



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATIVE REGULATIONS AND OPERATING PROCEDURES

Subject: *Arrests On General Sessions' Offenses*

Number: *310*

Effective Date: *July 10, 2009*

Revised Date:

Rescinds:

Dated:

Approved By:

PURPOSE

To establish guidelines for sharing information between the Myrtle Beach Police Department, Department of Probation and Parole, and the courts in order to improve the handling of repeat offenders.

DEFINITIONS

1. Probation and Parole - means any State or Federal Department, office or other such derivative that is primarily responsible for managing a subject while he/she is subject to the conditions of probation or parole.
2. Court – this includes any Municipal, State or Federal court as well as any judicial officer, such as magistrate, that has jurisdiction over a pending General Sessions' offense during the pre-trial process.
3. General Session Offense – this includes any criminal or traffic related offense that would be tried in a South Carolina Court of General Sessions irrespective of any subsequent resolution, such as a misdemeanor plea or dismissal, short of a conviction on the initial general sessions' offense.
4. Repeat Offender – is a subject that has been arrested for a General Sessions' offense while he/she is currently on probation or parole.

POST ARREST PROCEDURE

1. PROBATION AND PAROLE

- A. In-State – After arresting a subject on, at least, one General Sessions' offense, the arresting officer shall make reasonable inquiries as to whether the arrestee is currently on probation or parole. These inquiries may include questioning the arrestee, reviewing the arrestee's NCIC records, and checking with the South Carolina Department of Probation, Parole and Pardon Service, which has the following website that may be used to check an arrestee's status: www.dppps.sc.gov . Although the website is preferred over calling the South Carolina Department may be called as necessary at their general business number: 843-381-0373.

Upon verification that the arrestee is on probation or parole, the arresting officer shall document the verification in the incident report or supplemental report, as applicable.

Notification of the subject's arrest to the South Carolina Department of Probation, Parole and Pardon Services will be made through the Support Services Division. The Support Services Division supervisor, or his or her designee, shall fax a copy of all the booking cards to the local office of the South Carolina Department of Probation, Parole and Pardon Services at 0800 and 1500 hours each day.

- B. Out-of-State – After arresting a subject on, at least, one General Sessions' offense, the arresting officer shall make inquiries and upon verification that the subject is on probation or parole, the arresting officer shall contact the Probation and Parole Agency when practical and make notification of the subject's arrest. The arresting officer shall document the verification in the incident report or supplemental report as applicable.

2. DOCUMENTATION

- A. The Solicitor's Report required for all General Sessions' cases has been amended to include an entry to document whether the offender is believed to be on probation or parole at the time of arrest.

3. COURTS

- A. When a subject is on probation or parole and he or she is subsequently arrested for another General Sessions' offense, the arresting

officer will, when practicable, notify the Court of the Defendant's probation or parole status prior to the Defendant's bond hearing. The notice to the court shall be given by a Notice of Arrestee's Probation or Parole Status Form, which should be delivered to the court along with the other General Sessions' paperwork, such as the criminal history. This form does not preclude an officer or detective from personally appearing before the Court as he or she deems necessary.