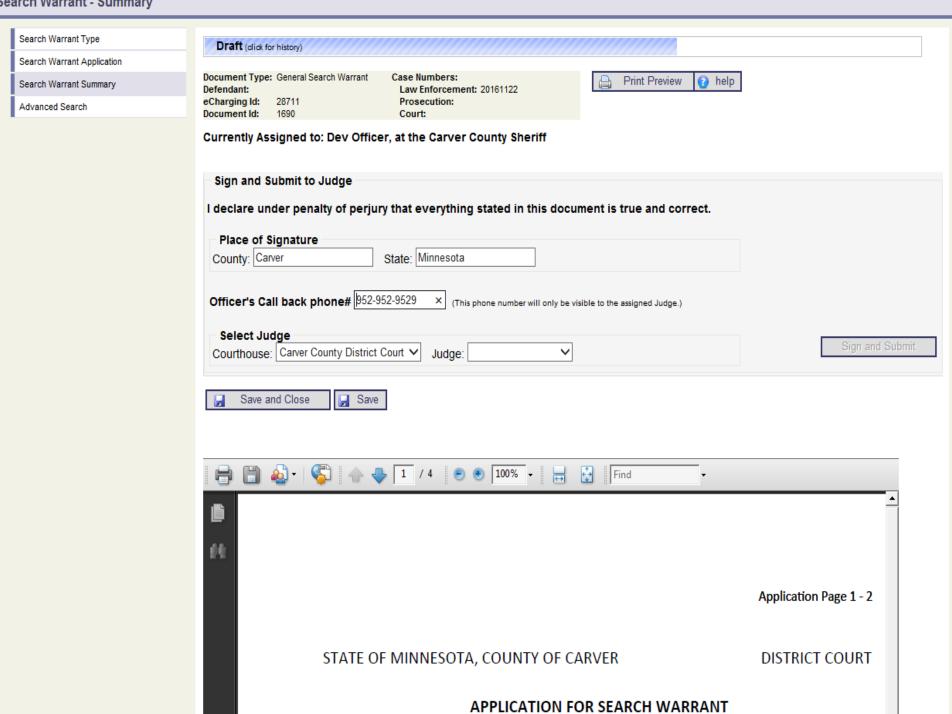
The property or things above-described constitutes evidence which tends to show a crime
has been committed, or tends to show that a particular person has committed a crime.

The court further finds that probable cause exists to believe that above-described property and thing(s) is or are on the Person of AL EDWARD TWO, Date of Birth 01/01/1974.

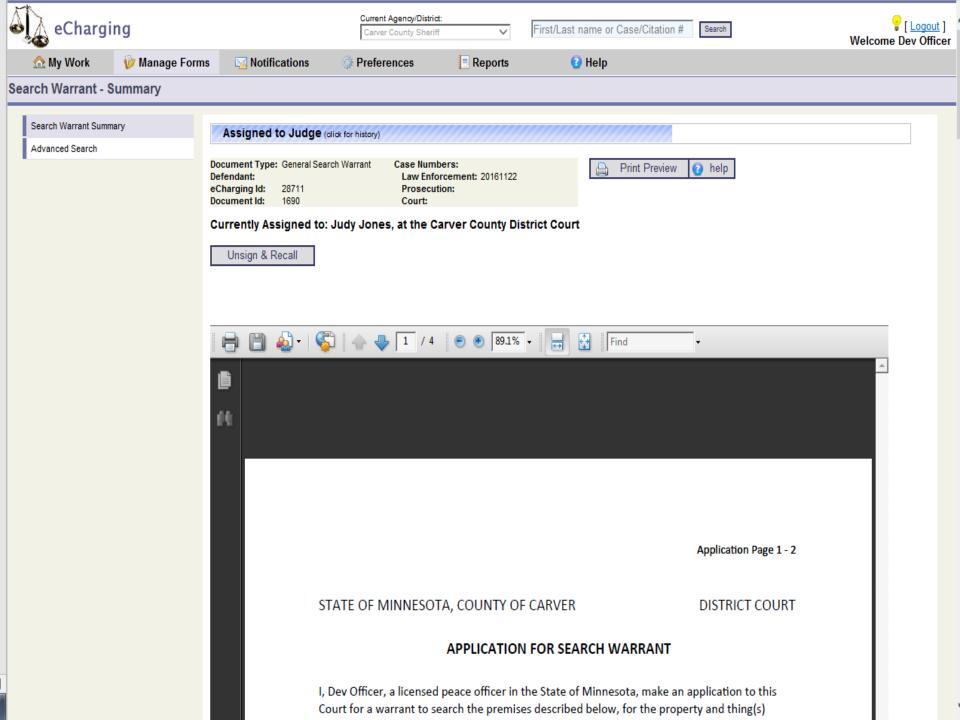
(End of Page)



