

# Search Warrant Filing Information

Last Revised: 12/2/2024

## Overview

Law enforcement agencies must use the BCA eCharging eSearch Warrant application to request the following types of search warrants:

### Reason for application for search warrant:\*

Select the appropriate category:

- DWI:** to collect samples of blood or urine (includes Criminal Vehicular Operation and Criminal Vehicular Homicide).
- General:** to search a premises, motor vehicle, person, or device (excluding forensic examinations of electronic devices).
- Out-of-State:** to search for records of an organization headquartered in another state, aka "foreign corporation" (includes social media, phone, carriers, etc.).
- Seized Electronic Device:** to request authorization to have a forensic examination performed on a lawfully seized electronic device.
- Extreme Risk Protection Order:** to take possession of all firearms in the respondent's possession after issuance of an Extreme Risk Protection Order.
- Electronic Tracking:** to obtain records necessary to identify mobile electronic device usage and location (i.e. Pings). This cannot be used to obtain the content of electronic communications or real-time location data from social media accounts.

Other types of warrants must be requested by paper or email. If you have questions about if a particular warrant can be requested through the BCA system, contact the BCA at [bca.servicedesk@state.mn.us](mailto:bca.servicedesk@state.mn.us) or 651-793-2500. The list above will continue to be updated as new templates become available.

Search warrants must be issued by a judge in the county where the place to be searched is located/the search will be conducted. Minn. Stat. § 626.06. Judges have the authority to issue a warrant in every county within their judicial district regardless of where the judge is chambered.

When an executed or expired search warrant must be filed with court administration (Minn. Stat. § 626.15; Minn. R. Crim. P. 33.04), the law enforcement agency must eFile the documents into the appropriate administrative file via eFS. District courts will periodically create separate search warrant administrative files: a public file for adult criminal search warrants; a confidential file for search warrants with a juvenile subject who is under juvenile court jurisdiction (Minn. R. Juv. Del. P. 4.01); and a sealed file for warrants issued under chapter 626A and sections 626.085 and 626.19 that are required to be maintained under seal.

## Search Warrants Numbers

The [Criminal Search Warrants: Public Administrative File Numbers](#) document includes the list of file numbers that law enforcement agencies must use when filing executed and unexecuted public adult criminal search warrants. For confidential juvenile or sealed search warrant file numbers, contact the local court as directed in the document.

## When eFiling Search Warrants

- File the documents in the county that issued the warrant, which is the county where the evidence to be seized was present and the search was to be conducted. Minn. Stat. § 626.15.
- File the application, warrant, and inventory all as one document, not as separate documents.
- File the documents into the current year's search warrant file even if the search warrant was signed by the judge in the prior year. The only exception is if some of the search warrant documents were previously filed and additional documents are now being filed (e.g., the inventory); in that situation, law enforcement may file the additional document(s) into the same file as the previously filed search warrant documents so that all of the related search warrant and inventory documents are in the same file.

## Adult Criminal Search Warrants

Use the filing code “Search Warrant” when filing adult criminal search warrants. Except as outlined below, all adult criminal search warrants are presumptively public and must be filed as public documents in the public search warrant file, as is, and unredacted.

### Criminal Search Warrants Containing Non-Public Information

- **Law enforcement should be mindful of including Social Security Numbers, financial account numbers, or other restricted identifiers.**

Restricted identifiers such as social security and financial account numbers should not be included in search warrant documents. See Minn. R. Pub. Access 4, subd. 1(v)(2)(G); Minn. Gen. R. Prac. 11.

If a restricted identifier must be and is included in a search warrant, Minn. Gen. R. Prac. 11.08 requires that the document must be filed with a Form 11.2 Cover Sheet. A sample [Cover Sheet for Non-Public Documents \(Form 11.2\)](#) is available for use. Law enforcement must complete the Cover Sheet, file that document as public using the filing code “Cover Sheet for Non-Public Documents Form 11.2,” and file the search warrant separately as “confidential” in the same filing envelope. If the search warrant is otherwise public, a separate copy with all restricted identifiers redacted should be filed as public.

- **Law enforcement should be mindful of including hyperlinks or internet addresses to sexual content or nudity.**

Hyperlinks or internet addresses to sexual content or nudity should not be included in search warrant documents. See Minn. R. Pub. Access 4, subd. 1(s). If such information must be included, law enforcement should indicate the warrant is “sealed” upon filing. Although not required by court rule, law enforcement may complete the [Cover Sheet for Non-Public Documents \(Form 11.2\)](#) to clearly indicate why the warrant is non-public. File the Cover Sheet as public using the filing code “Cover Sheet for Non-Public Documents Form 11.2,” and file the search warrant separately as “sealed” in the same filing envelope. If the search warrant is otherwise public, a separate copy with all hyperlinks and internet addresses disabled and/or redacted should be filed as public.

- **Because the documents will be accessible to the public, law enforcement should be mindful of including information such as the identity of a victim or a juvenile.**

The presence of a victim’s name or a juvenile’s name is not a basis for the court to make a public criminal search warrant confidential or sealed in the public search warrant file. Although Minn. R. Pub. Access 4, subd. 1(m) provides for confidentiality of minor victim information in certain case file types, the rule does not apply to search warrant files. Either victim and/or juvenile information should not be included on the search warrant documents or should be replaced with references like Victm1, or law enforcement must request a court order making the documents non-public prior to filing the documents with the court. If there is no court order making the document non-public, it will be public even if submitted with the Cover Sheet for Non-Public Documents (Form 11.2).

- **Otherwise Public Adult Criminal Search Warrants Ordered to be Temporarily Sealed.**

If a judge has ordered that an otherwise public search warrant be temporarily sealed, law enforcement must either not file the document until it can be filed as public or must file it as sealed in the appropriate search warrant file, as directed by the court’s order. Law enforcement must file a public copy when the seal order expires. Contact court administration for further guidance.

## Juvenile Search Warrants

**If the focus of the warrant pertains to a juvenile, the search warrant must be filed in the confidential juvenile search warrant file.** See Minn. R. Juv. Del. P. 4.01 and 4.02. Use the filing code “Search Warrant” when filing juvenile search warrants. If a search warrant that identifies a juvenile is filed into the adult public search warrant file, the document will be public.

### Chapter 626A, section 626.085, and section 626.19 Warrants

- When law enforcement determines that the requirements/timeframe for sealing the document have been met/expired and the document is no longer required or authorized to be sealed, law enforcement must file the warrants into the applicable file using the applicable filing code:
  - Adult criminal search warrants must be filed in the public search warrant file using the filing code “Pen Reg/Trap and Trace/Mobile Track/Electronic Comm PUBLIC.”
  - If the focus of the warrant pertains to a juvenile, the search warrant must be filed in the confidential juvenile search warrant file using the filing code “Pen Reg/Trap and Trace/Mobile Track/Electronic Comm JUVENILE.”
- When filing chapter 626A, section 626.085, and section 626.19 warrants into the sealed search warrant file, use the filing code “Pen Reg/Trap and Trace/Mobile Track/Electronic Comm SEALED.” **Law enforcement must ensure the warrant is required by statute or court order to be sealed before filing into the sealed search warrant file.**