



PROCESSING AND THE INVESTIGATION OF ADMINISTRATIVE COMPLAINTS

A. Purpose

1. To establish procedures for processing and investigating complaints against employees.
2. To ensure all complaints are reviewed by the employee's commander to:
 - a. determine the nature of the allegation.
 - b. determine if an investigation is warranted.
 - c. inform all complainants of the case status.

B. General

1. The Sheriff establishes rules, regulations and procedures necessary to ensure competent and efficient management of the CCSO.
2. Administrative charges may be lodged against an employee for:
 - a. violating rules, regulations or procedures.
 - b. violating federal, state or local laws.
3. Disciplinary procedures will be applied to all sworn non-probationary employees in conformance with the LEOBR.
4. All records and documents related to disciplinary procedures are confidential.

C. Complaints

1. A complaint is defined as an allegation, if proven factual, *would constitute misconduct*.
2. **Exceptions:** Differences of opinion between a Deputy and a citizen over the issuance of a traffic citation and/or criminal arrest are not complaints unless the allegation reports misconduct, (i.e. improper demeanor, use of force, etc.)
3. A complaint can be made by a citizen against a Deputy in any of the following ways:

- a. In person
 - b. In writing
 - c. By telephone (if followed up in person with a supervisor/commander)
 - d. If a citizen wishes to make a complaint in person, that citizen may be accompanied by another person of his/her choice while speaking with the CCSO personnel receiving the complaint. The additional person ***may not***, however, accompany the complainant during the interview if they are also a witness to the incident from which the complaint arose. Furthermore, if the additional person becomes disruptive or otherwise interferes with the interview, that person ***shall*** be excluded from the interview.
4. A sworn statement alleging brutality must be filed by the complainant ***within 90 days*** of the alleged act. Brutality/Excessive Force complaints, filed after 90 days, may still be investigated by the Caroline County Sheriff's Office for supervisory preventive measures and possible disciplinary measures.

D. Processing Complaints

Deputies' and Supervisors' Responsibilities (Citizen Complaint)

1. A complaint may be received by any employee at any time. It is ***preferred*** that the initial complaint be taken by a supervisor.
2. It is imperative that complainants are met with respect, courtesy, and understanding. By projecting a negative attitude towards a complainant, the employee adds aggravation to a citizen that has already, in the citizen's mind, been treated unjustly by the Caroline County Sheriff's Office. A cynical attitude does nothing to further the core values or mission of the Caroline County Sheriff's Office.
3. CCSO employees shall:
 - a. Not delay the initiation or documentation of a complaint;
 - b. Record complaints on a **CCSO Form 176, "Complaint Against Personnel"**;
 - c. Make every effort to identify the complainant and obtain contact information;
 - d. Record anonymous complaints regardless of where the alleged violation occurred;
 - e. Forward the CCSO Form 176, with an attached routing slip (**CCSO Form 145 "Routing Slip"**), through the supervisor, to the commander of the employee against whom the complaint is made.
4. If the employee who is the subject of the complaint does not work at the installation receiving the complaint, the complaint will still be accepted and forwarded as required. The complainant will not be directed or referred to the employee's work assignment in order for the complaint to be taken.
5. Employees desiring to file a complaint against another employee shall complete a Form 176, sign the Form 176, and forward it to the involved employee's commander.

6. The Sheriff or Chief Deputy will, in most cases, immediately assign personnel to investigate serious complaints. Personnel receiving the complaint **will not** discuss the nature of the complaint with the involved employee or other unauthorized person.
7. Complaints received by the Sheriff's office will be forwarded to the appropriate division commander for further disposition.
8. If a complainant wishes to withdraw a complaint against a CCSO employee they will need to utilize **CCSO Form 176a "Complaint Withdrawn"** form.
 - a. The original CCSO Form 176a will be completed in its entirety and forwarded through the normal channels to the employee's commander for further disposition.
 - b. A copy of CCSO Form 176a will be provided to the complainant for their records.
 - c. It should be noted that in the interest of good supervisory practices, the CCSO may elect to continue with the internal investigation/complaint if only for performance enhancement and documentation. This will be at the discretion of the Chief Deputy or Sheriff.

