



Minneapolis Police Department Policy and Procedure Manual

Number:
10-200

Volume Ten - Investigations

Investigative Procedures

10-212.01 Request for Normal & After-Hours Administrative Subpoenas (01/26/90)

Procedures for requesting an Administrative Subpoena are as follows:

1. Complete a Request for Administrative Subpoena form (MP-3605).
2. Complete the Administrative Subpoena form (MP-3404).
3. **Normal Subpoena:** Present the Request for Administrative Subpoena and the Administrative Subpoena forms to a senior attorney in the Hennepin County Attorney's Office. The attorney who signs the subpoena will retain the original request form and a copy of the issued subpoena.

After-Hours Subpoena: Call one of the senior attorneys authorized to approve an after-hours subpoena. (Investigative unit supervisors have a list of attorneys.) Advise the attorney of the situation and provide all necessary information. The attorney, upon satisfaction that the statutory requirements are met, will authorize the subpoena, over the telephone. **The Officer Must Note the Authorization** on the Administrative Subpoena by noting both the officer's and attorney's names, the date and time, and the fact that it was authorized by telephone on the subpoena. The next working day a completed copy of both the Request for Administrative Subpoena form and the Administrative Subpoena must be delivered to the senior attorney who authorized it.

Telephonic (after-hours) Administrative Subpoena authorization is limited to those situations that cannot wait until the next business day. Also keep in mind that most records available through an Administrative Subpoena will only be accessible during normal business hours.

4. Present a copy of the subpoena to the person or business that has custody of the records to be subpoenaed.
5. If necessary, at the time of service, the original signed subpoena may be used to display the signature, and then must be placed in the investigative file.
6. If the person or business subpoenaed refuses to provide the subpoenaed records, contact the Hennepin County attorney who signed the subpoena. That attorney will then prepare a court order to compel production of the records.

Request for Administrative Subpoenas (MP-3605) and Administrative Subpoena (MP- 3404) forms may be obtained from MPD Stores.