



# **WEBER COUNTY SHERIFF'S OFFICE**

## **POLICY AND PROCEDURES**

### **REPEAT/ HABITUAL OFFENDER**

EFFECTIVE DATE: 05/15/08 AMENDS/SUPERCEDES: STANDARD NUMBER: 42.1.5	REVIEW DATE: 05/15/08 REVISION DATE: 05/15/08 APPROVED: _____ Sheriff Signature
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#### **29.5.1 Purpose**

To identify those individuals, who meet the qualifications as habitual/serious offenders, and charge as such.

#### **29.5.2 Rationale**

[UCA 76-3-203](#) identifies offenses determined to be violent felonies for the purposes of prosecuting habitual violent offenders, and the elements required to charge a subject as a habitual violent offender.

#### **29.5.3 Policy**

A. Habitual Violent Offender is any person meeting the criteria outlined in [UCA 76-3-203](#).

1. Investigators of the Investigations Section should conduct criminal history checks of suspects being investigated, and identify those suspects who meet the criteria of a habitual violent offender.
2. Additional habitual offender suspect information may be gained through the attendance of investigators at weekly homicide, burglary, auto theft, fraud, sex crimes, etc. meetings held throughout the local area.

B. Individuals identified as habitual offenders.

1. Individuals who are identified and meet the criteria of a repeat offender/habitual criminal, will be documented as such. The investigator should prepare the information for filing of charges with the prosecuting attorney.
2. All cases that have been identified as habitual violent offender cases, will be forwarded to the appropriate Investigations

Supervisor for review.

3. In cases where the defendant may qualify as a habitual violent offender, as defined by [UCA 76-3-203](#), the case shall be forwarded to the County Attorney's office for review and potential filing of habitual offender charges or other sentencing enhancements.