Supervisor's notification of complaint (Supervisory Complaint)

CCSO supervisors shall:

1. Promptly initiate and record complaints by a supervisor or commander on a **CCSO Form 178, "Notification of Complaint."**
2. The CCSO supervisor will forward the CCSO Form 178, with an attached routing slip (**CCSO Form 145 "Routing Slip"**), to the commander of the employee against whom the complaint is made.
3. If the employee who is the subject of the complaint does not work at the installation receiving the complaint, the complaint will still be accepted and forwarded as required.
5. Supervisors who determine a need to file a complaint against a subordinate shall complete a Form 178, sign the Form 178, and forward it to the involved employee's commander.
6. The Sheriff or Chief Deputy will, in most cases, immediately assign personnel to investigate serious complaints. Supervisors who submit a complaint **will not** discuss the nature of the complaint with the involved employee or other unauthorized persons unless otherwise directed by their commanders, Chief Deputy, or the Sheriff.
7. CCSO Form 178's submitted by the supervisor will be forwarded to the appropriate division commander for further disposition.

Employee's Commander's Responsibilities

Commanders shall:

1. Review the CCSO Form 176/178 to determine the seriousness of the complaint.
2. Notify the complainant the complaint has been received and will be reviewed.

3. Notify the Chief Deputy and Sheriff when a CCSO Form 176/178 has been filed against an employee.
4. Contact the Chief Deputy to obtain a tracking number and confer with the IA commander to determine whether the case will be assigned to the employee's supervisor to investigate or assigned to a detective with IA for investigation.
5. When the complainant does not want an investigation but merely an explanation, the employee's commander will determine whether or not a formal investigation is warranted. In the event that an explanation is merited, the employee's commander will document the incident under the **Internal Inquiry** process. Refer to the *Internal Inquiry section* for the workflow process.
6. Should the employee's commander determine that an investigation is warranted, the employee's commander will inform the complainant of such, without elaborate explanation.
7. The employee's commander, after conferring with their supervisor will decide whether to proceed under the guidelines of the **Alternative Disciplinary Procedure (ADP)**.

Note: ADP is only applicable for categories B & C as listed in the Disposition Matrix.

8. Commanders may assign supervisors to investigate minor complaints.
9. The accused employee's commander will, **within thirty (30) days** of the completion of an internal investigation, notify the employee of the investigative findings. It is understood that where an investigation of a charge encompasses multiple charges growing out of the same incident, advisement concerning the outcome may be deferred pending the completion of the entire investigation.

Commander's Discretionary Responsibilities

Commanders have the authority and discretion to resolve minor complaints or violations when formal disciplinary action is unnecessary. A complaint is considered a minor violation when it involves:

1. Errors in judgment
2. Incidents that can be resolved to the employee's commander's satisfaction.
3. Cases resolved under this paragraph will require the employee's commander to:
 - a. notify the Sheriff, by endorsement, as to how the case is going to be resolved;
 - b. If action is to be taken, i.e. counseling, reprimand, etc., the employee's commander will conduct this with their employee.
 - c. **Form 176's:** If necessary, contact the complainant advising him/her that the complaint on the employee has been resolved, without giving specific details;
 - d. forward the CCSO Form 176 with the employee's commander's endorsement to the Chief Deputy for filing.

H. Investigation Process

1. An internal investigation is complete when:

- a. The complainant and witnesses have been interviewed.
- b. Employees have been questioned.
- c. All physical evidence has been examined.
- d. All leads have been explored.
- e. The case has been accurately reported.

