



Electronic Filing of Warrants

Background: In 2008, the Legislature mandated the implementation of an electronic filing process, which required the courts to transition from paper to electronic documents. As a result of the courts' success, last year, the Florida Department of Law Enforcement in conjunction with the National Center for State Courts, Sheriffs' Offices, States' Attorneys, and Clerks of Court created a working group to review the feasibility of creating an electronic process for warrants. This effort expanded to include additional stakeholders such as the Police Chief's Association, Florida Court Technology Commission, and Circuit Judges. These participants have committed to increasing the timeliness and efficiency for arrest and search warrants; reviewing every step in the process - requesting, reviewing, approving, issuing and executing warrants.

Currently, there are cases in which law enforcement has to monitor a probable crime scene while another officer travels hours to obtain a signed search warrant from a judge. In addition, cases in which an arrest warrant can be obtained quickly may aid officers as they pursue an offender who is tipped off that law enforcement is onto the criminal act and begins to flee the county.

Issue: This proposed legislation is a critical first step in creating a fully electronic process for all warrants – bringing the issuance process into the 21st century. This bill allows law enforcement to electronically submit a warrant to the judge, instead of travelling to physically meet them in person. The legislation would also allow judges to approve warrants with an electronic signature. The level of scrutiny and review would not change nor would the manner of service of that warrant.

The cost avoidance of having law enforcement remain at the crime scene while another officer travels to obtain a search warrant would enhance efficiency and allow less time for suspects to destroy evidence. In addition to time, electronic warrants would reduce the chance of errors due to duplicate data entry into different agency systems.

While there is case law to support agencies moving to the electronic filing of documents, law enforcement, state attorneys, clerks and judges are requesting this clear language that would specifically authorize all parties to sign warrants electronically.

Support the timeliness and efficiency of an electronic warrants process

Support HB 953 by Rep. Nuñez & SB 962 by Sen. Gardiner

