



Santa Cruz County Sheriff-Coroner

Number: O.40
Date: 07/10/07

SUBJECT: WARRANTS

- I. Field Request for Warrant Information
- II. Identification Verification
- III. Civil Bench Warrants (1209 C.C.P.)
- IV. Civil Bench Warrants (708.170 and 1993 C.C.P.)

POLICY

It shall be the policy of this Office to conduct in-field warrant checks.

PURPOSE

To provide a uniform manner in which to handle request for field warrant information.

PROCEDURE

- I. Field Request for Warrant Information
 - A. When a deputy in the field has a subject detained who they believe is wanted, the officer will request a warrant check through communications dispatch.
 1. All requests shall be made by giving the subject's name, date of birth and sex. Additional information (scars, marks, tattoos) for proper identification will be given as needed.
 2. Felony and misdemeanor juvenile warrants are in California Law Enforcement Telecommunication System (CLETS).
 3. Driver license numbers will not be used as primary wants/warrants identification information.
 - B. Communications shall conduct a computer check on the Santa Cruz Automated Network (S.C.A.N.) system. The S.C.A.N. system will return the following checks:

1. Local warrants
 2. State Wanted Persons (W.P.S.)
 3. National Crime Information Center (N.C.I.C.) check
 4. Search clause status
 5. Registrant status (457.1 PC, Arson; 290 P.C., Sex)
 6. Caution statement
 7. Domestic Violence Restraining Order Systems Check
 8. Supervised Release File Check (re: Parolee-Probationer)
 9. Convicted Sexual Offender Registry File (CSORF)
- C. Communications will relay all information to the requesting unit as it is received. Information will not be held pending results of all sources checked.
- D. When an out-of-county check or an in-county, non-police check (Mental Health, Probation) is requested, Communications will phone that agency directly for the information and relay it to the field unit.
- E. All warrants and search clause hits shall be confirmed by Communications through the originating agency.
- F. A deputy desiring criminal history information rather than a want/warrant check, may obtain the information, in person, or by telephoning the Records Section.
- G. On criminal history checks, deputies should supply a reason for the check and case number, if possible, as required by the Department of Justice. If there is no case number, a specific crime must be given.
- H. In emergency situations where no telephone is available and time is essential, deputies in the field may obtain officer safety and non-specific criminal history information via Communications. In the event that this occurs, the requesting deputy MUST, as soon as practical, complete a report regarding the emergency.

II. Identification Verification

A. In the event that an arrest and detention is made on a warrant and there still exists an allegation of wrong identification or misidentification, the Detention staff shall make further inquiries from the issuing agency. These inquiries shall include, but not be limited to:

1. Telephone verification
2. Abstract verification
3. Fingerprint comparison
4. Photo verification.
5. Scars, Marks, Tattoos

III. Civil Bench Warrants (1209 C.C.P.)

A. Civil Bench Warrants, issued pursuant to 1209 C.C.P., shall be entered into the local warrant system and a worksheet will be generated. These warrants are issued for civil contempt and the punishment could be jail time or fines. Refer to arrest procedures for 708.170 C.C.P. warrants outlined below. If arrested, these subjects must be housed separately from the criminal population.

IV. Civil Bench Warrants (708.170 and 1993 C.C.P.)

A. Civil Bench Warrants issued pursuant to 708.170 or 1993 C.C.P., are issued for civil contempt with civil sanctions rather than the criminal penalties. These warrants shall be maintained in the Civil Division only. Civil Division deputies will work these warrants as assigned. The Civil Bench Warrant, Civil Deputy's Ticket and Santa Cruz County Sheriff's Office Civil Bench Warrant Promise to Appear will be given to the assigned Civil Deputy.

B. The Civil Deputy shall attempt service of the Civil Bench Warrant and note each attempt on the Civil Deputy's Ticket.

C. Upon contact with the subject named on the Civil Bench Warrant, the deputy has three options:

1. To accept cash bail from the subject.
2. To release the subject on "own recognizance" if warrant allows.
3. To arrest and transport subject to jail.

