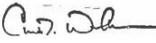
	Administrative General Order	43 Handling of Bond Hearings	PAGE 1 OF 2
	City of Charleston Police Department Policy and Procedure Manual		EFFECTIVE DATE: 10/22/07
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BY THE AUTHORITY OF THE CHIEF OF POLICE: 			

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43.1 Bond Hearings

After a custodial arrest is made, a defendant is entitled to a bond hearing within 24 hours after arrest, per South Carolina State law. Magistrate Judges from the respective County are responsible for setting and/ or denying bond for an arrestee. Since the City of Charleston lies within two (2) counties, arrestees receive their bond hearing in the county where they are arrested.

Charleston County Centralized Bond Court is located at 3831 Leeds Avenue in North Charleston. All CPD cases will be scheduled for 1000hrs., seven-days-a-week (unless notified otherwise). The court holds bond court sessions, which are listed below to ensure all arrestees receive a bond hearing in accordance with State law. The additional hearing times are only to be utilized at the discretion of the Bond Run Unit.

- **CPD's assigned hearing:** 1000hrs – (7) days a week.
 - Internal submission deadline: 0700hrs
- Hearing: 1400hrs – Monday through Friday
 - Internal submission deadline: 1100hrs
- Hearing: 1900hrs – Monday through Friday
 - Internal submission deadline: 1300hrs

Berkeley County Bond Court is located at 300 California Avenue in Moncks Corner. All CPD cases will be scheduled 1830hrs., seven-days-a-week (unless notified otherwise). The court holds bond court sessions, which are listed below to ensure all arrestees receive a bond hearing in accordance with State law. The additional hearing times are only to be utilized at the discretion of the Bond Run Unit.

- **CPD's assigned hearing:** 1830hrs. – (7) days a week.
 - Internal submission deadline: 0700hrs
- Hearing: 0800hrs. – (7) days a week
 - Only to be used at the discretion of the Bond Run Unit
- Hearing: 1400hrs. – Monday through Friday
 - Only to be used at the discretion of the of the Bond Run Unit

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*Berkeley County Bond Court has specific paperwork for all arrests that take place in Berkeley County. Necessary items are: Charging Document [Ticket(s)/Warrant(s)], Probable Cause Statement for ALL Uniform Traffic Tickets used in custodial arrests, Incident Reports (DV, Sex Crimes, Burglary and Assault), Video Bonding Consent Form, Rap Sheet, Victim Notification Form (Ensure Victim has been notified and form completed). Officer Recommendations are optional.

43.2 BOND HEARING PREPARATIONS AND PROCEDURES (CALEA 55.2.5)

The arresting officer is responsible for expeditious preparation of the General Sessions Packages and Municipal Packages, including: affidavit(s), Citation(s)/ ticket, and supporting arrest package paperwork; the officer will forward the package to the supervisor for review. The reviewing supervisor will ensure completeness, accuracy, and—that the affidavits establish probable cause. Once the supervisor has reviewed and approved the package, the supervisor will forward the electronic package to the Bond Run Unit for final preparations for the bond hearing. Errors in affidavits and/or arrest packages may require the approving supervisor and/or arresting officer to correct the paperwork as expeditiously as possible to prevent a delay in the arrestee's bond hearing. This package will have all paperwork and forms, especially the Victim Notification form, attached and it will be confirmed that NCIC Operations has the information for the Bond Run Unit to pick up. The Victim notification form "Victim Sheet" is vital to this process; all information must be accurate to include contact information and the victim's intentions of attending the hearing or not. All paperwork associated with an arrest should be completed and reviewed as soon as practical. This includes the incident report and booking sheet. If an officer serves an existing warrant, a hard copy package will be completed by the arresting officer, have it signed off by the supervisor and given to NCIC/OPS to be placed in the General Session tray.

All bond packages, General Sessions and Municipal packages must be emailed to the Bond Run Unit's email (cpd-bond-unit@charleston-sc.gov) by the submission deadlines listed above. The prescribed times ensure the Bond Run Unit has enough time to compile the paperwork, confirm completeness, familiarize themselves with the facts, and deliver the packages to Bond Court.

43.3 TRANSPORTATION OF PRISONERS

Defendants in need of a bond hearing will be lodged in the county jail from which the charge originates and transported there by the arresting officer or by a transport officer. If it is a Charleston County charge, the lodging facility is the Sheriff Al Cannon Detention Center - 3841 Leeds Avenue, North Charleston. If it is a Berkeley County charge, the lodging facility is the Hill-Finklea Detention Center - 300 California Avenue, Moncks Corner.

43.4 SCHEDULING OF BOND HEARINGS

Bond hearings will be done expeditiously, within 24 hours of the arrest, unless circumstances dictate otherwise. Some exceptions would include the defendant being currently hospitalized, on narcotic pain medication, or in another court at the time of his or her scheduled bond hearing. In these situations, the final determination to proceed with the bond hearing will be determined by the bond judge. The Bond Hearing Officer will become familiar with the case file so that he/she can answer routine questions asked by the Magistrate. While it is the responsibility of the Magistrate to set bond, the bond hearing officer can have significant influence in this regard. No Bond Hearing Officer will request a personal recognizance bond for any suspect.

At the completion of bond hearings, the Bond Hearing Officers will be responsible for the distribution of the appropriate paperwork.