Search Warrant - Summary



#### Currently Assigned to: Dev Officer, at the Carver County Sheriff Sign and Submit to Judge I declare under penalty of perjury that everything stated in this document is true and correct. Place of Signature County: Carver State: Minnesota Officer's Call back phone# 952-952-9529 (This phone number will only be visible to the assigned Judge.) Select Judge Courthouse: Carver County District Court V Judge: 2. Judge 3. Judge Carverjudge, Karen Save and Close Save Dredd, Judge Jones, Judy Judge, Biometric Judge, DA judge, djc Find Judge, GT Judge, KR Judge, KS Judge, TM Judge, Tom 66 judge, winona judge1, carver judge2, carver Schoen, Paul Application Page 1 - 2 Vel1, JRams Vel2, JRams Vel3, JRams STATE OF MINNESOTA, COUNTY OF CARVER DISTRICT COURT APPLICATION FOR SEARCH WARRANT



Application Page 3 - 3

A nighttime search outside the hours of 7 a.m. to 8 p.m. is necessary to prevent the loss, destruction or removal of the objects of the search or to protect the searchers or the public because evidence of alcohol, controlled substance or hazardous substances in the body are evanescent and are relatively quickly metabolized, and it is believed that this search warrant and application cannot be completed, signed and executed before 8:00 p.m., or it is already past 8:00 p.m.

I request a search warrant be issued, commanding Kent Coptest, a peace officer of the State of Minnesota, and any other authorized person, to enter and search between the hours of 7 a.m. and 8 p.m., and a nighttime search outside those hours, to search the above described Person for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law, including authorization to have the seized property and thing(s) to be analyzed by a forensic laboratory.

I declare under penalty of perjury that everything stated in this document is true and correct.

Applicant: Kent Coptest

State Patrol (Golden Valley) Electronically Signed 10/18/2016 7:42 AM Hennepin, Minnesota

Judicial Officer:

Judge of District Court



E/3532277B

AA05F28B





Login

#### Welcome to eCharging

NOTICE: The Implied Consent law does not apply when blood (or urine) samples are obtained as a result of a search warrant. If eCharging is used to process a search warrant DWI, the DWI event should be archived and not published.

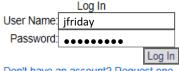
The Implied Consent law does cover the taking of blood (or urine) from an <u>unconscious</u> driver. Those tests results should be reported to the Department of Public Safety via eCharging even if a search warrant was obtained.

PLEASE REPORT ANY ISSUES TO THE BCA SERVICE DESK:

Phone: 888-234-1119 or 651-793-2500

eCharging "IN-CUSTODY" DWI After Hours support line: 651-793-3060

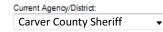
Email: bca.servicedesk@state.mn.us

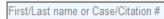


Don't have an account? Request one. Forgot password?









