



WEBER COUNTY SHERIFF'S OFFICE

POLICY AND PROCEDURES

LIMITS OF AUTHORITY

EFFECTIVE DATE: 10/7/03

AMENDS/SUPERCEDES:

STANDARD NUMBER: 1.2.1, 1.2.2, 1.2.9, 22.2.7

REVIEW DATE: 12/07/09

REVISION DATE: 12/07/09

APPROVED: _____
Sheriff Signature

1.5.1 Purpose

To define the authority and responsibilities of sworn deputies of the WCSO set forth by Ordinance and State Statute.

1.5.2 Rational

Sworn deputies of the WCSO, by virtue of their oath of office and Utah statute, shall have the power and authority to enforce the ordinances of Weber County, and the laws of the State of Utah and the United States.

1.5.3 Policy

The Sheriff Shall:

- Preserve the peace
- Make all lawful arrests
- Attend in person or by deputy the Supreme Court when required and all district courts held within his county and obey their lawful orders and directions.
- Command the aid of as many inhabitants of his county as he may think necessary in the execution of these duties.
- Take charge of and keep the County Jail and the prisoners therein.
- Receive and safely keep all persons duly committed to his custody and file and preserve the commitments of those persons, and record the name, age, place of birth and description of each person committed.
- Release on the record all attachments of real property when the attachment he has received has been released or discharged.
- Endorse on all process and notices the year, month, day, hours and minute of reception and issue therefore to the person delivering the process or notice, upon payment of fees, a certification showing the name of the parties, title of paper and the time of the receipt.
- Serve all process and notices as prescribed by law.

- If he makes service of process or notice, certify on the process or notices the manner, time, and place of service, or, if he fails to make service, certify the reason upon process or notice, and return them without delay.
 - Extinguish fires occurring in the undergrowth, trees, or wooded areas on the public land within his county.
 - Perform as required by any contracts between the county and private contractors for management maintenance, operation, and construction of county jails entered into under authority of UCA Section 17-53-311.
 - Manage search and rescue services in his county.
 - Perform any other duties that are required by law.
- A. It is the duty of each of the sworn deputies in the Sheriff's Office to enforce all laws and ordinances.
- B. The deputy's authority will be utilized within the limits of the law, State and Federal Constitutions, and the standards adopted by the Sheriff's Office.
- C. Deputies have authority 24 hours a day, 7 days a week, therefore, they should have their WCSO identification cards with them at all times. (In case a deputy comes upon a situation in which he/she needs to identify him/herself). WCSO identification cards will provide a photo of the deputy.
- D. Deputies of this Office are prohibited from stopping, detaining or searching any person when the action is solely motivated by consideration of race, color, ethnicity, or gender. **Refer to 1.7.5, Constitutional Safeguards; 45.13.2 Traffic Operations.**
- E. Authority to Carry and Use Weapons:
Peace Officers are authorized to carry firearms under the Constitution of the State of Utah, article 1, Section 6 and UCA 76-10-523.
1. Provisions regarding firearms authorized for on or off duty use are specified in Chapter 1.41. Provisions regarding carrying of firearms on and off duty and while driving a Sheriff's Office vehicle are specified in Chapter 1.43.6 C,D,E.
- F. Deputies of the Weber County Sheriff's Office are Peace Officers as defined in UCA 53-1-102 and specifically Law Enforcement Officers as defined in UCA 53-13-103.
- G. The Sheriff's Office is also allowed by statute to utilize categories of Peace Officers identified as Special Function Officers (53-13-105); and Reserve or Auxiliary Peace Officers (53-13-111 and 53-13-112).