- D. If the subject posts cash bail, the deputy shall complete the Santa Cruz County Sheriff's Office Civil Bench Warrant Promise to Appear. The deputy will obtain the cash bail and give the subject the yellow copy of the Promise to Appear, which will serve as a temporary receipt and indicate the court date. The deputy shall also serve a copy of the Civil Bench Warrant on the subject.
1. If after Civil Division office hours, the deputy shall place the cash bail with the original and pink copy of the Promise to Appear in an envelope labeled with the file number from the Civil Deputy's Ticket, the subject's name, date and amount of the bail. The envelope will be placed in the small safe in the Records/Warrants Section. An official receipt will be prepared by the Civil Division on the next working day. The completed Civil Deputy's Ticket shall be returned to the Civil clerical staff.
- E. If the subject is released on "own-recognizance", the deputy shall complete the Santa Cruz County Sheriff's Office Civil Bench Warrant Promise to Appear and give the subject the yellow copy. The deputy shall also serve a copy of the Civil Bench Warrant on the subject. The completed Civil Deputy's Ticket and original and pink copy of the Promise to Appear shall be returned to the Civil clerical staff.
- F. If release on "own recognizance" is allowed on a Civil Bench Warrant issued pursuant to 1993 C.C.P., the subject shall be released unless one of the following is a reason for non-release, in which case the deputy shall indicate on the Santa Cruz County Sheriff's Office Civil Bench Warrant Promise to Appear which of the following was a reason for the non-release:
1. The person arrested was so intoxicated that he or she could have been a danger to himself or herself or to others.
 2. The person arrested required medical examination or medical care or was otherwise unable to care for his or her own safety.
 3. There were one or more additional outstanding arrest warrants for the person.
 4. The person arrested demanded to be taken before a magistrate or refused to sign the notice to appear.
- G. If the subject is arrested, the deputy will provide jail personnel with a copy of the warrant from the service documents. A copy of the Civil Bench Warrant shall be served on the subject when transported to the jail. The completed Civil Deputy's Ticket shall be returned to the Civil clerical staff.

H. If the subject is arrested on a Civil Bench Warrant issued pursuant to 1993 C.C.P., the arrestee must be brought before the court within twelve hours of arrest or be released. The subject shall not be arrested if the court will not be in session during the twelve hour period following the arrest.

I. Bail must be specified on the Civil Bench Warrant and bond posted must comply with the requirements of 1215 C.C.P. The bond is called a "Surety Bond or Undertaking." It must guarantee BOTH:

1. The subject's appearance and
2. That the subject will abide by the order of the court.

Note: The type of "bail bond" used to obtain the release of a person on a criminal warrant guarantees only the person's appearance and IS NOT suitable to obtain the release of a "Civil Arrestee."



STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: O.42
Date: 12/08/05

SUBJECT: BAIL LIMITS AND PRISONER EXTRADITION

- I. Bail Limits
- II. Prisoner Extradition

POLICY

It shall be the policy of this office to establish consistent criteria governing dollar amounts on warrants and the transportation of prisoners.

PURPOSE

To establish criteria to transport defendants to and from Santa Cruz County.

REFERENCE

Detention Bureau Procedures 4-40, 4-41, 11-5, and 11-6.

PROCEDURE

- I. Bail Limits
 - A. Warrants with a bail amount of less than \$5,001 will be entered in CLETS but arrestees will not be transported from outside the county, except for warrants concerning domestic violence (P.C. 273.5, 273.6 and 243(e)(1)).
 - B. The following warrant charges will not be entered into CLETS, regardless of the bail amount, and arrestees will not be transported from outside the county:
 - 1. Disorderly conduct (647 P.C. all subsections except 647.6)
 - 2. Defrauding innkeepers (537 P.C.)
 - 3. Petty theft (484 P.C.)
 - 4. Possession of marijuana less than one ounce (11357b H&S)
 - 5. Urination in public (5411 H&S)

6. County Ordinances
7. Municipal Code Ordinances
8. Failures to appear on all above (853.7 P.C.)

- C. Warrants with a bail amount of \$5,001 or more will be transported from outside of the County.

II. Prisoner Extradition

- A. The Detention Bureau is responsible for arranging transportation of defendants with Santa Cruz County warrants, if the warrant information has been entered in the Department of Justice California Law Enforcement Telecommunications System (CLETS).
- B. The Detention Bureau is responsible for the transportation of new commitments to state prisons and state mental hospitals, as well as the transportation of defendants in the custody of other jurisdictions when the Superior Court of Santa Cruz County has authorized an Order To Produce according to criteria established by the Detention Bureau.
- C. The Transportation section will select the method of transportation that will provide adequate security at a reasonable cost.


STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: O.44

Date: 12/07/05

SUBJECT: PRISONER BOOKINGS

POLICY

It shall be the policy of this office to expeditiously book prisoners into the County Jail.

PURPOSE

To facilitate entry into the jail and expedite prisoner bookings.

REFERENCES


Detention Bureau Procedure 2-5 and 4-32.

PROCEDURE

I. Prisoner Bookings

- A. When an arrest is made in the field, the arresting deputy shall remove all weapons and possible weapons from the prisoner.
- B. The Field Arrest Report forms must be completed by the arresting officer.
 1. The Field Arrest Report shall be completed as follows:
 - a. The entire form above the property inventory will be completed as much as possible.
 - b. If applicable, the vehicle description will be noted with the disposition of the vehicle. If towed, include name and number of towing company.
 - c. All property removed from the prisoner or his vehicle intended to be retained as evidence will be noted in the "Notes" area on the form.

- d. The transporting deputy, if different from the arresting officer, will indicate "Transported by (name of officer)" in the area below the arresting officer block.
- C. The transporting officer arriving at the vehicle sallyport will identify himself/herself to Central Control, advising the number and sex of the inmates. Firearms, ammunition, electronic control devices, knives, batons, and other weapons shall be secured in either the trunk of the vehicle or gun locker in sallyport prior to entry into the intake area.
- D. The transporting officer will advise of any unusual conditions concerning the prisoner that are known to him or her, including but not limited to: injuries, illness, suicidal, combative, under the influence of drugs or alcohol, and whether force was used against the prisoner during arrest.
- E. All arrestees delivered to the Santa Cruz County Jail will have been searched, and their hands cuffed behind their back, whenever possible, prior to entering the facility.
- F. If the arresting/transporting officer believes the arrestee has contraband on their person that was not discovered during intake search, and a more intensive search is lawful, a private room will be made available to conduct a more detailed search. All strip searches occurring in the jail shall be consistent with the Detention Bureau Strip Search Procedure and approved by the Main Jail Watch Commander.
- G. Prisoners requiring emergency room medical treatment, such as those who are bleeding profusely, unconscious, unable to stand, or in need of x-rays, etc., at the discretion of the Jail Watch Commander will not be received in the Jail. On most shifts, the Watch Commander will be assisted in this decision by the opinion of the Jail Nurse.
- H. When all items of business are completed, the deputy will return to the field as soon as possible.


STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: O.46

Date: 11/14/05

SUBJECT: ILLEGAL ALIENS

POLICY

It shall be the policy of this office to process suspected illegal aliens in a manner prescribed by law.

PURPOSE

To comply with current interpretation of immigration law.

REFERENCES

Detention Bureau Procedure 4-2.

Medina, et al v. County of Santa Cruz, et al, U.S. District Court
United States Code, Title 8

PROCEDURE

- I. Illegal Aliens
 - A. It shall be the practice not to approach, question, detain, arrest, transport and/or incarcerate any person for purposes of enforcing any provision(s) of Title 8, United States Code, other than 8 U.S.C. 1324 (Alien Smuggling), except in the execution of a criminal arrest warrant authorizing arrest for an alleged violation of Title 8, United States Code.
 - B. When persons are detained in the field during a criminal investigation or other lawful reason for contact, no proof of the person's immigration status shall be requested. No person shall be detained solely because of their failure to possess documents concerning their immigration status.
 - C. U. S. Immigration and Customs Enforcement (I.C.E.), personnel may request to speak to any prisoner in the Santa Cruz County Jail facilities. Sheriff's personnel shall not compel, coerce nor require any prisoner to talk with I.C.E. personnel.

