

Arrest Warrants - Bench Warrants

ARREST WARRANT vs. BENCH WARRANT. In California, both *arrest warrants* and *bench warrants* are orders from a court or judge. Arrest warrants and bench warrants can be **Federal** or **State** issued and are executed by a law enforcement officer.

An **arrest warrant** is a formal document given to the police, ordering the arrest and detention of a person. An arrest warrant typically will be issued after a Grand Jury indictment or when law enforcement reasonably suspects criminal activity has occurred. In most situations, people are not aware that an arrest warrant exists until the police are in the process of arresting them.

A **bench warrant**, the most common type of California warrant, is an order for the *immediate arrest* of a person. Typically, bench warrants are issued for failure to appear in court on the date scheduled.

California Warrants - What You Need to Know.	
ARREST WARRANTS	BENCH WARRANTS
Suspicion of Criminal Activity	Failure to Appear in Court
<input checked="" type="checkbox"/> Investigation by law enforcement produces reasonable suspicion that criminal activity has occurred. This may include sworn statement by: <ul style="list-style-type: none"> • District Attorney (DA) • Police officer • Alleged victim 	<input checked="" type="checkbox"/> <i>Failure to appear</i> after an indictment (criminal charge) where superior court has fixed a date and place for your appearance.
<input checked="" type="checkbox"/> Police obtain a formal document signed by a judge requesting the arrest of a person.	<input checked="" type="checkbox"/> <i>Failure to appear</i> after your attorney and the judge orders you to personally appear.
<input checked="" type="checkbox"/> Accused may not be aware that arrest warrant exists until police arrive and announce warrant for arrest.	<input checked="" type="checkbox"/> <i>Failure to appear</i> and show proof of progress or completion of community service.
	<input checked="" type="checkbox"/> <i>Failure to appear</i> after police officer has given you citation.

<input checked="" type="checkbox"/> Law enforcement officers may arrive at home or workplace to make the arrest.	<input checked="" type="checkbox"/> <i>Failure to appear</i> after you have been released from custody and promised to appear.
<input checked="" type="checkbox"/> More than one person can be arrested at one time.	<input checked="" type="checkbox"/> <i>Failure to appear</i> for Sentence or Conviction after a plea or trial.
<input checked="" type="checkbox"/> Those arrested are brought to jail and then to court before the judge.	<input checked="" type="checkbox"/> Failure to pay a fine.
<input checked="" type="checkbox"/> You will be most vulnerable during the arrest; Any statements given to the police <i>can and will be used against you.</i>	<input checked="" type="checkbox"/> Bail will likely be denied if other outstanding warrants exist.
<input checked="" type="checkbox"/> A criminal defense lawyer will make it difficult, if not impossible, for the police to obtain statements from you.	<input checked="" type="checkbox"/> Your driver's license can be suspended by the DMV (Department of Motor Vehicles); It can be reinstated after bench warrant is cleared.
<input checked="" type="checkbox"/> If you learn about your outstanding arrest warrant, it is important that you consult an attorney immediately.	<input checked="" type="checkbox"/> If you learn about your outstanding bench warrant, it is important that you return to court immediately with an experienced attorney.
<input checked="" type="checkbox"/> Hiring the Right Attorney is Important to You.	

WHY YOU NEED AN ATTORNEY. If you believe there is an outstanding *arrest warrant or bench warrant* for you in *California*, you are at risk of being arrested by the police and brought to jail or court at any time. Although you do not need an attorney to assist with your warrant, you are at a huge disadvantage if you represent yourself.

ADVANTAGES OF HIRING AN EXPERIENCED CRIMINAL DEFENSE ATTORNEY:

- An experienced criminal defense attorney will be able to cancel your warrant and, in many cases, avoid custody.
- A skilled criminal defense lawyer, who has handled these types of cases, knows exactly what documents and information the court requires to get a swift resolution.
- A good criminal defense attorney knows how to explain to the judge and prosecutor the reason for the warrant.

- A knowledgeable criminal defense attorney may convince the court to release you on your own recognizance (O.R. Release, which is your promise to return to court), without posting bail.
- Your attorney may also argue for a reasonable bail and arrange for the bail bondsman to be present at court (if bail is required).

NOT JUST ANOTHER CRIMINAL DEFENSE. If you have an outstanding bench warrant or arrest warrant and you need assistance in clearing or recalling the warrant, call The Law Offices of Jerry Nicholson, APC. Do not attempt to go yourself and talk to the judge. The judge has heard every excuse and won't have the patience or desire to listen to you. Let Jerry Nicholson, a knowledgeable criminal defense attorney, assist with handling your arrest warrant or bench warrant.