Levy Crew Standard Operating Procedures

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• 6-36/100.00 Daily Log On Mobile Digital Communication System

Levy deputies shall log on daily and enter an observation for all levies. They shall clear and OKO each tag before logging off. This protocol enhances officer safety by utilizing the "E-trigger" feature of portable radios.

• 6-36/101.00 Equipment

The levy crew supervisor shall ensure that the following equipment is properly maintained and available for levy crew units.

First aid	**Flex cuffs**
Anti-bacterial gel	**Map book**
Bolt cutters	**Penal code**
Booking package	**Pry bar**
Evidence Tape	**Shotgun**

Fire Extinguisher

Flares

Traffic accident forms

Tape recorder (supervisor)

Vehicle registration

Video camera (supervisor)

• 6-36/102.00 Priority of Process

The levy crew supervisor shall ensure that process is attempted according to the following priority guidlines.

a. Temporary Restraining Orders and Orders to Show Cause with alleged violence shall receive highest priority.

b. Writs of Possession with a Claim of Right to Possession lifting order shall be attempted within five days after issuance of the lifting order whenever possible.

c. Writs of Possession shall be attempted no later than 10 days after service of the Notice to Vacate.

d. Writs of Attachment levies shall be attempted without unreasonable delay per California Code of Civil Procedure (CCP) §488.020.

e. Civil Bench Warrants shall be attempted not less than once every 21 days following the debtor's failure to surrender in response to the Notice of Warrant.

f. All other process including vehicle and boat levies, keeper installations, and tap tills shall be attempted not less than once every 10 days after receipt.

• 6-36/103.00 Scheduling Evictions

The levy crew shall schedule evictions no earlier than five days after mailing the notice of eviction to

afford the landlord the opportunity to check the property and cancel the eviction if the property is vacant.

• 6-36/104.00 Eviction Cancellation

Eviction cancellations must be in writing, and come from the creditor's attorney of record, or the creditor who has no attorney. They may be faxed to the Originating office as indicated on the Notice of Eviction letter. Telephone cancellations may be accepted only when the numbered code from the Notice of Eviction is provided, and the verbal cancellation is followed up in writing and mailed or faxed to the Originating office.

• 6-36/105.00 Plaintiff No-Show

If the landlord fails to appear for a scheduled eviction:

1. Enter an investigation in operating system indicating the arrival and departure time of the levy crew.
2. Hold the service ticket for 10 days. If not rescheduled within the 10-day period, the service ticket will be canceled, and return the writ. Return the eviction packet to the professional staff to close out the file. **If overage funds are in the account, do not return the Writ. Give the service packet to a supervising clerk for processing. Make a comment in the operating system, as to who received the service packet for processing.**
3. The levy crew may reschedule the eviction for good cause; otherwise a re-post fee is required.
4. The levy crew shall not depart from the eviction address in less than five minutes after the scheduled eviction time on the Notice of Eviction.
5. The levy crew should make a reasonable effort to look for the landlord's agent at the property notwithstanding the admonition on the Notice of Eviction to, "wait in front of the premises."
6. Service tickets shall be given to the clerks for filing in case folders and/or writ returns to maximize deputies' time in the field.

• 6-36/106.00 Review of Service Tickets and Returns

Service tickets and returns shall be reviewed daily by the field supervisor. All "No Service" dispositions must be approved by the field supervisor prior to being entered into MAPAS.

• 6-36/107.00 Sales

Two levy deputies may be used to conduct sales. The originating office supervisor, or designee, is responsible for ensuring that the case is ready for sale (fees are adequate, legal owners notified, claims have been adjudicated, etc.). The originating office shall coordinate sale date and times with the levy crew conducting the sale. The field crew executing the levy and taking possession of property for a sale, shall conduct the sale. The originating office supervisor, or designee, shall be responsible for removing SVS upon full release of the vehicle. (Refer to 6-36/134.30 Examples of SVS Links)

• 6-36/108.00 Moving/Storage Companies

The field sergeant shall conduct a reasonable investigation to confirm that the moving company is licensed and bonded. The California Moving and Storage Association (800/672-1415) may be consulted to determine the reliability of a prospective moving and storage company.

• 6-36/109.00 Appraiser/Insurance Costs

If high value property is to be seized and stored, the field supervisor, or designee, should consider obtaining additional fees to cover appraiser and insurance costs from the plaintiff/attorney.

• 6-36/110.00 Problematic Singles Process

The levy supervisor, or designee, shall ensure that service of problematic process is timely attempted. Problematic singles process includes temporary restraining orders with immediate move-out provisions and any singles process which should not be assigned to an unarmed Court Services Specialist.

• 6-36/111.00 Want/Warrant Checks

It is strongly recommended that each levy/warrant address and debtor be checked for wants and warrants prior to the deputies arrival.

• 6-36/113.00 Keeper Installation Report

The levy deputy will telephonically notify the Originating office while at the business and provide information necessary to complete the Keeper Installation Report. The levy deputy will also call the creditor's attorney, or the creditor if he/she is not represented by an attorney, and inform him/her of the keeper's installation. (Refer to Keeper Levy Procedures 6-35/109.00)

• 6-36/114.00 Indefinite Keeper Scheduling

An "indefinite" keeper should not be attempted unless keepers have been scheduled for at least the first two levy days.

• 6-36/115.00 Amount to Satisfy

They levy deputy shall print out the amount to satisfy from the operating system and provide the printout to the keeper prior to leaving the address. The printout shall not be given to the debtor. The deputy shall be capable of manually computing the amount to satisfy if the operating system is unavailable. (Refer to section 6-36/115.10 Manually Computing The Amount To Satisfy)

• 6-36/117.00 Scheduling

The levy supervisor shall prepare an In-Service Sheet for the following week for scheduling and attendance purposes.

• 6-36/118.00 Equipment Maintenance

The levy supervisor shall ensure all equipment is properly maintained and serviced including:

1. Vehicle maintenance
2. Mobile Digital Communication System (MDCS)
3. Vehicles shall be washed not less than twice a month. All trash shall be removed from vehicles at the end of shift.
4. Daily Vehicle Inspection comment shall be entered into the initial observation.

• 6-36/111.10 Forced Entry on Lockouts

When anticipating a non-consensual, or forced, entry into any premises, SAFETY is one of our primary concerns. It may be necessary to delay the entry for the safety of our personnel, as well as the public.

On Writs of Possession, or other civil cases, it is the plaintiff's responsibility to provide a key or locksmith for entry. When a plaintiff has not made those arrangements, and wants the eviction (or other case) to proceed as scheduled, he/she shall sign an authorization on the back of the service ticket which includes the following statement: "I authorize a forced entry into the premises. I understand this procedure may cause property damage for which I will NOT hold the Sheriff's Department liable."

Prior to making a forced entry, a levy or warrant crew shall, at a minimum, follow the guidelines listed below:

1. Have at least one backup deputy present.

2. Wear a bulletproof vest.

3. Comply with PC 844 PC 1531 P.C. by doing the following:

- Knock, or use other means to give notice of your presence to the occupants, and identify yourself,

- Explain the purpose for which admittance is required,

- Demand admittance.

Unless circumstances dictate other means of forcing entry, use the Department issued Door Opener and Claw Tool. The attachment illustrates the proper use of the tool. In any forced entry situation, creating the least amount of damage to the structure shall be the desired goal.