Search







ns 💹 Notifications

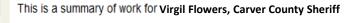


Reports



#### Work Summary







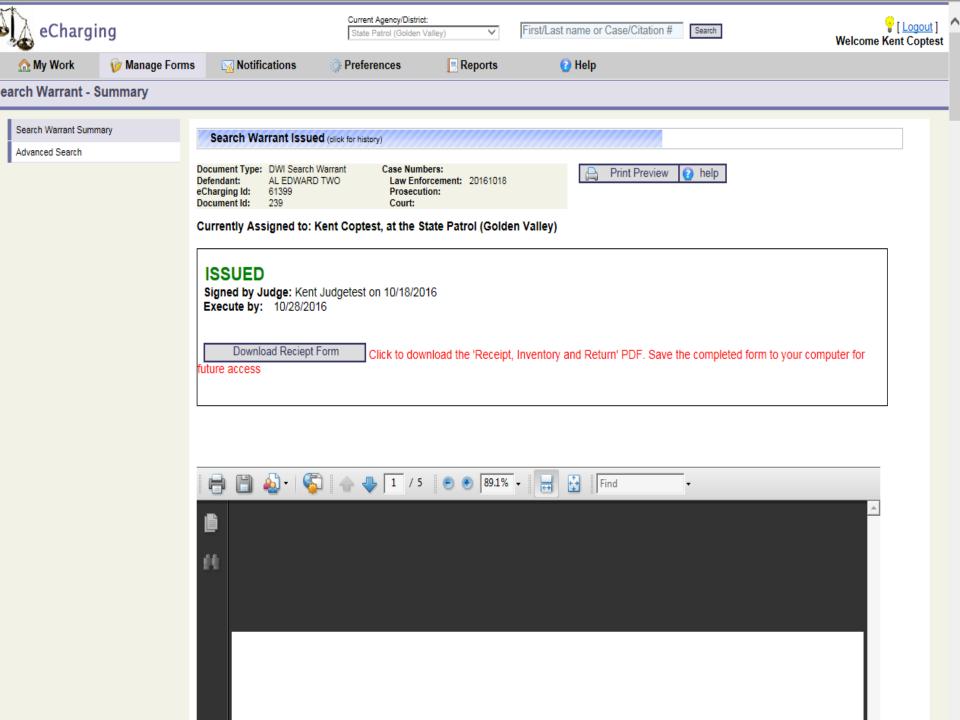
Case <u>Number</u>	<u>Type</u>	<u>Charge</u> <u>Level</u>	<u>Subject</u>	Subjec <u>t</u> Status	<u>C</u> reati <u>on</u> <u>Date</u>	<u>Status</u>	<u>Assigned</u> <u>To</u>	Action	
10000011	Search Warrant		AL Edward Two		04/26/2016	Issued	Bob Leolocal	View	Go
10000011	Search Warrant		AL Edward Two		04/26/2016	Assigned to L enforcement	aw Bob Leolocal	View	Go



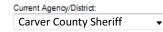


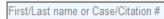
Case <u>Number</u>	<u>Туре</u>	Charge <u>Level</u>	Subject	Subjec <u>t</u> Status	<u>C</u> reatio <u>n</u> <u>Date</u>	<u>Status</u>	<u>Assigned</u> <u>To</u>	Action

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Search







ns 💹 Notifications

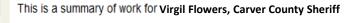


Reports



#### Work Summary







Case <u>Number</u>	<u>Type</u>	<u>Charge</u> <u>Level</u>	<u>Subject</u>	Subjec <u>t</u> Status	<u>C</u> reati <u>on</u> <u>Date</u>	<u>Status</u>	<u>Assigned</u> <u>To</u>	Action	
10000011	Search Warrant		AL Edward Two		04/26/2016	Issued	Bob Leolocal	View	Go
10000011	Search Warrant		AL Edward Two		04/26/2016	Assigned to L enforcement	aw Bob Leolocal	View	Go





Case <u>Number</u>	<u>Туре</u>	Charge <u>Level</u>	Subject	Subjec <u>t</u> Status	<u>C</u> reatio <u>n</u> <u>Date</u>	<u>Status</u>	<u>Assigned</u> <u>To</u>	Action

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#### REJECTION BY A JUDGE

#### Judge may reject the warrant:

- Officer Signature removed from Application.
- eMail notification generated to Officer eMail account.
  - o Officers should verify email is entered on eCharging account-preferences page.
- Document status changes from "Assigned to Judge" to "Assigned to Law Enforcement".
- Document available in officer eCharging work queue.



