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LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

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SOP# P-130

PAGE # 1

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SUBJECT: LEGAL PROCESS

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INDEX AS: LEGAL PROCESS: WARRANTS/ WANTED PERSONS, CIVIL  
SERVICE, SUBPOENAS, FI FA'S, CHECK CITATIONS,  
OR ANY OTHER LEGAL DOCUMENTS WHICH NEED LEGAL  
SERVICE.  
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EFFECTIVE DATE: 9/28/2005

REVISED DATE:  
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I. PURPOSE:

To establish procedures for the proper processing of criminal warrants, civil service, subpoenas, Fi Fa's and check citations by the Laurens County Law Enforcement Center, allowing for accountability and centralization.

A. THE SERVICE OF CRIMINAL WARRANTS AND ALL OTHER LEGAL DOCUMENTS WILL BE THE RESPONSIBILITY OF THE CAPTAIN OR OTHER DESIGNATED PERSON ASSIGNED BY THE SHERIFF AND THE CHIEF DEPUTY (MAJOR).

1. DUTIES OF THE CAPTAIN OR OTHER DESIGNATED PERSON;

Ensuring that all warrants issued by the State Court/Magistrate Court or other sources are promptly and efficiently served. Also, that access to the warrant files and Civil Service files is on a 24 hour basis. Also ensuring that all Civil papers or other legal documents in need of service are indeed served within the legal requested time of the court. Also to follow up on all unserved documents to assure they are properly researched and marked with sufficient information so that there will be no doubt by the Court that this Department has made every effort to serve said documents. All Civil papers in which service is not able to be completed will be returned to the

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SOP # P-130

PAGE # 2

sender with documentation of attempted service within 30 days or before the date if so specified on the papers.

It will also be the responsibility of this Captain or other designated person to follow up on all property seized through service of a Levy and direct this information to the proper personnel for it to be included in a Sheriff's Sale.

THE CAPTAIN OR OTHER DESIGNATED PERSON ASSUMING THESE RESPONSIBILITIES WILL ANSWER DIRECTLY TO THE CHIEF DEPUTY (MAJOR) .

II. POLICY:

The Laurens County Law Enforcement Center shall be responsible for maintaining and serving all warrants and any other legal documents issued by the State and Superior Court or other legal entity. Warrants issued by a magistrate for offenses occurring within the jurisdiction shall also be the primary responsibility of the Laurens County Law Enforcement Center. Investigative Officers who obtain a warrant during an investigation or a Patrol Deputy who obtains a warrant after taking a person into custody will retain the authority to serve the warrant.

III. PROCEDURE:

A. State Warrants:

All warrants, after being completed, shall be signed by a Magistrate without unnecessary delay. If accused is in custody, the warrant will be presented to the Warrant Division at the appropriate time. The Warrant Division will transfer the warrant to the Jail Booking Office if necessary.

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SOP # P-130

PAGE # 3

B. Warrants entered in GCIC computer:

Where accused is not in custody and subject is not located, the warrant will be given directly to the Warrant Division. The Warrant Division will be responsible for entering the warrant in the Wanted Person File of the GCIC computerized files if enough information is available.

When an arrest is made, the Warrant Division shall be responsible for the prompt removal of the warrant from the GCIC Wanted Persons file.

C. Felony Warrant/Out of State

Where accused is not in custody and subject is not located, a copy of the warrant will be forwarded to the District Attorney and the Superior Court Judge if the accused is said to located in another State. The District Attorney and the Judge will determine if extradition proceedings will be taken. The Warrant Division will be responsible for entering the warrant in the Wanted Persons files of the GCIC computer.

D. Computer Entries:

All GCIC computer entries will be completed by the Warrant Division and the Communications Division. A copy of the incident report will be attached to the warrant . All entries must be supported with appropriate documentation. Only warrants with approved extradition will be entered in NCIC files for Nationwide pickup.

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SOP # P-130

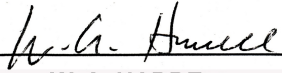
PAGE # 4

E. Attempt to Serve:

Officers will be assigned warrants for attempt of service. If unable to serve, warrants will be documented with the appropriate information concerning the attempt of service. All officers must make every effort to obtain additional information from local sources to complete the service of the warrant.

F. Civil or other Legal Documents for Service.

All Civil or other Legal Documents received by this Department for Service will be forwarded to the Civil Division for proper recording in the Docket Book and/or computer. The Captain or other designated person will be notified daily concerning any special needs for service. The Civil Service Division will handle all service of Civil, Subpoenas, Check citations and Fi Fa's. All service will be properly documented and if service is not complete must have sufficient information to satisfy any questions about the service not being able to be completed. All documents with necessary return information will be completed by the Civil Division and forwarded to the appropriate person or Department.

  
W. A. HARRELL  
SHERIFF

9/25/2005

EFFECTIVE DATE: