



OFFICE OF THE COUNTY SHERIFF
Montgomery County, Maryland
Darren M. Popkin, Sheriff



GENERAL OPERATIONAL PROCEDURES

| | | |
|-------------------------|-----------------------|-------------------------------|
| <u>Subject:</u> | <u>Number:</u> | <u>Effective Date:</u> |
| Criminal Section | 3.22 | 11/15/2021 |

Purpose: This written directive establishes the duties and responsibilities of the Criminal Section.

Contents:

- I. Criminal Section – In General
- II. Responsibilities of Criminal Section Deputies
- III. Responsibilities of the Criminal Section *Supervisor*
- IV. Cancellation

I. Criminal Section - In General

- A. The Criminal Section maintains all warrants received or initiated by this Office. The term “warrants” includes “bench warrants,” “body attachments,” and “arrest warrants.”
- B. The Criminal Section operates twenty-four (24) hours a day, seven (7) days a week to provide access to warrant information.
- C. *Access to all* records and equipment of the Criminal Section are *restricted*. Any requests for *use of equipment, access to* warrants, *and/or* record information, will be directed to the Criminal Section Supervisor.

II. Responsibilities of Criminal Section Deputies

It is the responsibility of each Criminal Section deputy to:

- A. Maintain, log, assign, and serve all warrants received *by the Courts, another agency*, or initiated by this Office.
- B. Obtain all available information regarding warrants and related process from the appropriate agencies.
- C. Assure that all warrants, if applicable, are entered into or cleared from the appropriate *criminal justice information systems*.
- D. File *all* warrants/commitments as detainers for incarcerated persons outside the jurisdictional boundaries of Montgomery County. Detainers must be promptly placed, and notification made to the State Attorney's Office as soon as practical.

- E. File **all** warrants received from other agencies as detainers for persons incarcerated in the Montgomery County Department of Corrections and Rehabilitation.
- F. Maintain **a good working relationship** with the State Attorney's Office and other law enforcement agencies regarding extraditions, interstate, and intrastate detainer agreements.
- G. Check the legality, completeness, and accuracy of all extradition documents, interstate, and intrastate detainer agreement papers.
- H. Transport prisoners to or from other jurisdictions, pursuant to extraditions, interstate, and/or intrastate detainer agreements.
- I. Forward to the State Attorney's Office any request by a defendant for a speedy trial.
- J. Maintain a good working relationship with all public and governmental agencies.
- K. Keep themselves informed and up to date concerning the laws of arrest and search and seizure. Each deputy must be familiar with the following:
 - (1) Maryland Code, Criminal Law Article.
 - (2) Maryland Code, Criminal Procedure Article.
 - (3) Maryland Annotated Vehicle Law.
- L. Comply with their weekly work schedule.
 - (1) The Criminal Section Supervisor must approve all changes in the weekly schedule.
 - (2) Deputies must maintain a bi-weekly payroll time sheet on a daily basis.
- M. Arrest, search, transport, and process individuals in accordance with **policy**.
- N. **Ensure** the processing room **is maintained** in an organized condition and notify the Section Supervisor when additional supplies are needed. Arrestees **taken into custody** at the Sheriff's Office will be processed in the Sheriff's Office processing room.
- O. Ensure that the appropriate forms are utilized. The processing deputy will fill out all forms completely, neatly, and legibly. The forms will then be reviewed by a Criminal Section Supervisor.

- P. Ensure that all subjects arrested are scheduled for a review before a Judicial Officer after processing has taken place.
- (1) Adults arrested on Montgomery County Circuit Court Warrants/ Body Attachments will be taken before a Circuit Court Judge. If a Circuit Court Judge is not available due to the time of day or date, the subject will be taken to the Central Processing Unit where they will appear before a District Court Commissioner, who will set a bond.
 - (2) Adults arrested on out of County Circuit Court warrants/ *body attachments* will be taken to the Central Processing Unit where they will be picked up by the *appropriate* jurisdiction.
 - (3) Adults arrested on District Court criminal warrants will be taken to the Central Processing Unit where they will appear before a District Court Commissioner, who will set a bond.
 - (4) Adults arrested on District Court civil body attachments will be taken before a District Court Judge. If a District Court Judge is not available due to the time of day or date, the subject will be taken to the Central Processing Unit where they will appear before a District Court Commissioner, who will set a bond.
 - (5) Adults arrested on out of State warrants will be taken to the Central Processing Unit and charged as a *fugitive from justice*. They will appear before a District Court Commissioner, who will set a bond.
 - (6) Juveniles arrested on a Circuit Court *warrants* will be taken before a Circuit Court Juvenile Judge after processing has taken place. If a Circuit Court Juvenile Judge is not available due to the time of day or date, the juvenile will be taken for detention to the location that is specified on the warrant.
- Q. Deputies will not make any threats, promises, or inducements to any arrestee. Deputies will not become personally involved with an arrestee pertaining to matters of family notification, bondsman, pick up of clothing, or any other personal matters.
- R. When deputies assigned to the Criminal Section are contacted at home concerning their duties in the section, they will make themselves available regardless of the date and time.

III. Responsibilities of the Criminal Section Supervisor

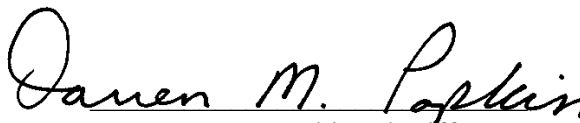
In addition to the day-to-day operation of the Criminal Section, the Criminal Section *Supervisor's* duties include but are not limited to:

- A. Submitting Uniform Crime Reports to the appropriate agency *and emailing a copy to the Accreditation Manager.*
- B. Completing record checks for other law enforcement agencies as requested.
- C. Expunging criminal records upon *order of the* Court.

IV. Cancellation

This directive cancels and replaces General Operational Procedure 3.22, effective *12/20/2007*. Shred replaced directive.

AUTHORITY:



Darren M. Popkin, Sheriff

11/15/2021