# REJECTION MESSAGE TO LAW ENFORCEMENT

Fri 9/9/2016 7:14 AM

LOCAL.noreply@state.mn.us

General Search Warrant Application has been 'Rejected by Judge' - to Virgil Flowers

To Therkelsen, Kent (DPS)

eCharging Update: General Search Warrant Application has been 'Rejected by Judge' - to Virgil Flowers

Message: A Search Warrant Application has been 'Rejected by Judge' - to Law Enforcement Officer Virgil Flowers of the Carver County Sheriff (ORI MN0100000) by Judge Judy Jones of the Carver County District Court (ORI MN010015J)

Type: General

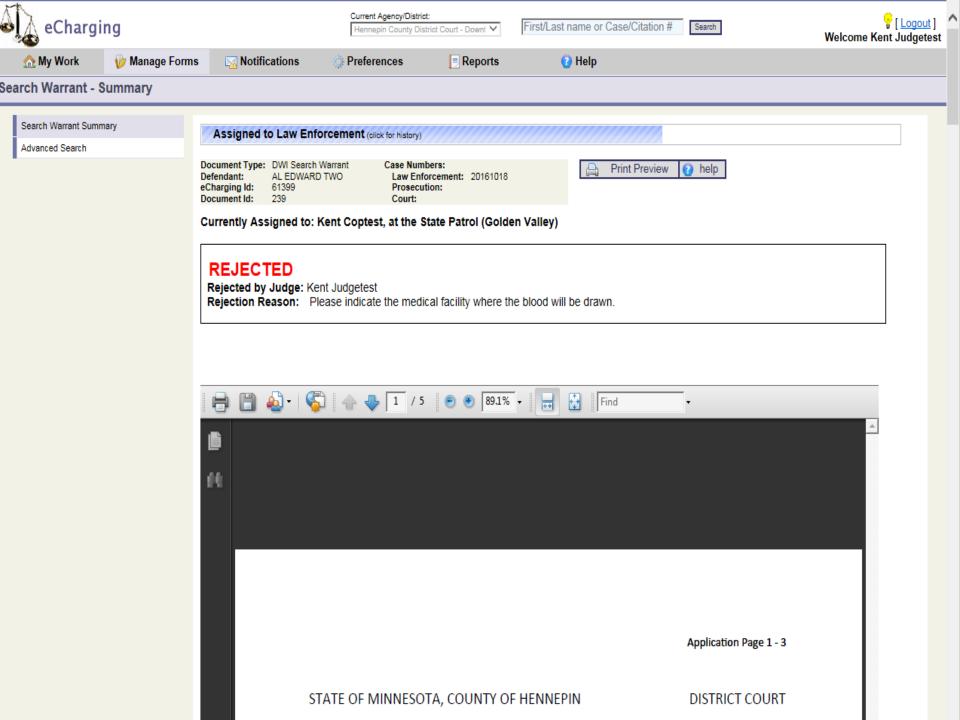
eCharging ID: 28101

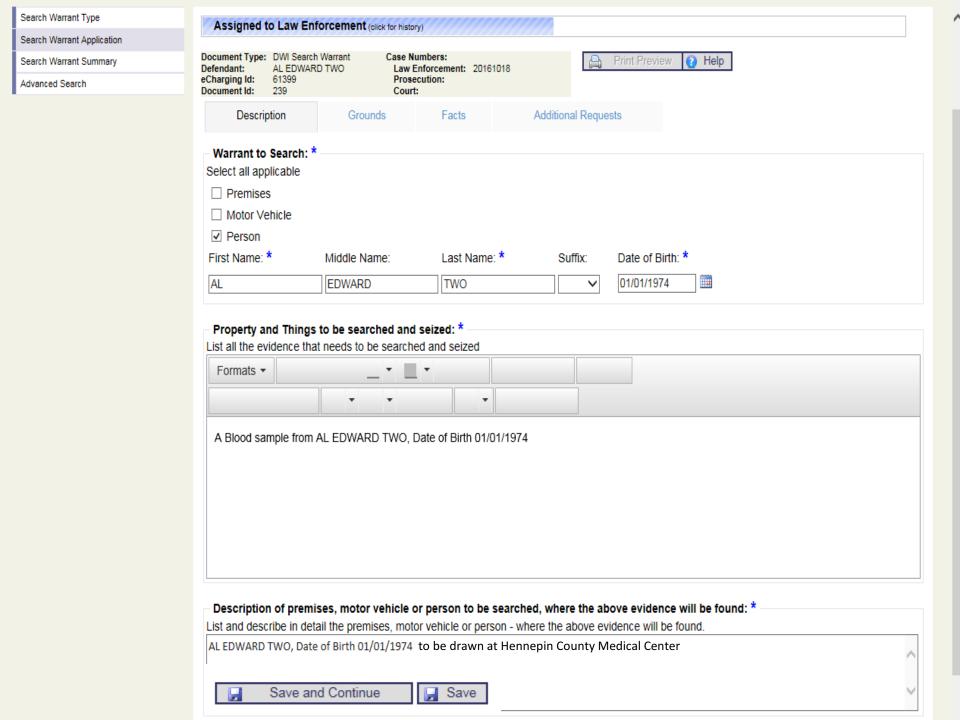
Law Enforcement Case #: 20170228

Comment: Need more information on suspect's history of threats and violence towards law enforcement to establish unannounced entry need.

Click the link to view details: http://WEBUI-DEV-1:8930/app/SearchWarrant/SearchWarrantSummary.aspx?docID=1137

