



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATIVE REGULATIONS AND OPERATING PROCEDURES

Subject: *Voluntary Dismissal or Reduction of Charges*

Number: *402-A*

Effective Date: *January 1, 2001*

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Dated: *January 1, 2001*
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Approved By:

PURPOSE

To ensure the integrity of the Police Department by establishing written regulations pertaining to voluntary dismissal or reduction of charges.

VOLUNTARY DISMISSAL OR REDUCTION OF CHARGES

1. Employees may not seek nor request any judicial official, Clerk of Court, or other official responsible for the operation of any court of law to dismiss any charge or in any way interfere with or obstruct the due process of court.
2. Employees will not participate in deciding whether a case should be tried, charges reduced or charges dismissed unless requested to do so by a judicial officer or prosecutor (City Prosecutor, County Solicitor, U.S. Attorney).
3. Employees may request a dismissal or reduction of charges by forwarding a written request to the appropriate prosecutor (City Prosecutor for Municipal Court cases, 15th Judicial Circuit Solicitor for General Sessions court cases and Administrative Infraction Hearing Officer for City Municipal Infraction cases) via their Chain of Command, with the final decision made by the requesting officer's Division Captain. (This procedure would also apply to summons tickets, citations and warrants that have been served but that the officer may request to void). The written request must include but is not limited to the reason the officer is requesting the dismissal or the reduction of the charge.