2. Complainant and Witness Interview

The investigator shall, when feasible:

- a. conduct all complainant/witness interviews in person and obtain all pertinent identifiers from the person interviewed;
- b. take formal written and/or taped statements from the complainant and witness;
- c. preserve all statements as part of the investigative case file;
- d. determine every relevant fact known to the complainant and/or witness;
- e. determine the motivation of the complainant and/or witness, such as his/her relationship with the complainant or employee.

3. Investigator's Responsibilities

The investigator shall, when feasible:

- a. pursue all leads developed through complainant and witness interviews;
- b. handle all physical evidence in accordance with established procedures;
- c. obtain all pertinent records (i.e., MVA records, telephone bills, court documents, CCSO records) that could be used to:
 1. assist the investigation.
 2. corroborate or refute statements
- d. develop leads.
- e. If photographs are useful for evidentiary purposes (i.e., identification, to document injury, etc.), photograph the complainant, employee and the scene of the incident.
- f. When photographs are used for identification purposes, follow the photo lineup guidelines according to CCSO policy.
- g. Obtain sketches which may supplement photographs, where appropriate.

- h. Treat firearms and other weapons in accordance with established procedures.
- i. Whenever an employee discharges a firearm, other than on the range or to destroy an injured animal, the officer conducting the administrative investigation will complete **CCSO Form 191, "Review of Shooting Incidents"**.
- j. When a weapon is used by an employee, determine:
 - 1. if the weapon is an approved weapon.
 - 2. if it was issued by the CCSO.
 - 3. if it is a primary or secondary weapon.
 - 4. if the ammunition is CCSO approved.
 - 5. document the condition of the weapon, including a complete description of its:
 - a make
 - b model
 - c caliber
 - d serial number
 - e the number of rounds of ammunition in the weapon and on the employee's person including all magazines.

4. Statements from an Accused Employee

- a. as a general rule, the interrogation of an employee occurs after the complainant and all witnesses have been interviewed.
- b. the investigator determines the sequence of interviews.
- c. employee's verbal statements will be digitally recorded.

5. Written Reports (Detailed Reports)

- a. Generally, a digitally recorded interview/interrogation is preferred. However, employees may still be required to submit reports detailing the facts concerning their involvement in an incident.
- b. If the report is likely to contain information that may be used as evidence against an employee in a disciplinary hearing, the report may be considered an interrogation. Therefore, the authority ordering the report will:
 - 1. provide the employee with a completed copy of **CCSO Form 178 "Notification of Complaint - Waiver of Rights"**.
 - 2. provide the employee with a **CCSO Form 178A "Order to Submit to Interrogation"**, ordering him/her to submit the written report.

3. allow up to **ten (10) days** for the employee to consult with counsel or other responsible representative of his choice prior to submitting the report. However, the employee is expected to write the report him or herself, without the assistance of counsel.
4. before ordering a report from an employee where criminal charges may result, the ordering authority will consult with the investigator of the criminal complaint, and agency legal counsel, if possible.
- c. If the requested report is one that is routinely required in the usual course of business, paragraph (b) does not apply.

6. Interrogation of Accused Employees

- a. All interrogations of sworn employees shall be in conformance with the LEOBR.
- b. Probationary employees are only entitled to LEOBR rights if the allegation involves brutality/excessive force.
- c. Before every interrogation, including the submission of a detailed report, the officer conducting the interrogation will complete **CCSO Form 178 "Notification of Complaint - Waiver of Rights"**.
- d. The CCSO Form 178 should clearly:
 1. state that the employee is the subject of an investigation, and
 2. briefly describe the nature of the investigation.
- e. The employee subject to the interrogation will be allowed to read or have read to him the CCSO Form 178 prior to the interrogation.
- f. The interrogating officer must be certain employees are given the opportunity to waive their LEOBR rights before any statement can be taken.
- g. If the employee desires to waive the LEOBR rights afforded to him, he shall indicate by signing his name, rank and ID number in the space provided.
- h. The employee shall note those rights he wishes to retain in the space provided.
- i. The employee subject to the interrogation will sign the CCSO Form 178 and receive a copy.
- j. The original CCSO Form 178 will be placed in the case file.
- k. Provide the employee with a Form178A, ordering them to submit to the interrogation.
- l. The employee has the right to be represented by counsel or any other responsible representative of his choice, who shall be present and available for consultation at all times during the interrogation, unless the employee waives this right.
- m. All questions directed to the employee during the interrogation shall be asked by and through one interrogator during any one interrogating session.
- n. The interrogation shall take place at one of the following locations:

1. the employee's assigned installation.
 2. the installation in the area where the incident occurred.
 3. any other reasonable and appropriate place designated by the investigating officer, unless otherwise waived by the employee.
- o. The interrogator will digitally record the interrogation, and include the date and time the interrogation begins, all interruptions, and the time the questioning terminates.
 - p. Upon completion of an investigation, and no less than **ten (10) days prior** to any hearing, if requested by the employee or his counsel, the investigator shall provide a copy of the record of the interrogation.

7. Compelled Tests

- a. Employees may be compelled to submit to preliminary breath tests – PBT's (administratively), blood tests, breath tests and urinalysis tests for controlled dangerous substances and alcohol.
- b. Employees may be compelled to submit to other forensic tests such as providing handwriting samples, hair samples, etc. as may be required to conduct a thorough investigation.

8. Polygraph Examinations

- a. Polygraph examinations of sworn employees will be conducted in accordance with the *Public Safety Article, Section 3-104 of the Annotated Code of Maryland*.
- b. Employees may voluntarily submit or be ordered to submit to polygraph examinations.
- c. The results of a polygraph examination **may not** be used as evidence in any administrative hearing when the law enforcement officer has been ordered or volunteered to submit to a polygraph examination by the law enforcement agency unless the agency and the law enforcement officer agree to the admission of the results at the administrative hearing as per *Public Safety Article, Section 3-104 of the Annotated Code of Maryland*.
- d. The employee's representative need not be present during the actual administration of a polygraph examination if:
 1. the questions to be asked are reviewed with the employee or his representative prior to administering the examination.
 2. the representative is allowed to observe the administering of the polygraph examination.
 3. a copy of the final report is made available to the employee or his representative **within ten (10) days**.

4. a post polygraph interrogation will require the issuance of a new CCSO Form 178 briefly detailing the nature of the investigation, and Form 178A, directing the employee when and where to appear for the interrogation. The Form 178A shall allow the employees at least **ten (10) days** to appear for the interrogation.

9. Failure to Comply

Before ordering employees to submit detailed reports; or submit to an interrogation, interview, PBT, blood, breath, or urine tests, and/or polygraph examination; the employee **must** first be advised of the following:

- a. Information supplied through an employee's answers will not be used against him in subsequent criminal proceedings.
- b. The following actions are separate violations of the rules of conduct and constitute grounds for disciplinary action which may cause the employee's dismissal:
 1. refusal to cooperate in an investigation.
 2. refusal to submit to a blood alcohol test, or a blood, breath, or urine test for use of controlled dangerous substances.
 3. refusal to submit to a polygraph examination, an interrogation, an interview, or submit a detailed report.

10. Investigative Report Format

The completed investigation case file will be organized as follows:

- a. Complaint Against Personnel Report, CCSO Form 176 or Form 178
- b. Report of Investigation
 1. Follow the CCSO detailed report format to ensure the uniformity of internal investigation reports.
- c. Appendices.
 1. Statement of complainant, if different from that of the victim, including written statements
 2. Statement of victim, if different from that of complainant, including written statements
 3. Statement of witnesses, including written statements.
 4. Notification of Complaint, CCSO Form 178, if applicable.
 5. Detailed summary of accused employee(s)' and/or interrogation transcript.
 6. Order to Submit to Interrogation, CCSO Form 178A, if applicable.
 7. Explanation of Miranda Rights CCSO Form 21, if applicable.
 8. Other statements or detailed reports.
 9. Additional exhibits - e.g., photographs, diagrams, charts, documents, test results, etc.