This e-mail was automatically generated by the eCharging system. Please do not reply to this message. Send any BCA helpdesk requests to Bca.Servicedesk@state.mn.us.





#### APPLICATION FOR SEARCH WARRANT

I, Kent Coptest, a licensed peace officer in the State of Minnesota, make an application to this Court for a warrant to search the Person described below, for the property and thing(s) described below.

I know the content of this application and affirm that the statements contained in this application are true based on my own knowledge, or are believed to be true.

I believe that the following described property and thing(s), namely:

A Blood sample from AL EDWARD TWO, Date of Birth 01/01/1974

is or are on the Person described as:

AL EDWARD TWO, Date of Birth 01/01/1974 to be drawn at Hennepin County Medical

Center

located in County of Hennepin, State of Minnesota.

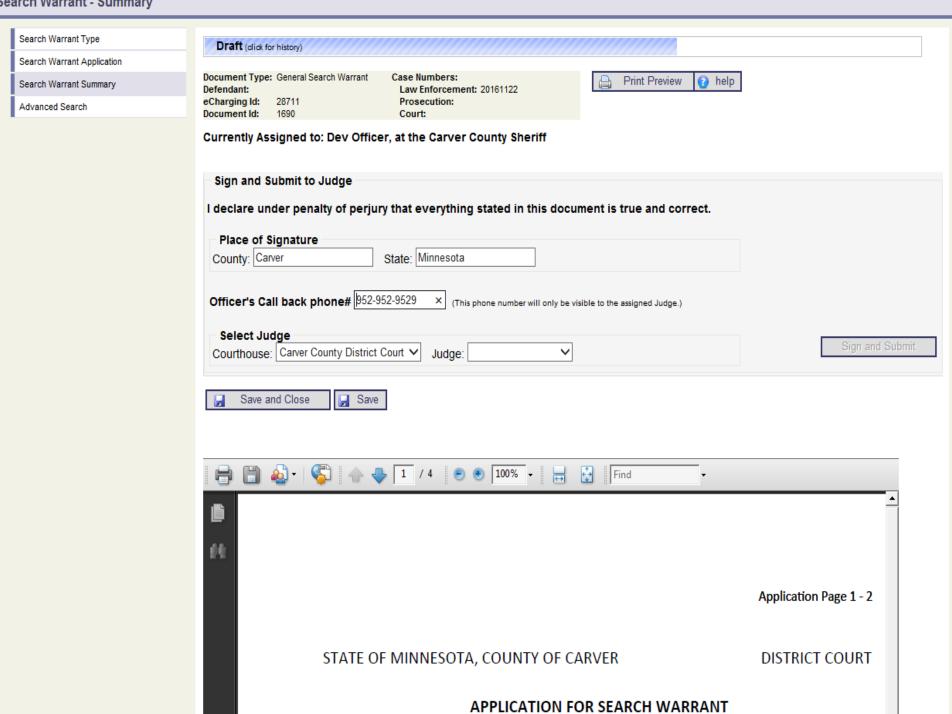
I apply for a search warrant on the following grounds:

