

ST. FRANCOIS COUNTY PROSECUTING ATTORNEY

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Getting an Arrest Warrant – 24 Hour Holds

Missouri law authorizes law enforcement to detain citizens suspected of a crime for up to 24 hours without a warrant. The spirit of this law is to grant law enforcement the time to complete or advance an investigation while retaining custody of the defendant, but also balancing the rights of the accused person with the interests of government.

When an arrest is made and officers intend to seek an arrest warrant to hold someone in custody beyond 24 hours, that is when our office steps in to complete that process. Just as with legal questions, we can be reached 24/7 at our on-call number:

573-218-0848

Before you call, here are a few guidelines and requirements of what is needed to get a judge to issue the arrest warrant.

1. Call and Notify

If you have made an arrest and intend to seek an arrest warrant to hold the defendant in custody, notify our office as soon as practical when the crime is of a violent or serious nature. For crimes of lesser seriousness or non-violent offenses that do not pose a danger to the public, please exercise good judgment and call during daylight hours – we don't need to know at 2:00am that we are seeking a warrant on a stealing case. Knowing a 24-hour request is coming helps us prioritize and set time aside to get it done. Be sure to tell us who the defendant is, the charges being sought, and some facts of the case.

Note: For homicides or suspicious deaths, always call Prosecuting Attorney Blake Dudley directly. If he is not available, contact First Assistant Marlo Lamb.

2. Write the Report

An initial report is required for the issuance of a warrant. Obviously, some investigations are far more complex and detailed than what could be done in a 24-hour window. However, the entire investigation need not be in one large initial report. So long as the initial report contains the basics that establish probable cause, we can charge the case and request a warrant.

3. Send the Report to our Office

Generally, email is the easiest method to get police reports to our office. Email the report to receptionist@sfcgov.org and include your phone number in the body of the email. This way, the receiving attorney can call you if they have additional questions. If it is during business hours, a paper copy may be dropped off at our office. Again, include your contact information with the report so we can contact you about it later.

4. Sign the Probable Cause Statement

After receiving the report, the On-Call Attorney will prepare a probable cause statement and email it to you for a signature. Sign the document and return it to the attorney. Once this step is completed, we can submit the case to the court for charges and request an arrest warrant from a judge.

5. Issuance of Warrant

Once the judge has reviewed the case, we will let you know if a warrant was issued, bond information, and special conditions.