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- D. If I.C.E. places an Immigration Detainer (I-247) on a prisoner, that prisoner shall be detained for a period not to exceed 48 hours, excluding Saturday, Sunday, and holidays, beyond the time the prisoner would have otherwise been released in order to permit the assumption of custody by I.C.E. pursuant to United States Code, Title 8, Section 287.7. Sheriff's personnel shall not extend or attempt to extend these timelines.
- E. All Detainers and other written communications from I.C.E. to the Jail concerning the detention of any prisoner shall be retained in the inmate file.
- F. Any notification to I.C.E. concerning the interview and or detainment of an illegal alien, in custody at any County Jail Facility, must be pre-approved by a Detention Lt.


STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: O.48
Date: 07/23/07

SUBJECT: DOMESTIC VIOLENCE

- I. Investigation of Domestic Violence Cases
- II. Enforcement of Laws
- III. Reporting
- IV. Follow-up Investigation
- V. Enforcement of Court Protective Orders
- VI. Tenancy
- VII. Victim's Assistance
- VIII. Officer Safety

POLICY

It shall be the policy of this Office to comply with the Penal Code as it relates to domestic violence. Members of this Office will write reports and take appropriate law enforcement actions when dealing with domestic violence situations.

PURPOSE

The purpose of this policy is to ensure the Office addresses domestic violence as a serious crime and to assure the victims of domestic violence the maximum protection from abuse which the law allows. It is the intent of this Office to intervene in the pattern of domestic violence, protect the victims and to communicate that violence in the home is criminal behavior and will not be tolerated by stressing the enforcement of laws through a pro-arrest policy.

REFERENCES

Penal Code Sections 13700, 13701, 13730, 13710, 166(a)(4), 242, 243(e)(1), 273d, 273.5, 273.6, and 602.5

Santa Cruz County Protocol for Domestic Violence Cases

DEFINITIONS

“Domestic Violence” is abuse committed against an adult or minor who is a spouse, former spouse, co-habitant, former co-habitant or a person with whom the suspect has had a child or is having or has had a dating or engagement relationship. The victim and suspect may be of the same sex.

“Abuse” means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to himself, herself or another.

“Victim” means a person who is a victim of domestic violence.

“Dominant Aggressor” is the party involved in a domestic violence case determined to be the most significant, rather than the first, aggressor.

“Pro-Arrest Policy” refers to a philosophical position in which physical arrest is encouraged in every situation where an arrest is legally permissible.

“Deputy” is a sworn member of the Sheriff’s Office regardless of rank or assignment.

“Cohabitation” means two unrelated adult persons living together for a substantial period of time resulting in some permanency of relationship. Factors that may determine whether persons are cohabitating include, but are not limited to: (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, (6) the length of the relationship.

“Traumatic Condition” as defined in Penal Code Section 273.5, “is a condition of the body such as a wound or external or internal injury, whether of a minor or serious nature, caused by a physical force.” It refers to an abnormal condition of a living body produced by violence. It is much less than great bodily injury, the injury may be minor, but it requires more than soreness and tenderness to an area of the body. Some minor injuries that are considered traumatic include bruises, abrasions and redness. More is needed than just emotional harm or pain.

PROCEDURE

I. Investigation of Domestic Violence Cases

- A. Deputies shall be dispatched to investigate all domestic violence cases reported to the Sheriff’s Office. The report may be made by the victim or any third person. Health care providers are mandated to report all suspected domestic violence cases to law enforcement.
- B. The following forms shall be utilized when conducting a domestic violence investigation to ensure that all aspects of the investigation are completed. The forms include:
 1. A domestic violence report form, which includes a body diagram and other relevant information.
 2. A medical records waiver form.
 3. Receipt and Notice to Claim Property Form for 12028.5 PC gun seizures. (*Located on the back of the yellow copy of the Evidence Report*)