The property or things above-described constitutes evidence which tends to show a crime
has been committed, or tends to show that a particular person has committed a crime.

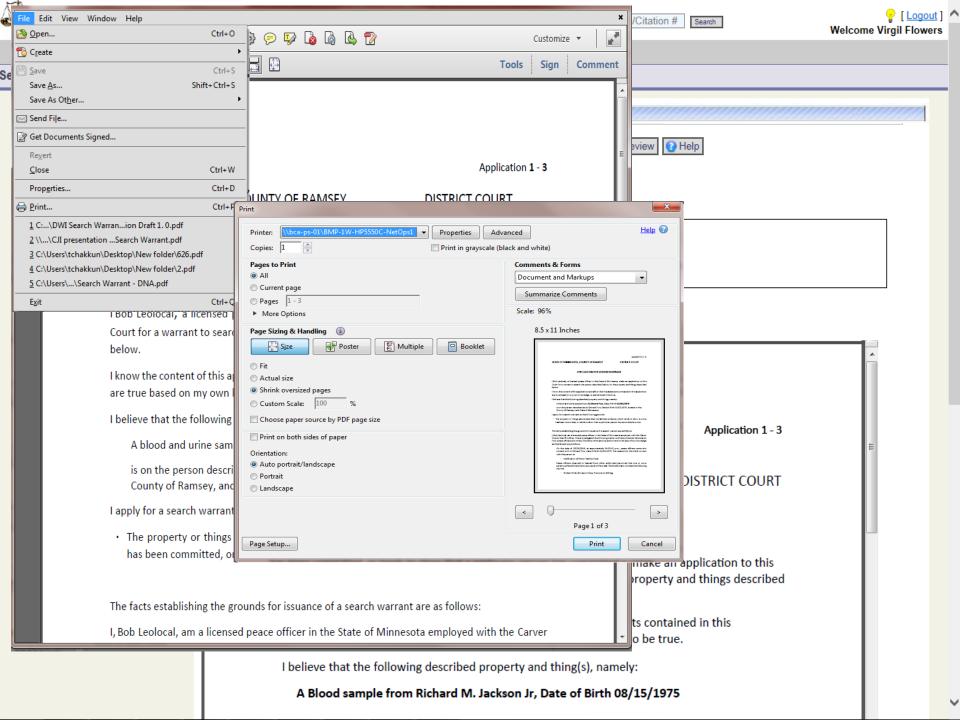
The facts establishing the grounds for issuance of a search warrant are as follows:

I am a licensed peace officer in the State of Minnesota employed with the State Patrol (Golden Valley). I have investigated the following matter and have obtained information from peace officers and others. The facts which are true and correct to the best of my

Search Warrant - Summary



#### Currently Assigned to: Dev Officer, at the Carver County Sheriff Sign and Submit to Judge I declare under penalty of perjury that everything stated in this document is true and correct. Place of Signature County: Carver State: Minnesota Officer's Call back phone# 952-952-9529 (This phone number will only be visible to the assigned Judge.) Select Judge Courthouse: Carver County District Court V Judge: 2. Judge 3. Judge Carverjudge, Karen Save and Close Save Dredd, Judge Jones, Judy Judge, Biometric Judge, DA judge, djc Find Judge, GT Judge, KR Judge, KS Judge, TM Judge, Tom 66 judge, winona judge1, carver judge2, carver Schoen, Paul Application Page 1 - 2 Vel1, JRams Vel2, JRams Vel3, JRams STATE OF MINNESOTA, COUNTY OF CARVER DISTRICT COURT APPLICATION FOR SEARCH WARRANT



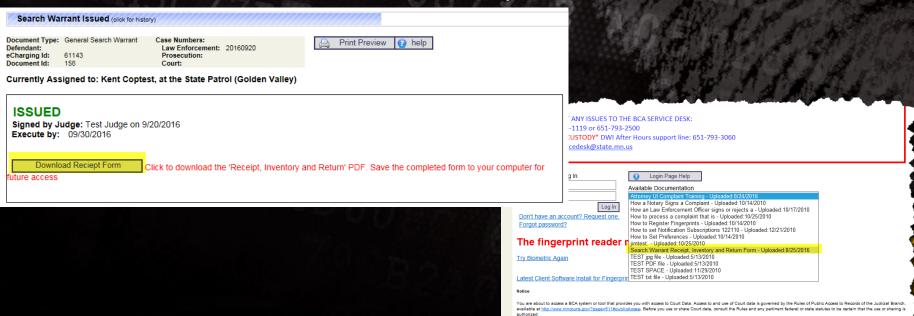
#### PROVIDING COPY TO ANOTHER OFFICER/AGENCY

After the initial officer has received a signed warrant from a judge they should:

- Save the PDF to the desktop or network location
- Obtain the email address for the assisting officer
- Send the PDF via email
- Officer conducting the search should email the completed inventory back to the officer who applied for the warrant

#### RECEIPT INVENTORY AND RETURN

- Available as fillable PDF from search warrant interface or the eCharging login page.
- Not an eCharging document. (filed with courts as an attachment to the warrant).



#### POST-SEARCH WARRANT EDWI CONSIDERATIONS

#### Law changes 7/1/17:

- Search warrant DWI cases should be processed in eCharging.
  - Search warrant test refusals and failures must be published to DVS, the same as breath test cases.
  - Under .08 alcohol concentration or no presence of schedule I or II controlled substance other than marijuana or THC should be archived.
  - Search warrant refusal to test now included in 169A.20, Subd 2.

## SEARCH WARRANT FILING AT COURT

- Search Warrant, along with the Receipt, Inventory and Return (and any other necessary documents) should be filed through the MN Courts Electronic Filing System (eFS) portal.
- More information at account registration available at the MN Judicial Branch Website:

www.mncourts.gov/governmentpartners/efiling-search-warrants.aspx



## SEARCH WARRANT RETENTION

- The BCA will auto-delete all search warrant applications and warrants 60 days after the last document revision.
- Be sure to save the document to your computer or agency network prior to the auto-delete. No reminders will be sent



## OTHER CONSIDERATIONS-SEARCH WARRANT

- Only available to "Law Enforcement Officer" role for search/retrieve in eCharging.
  - Documents can be shared with agencies as needed using PDF documents.
- Prosecutorial Review:
  - Determined by agency
  - No prosecutor access to search warrants in eCharging.
    - Officers may provide the PDF application to prosecutors as desired via email or other means.



## FUTURE DEVELOPMENT

BE4E7FD

Integration with courts for warrant filing.

• 626A (Tracking warrants) development.



#### **ECHARGING ASSISTANCE**

- Business Hours (Mon-Fri 7:00 am to 4:30 pm):
  - BCA Service Desk 651-793-2500 or 888-234-1119
- Non-Service Desk Hours:
  - BCA Operations Center (login help only) 651-793-7000
- eMail (scan & send) or paper if unable to complete process in eCharging after hours



## PLEASE NOTE

After hours "In Custody" DWI help number is not available for warrant preparation assistance.

BE4E7F1



# **ECHARGING TEAM**

BCA Service Desk (Monday-Friday 7:00 AM to 4:30 PM)

888-234-1119 or 651-793-2500

Email: bca.servicedesk@state.mn.us

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