The investigator will recommend for each violation, based upon a preponderance of evidence, a finding of:

- a. **Non-Sustained** - the investigation fails to disclose sufficient information to clearly prove the allegation; or
- b. **Sustained** - the investigation disclosed sufficient information to substantiate the allegation; or
- c. **Unfounded** - the investigation revealed that the reported incident did not occur.

The employee's commander, upon receipt of the completed investigation, will prepare an endorsement.

- a. The endorsement will include whether the commander agrees with the findings of the investigator. If the commander disagrees with the investigator's findings, the commander will state the factual basis for not accepting the investigator's findings.
- b. Commanders choosing to change a sustained finding to a non-sustained or unfounded finding, **must** by endorsement, indicate that they have concurrence with their supervisors.

11. Report Flow - Investigations Conducted

- a. All investigative reports will be routed by CCSO Form 145, Routing Slip.
- b. A copy of the routing slip will be maintained by each commander who routes the report so that at all times the report may be accounted for.
- c. Commanders will create a master file for routing slips of investigative files.

Unfounded/Non-Sustained/ADP Cases

- a. Employee's commander will route the original case file when the case has been disposed of under ADP or is unfounded/non-sustained to the Chief Deputy. The case file will include the employee's commander's endorsement.
- b. When the complainant is a CCSO employee, the commander will make notification of case disposition to the employee in a Form 48. A copy of the Form 48 will be forwarded to the Chief Deputy for inclusion in the case file.

Sustained Cases

- a. Probationary employees not covered under the LEOBR are dealt with in accordance with general order pertaining to ***Progressive Supervision - paragraph "H"***.
- b. Summary Punishment
 1. *Purpose:* Summary punishment is a disciplinary option available to commanders for use when an employee's violation of CCSO guidelines are determined to be ***minor*** in nature but still worthy of discipline.

2. Commanders will review completed investigations and determine if the violation is minor in nature. In order to consider summary punishment, the involved employee must agree with and not dispute the facts found by the investigator.
3. If these conditions are met, the commander will inform the Chief Deputy and the Sheriff of the intent to offer summary punishment.
4. if summary punishment is to be offered, the employee's commander will:
 - i. refer to the disposition matrix when assigning a punishment
 - ii. will meet with the employee to insure that the employee does not dispute the facts. If the employee disputes the facts, summary punishment may not be offered, and the commander must refer the case for further proceedings.
 - iii. will allow the employee **five (5) days** to accept summary punishment.
 - iv. prepare the case for prosecution if the employee does not accept summary punishment within **five (5) days**.
 - (a) If the employee's refusal of the summary punishment offer is based on his/her disagreement with the degree of punishment, the employee may request a hearing before a one-person hearing board, in accordance with section 3-111 (c).
 - (b) This hearing is non-evidentiary in nature and is limited to the issue of punishment. The hearing officer may recommend an alternative punishment to that offered by the commander within the statutory parameters of summary punishment (up to a 3 days' suspension without pay of a fine up to \$150.).
 - (c) The hearing officer's recommendation is subject to review by the Sheriff who may impose the originally offered punishment, the punishment recommended by the hearing officer or any other punishment within the statutory parameters of the LEBOR.
5. if the employee accepts summary punishment, the employee's commander will:
 - i. if the penalty is a written reprimand, prepare a **CCSO Form 181a "Notification of Charge and Written Reprimand"** only.
 - ii. if the penalty is other than a written reprimand, prepare the Form 181(s), "Notification of Charges." Loss of paid leave shall be in hourly increments.
 - iii. sign the CCSO Form 181(s) (Cases disposed of under Summary Punishment are not routinely reviewed by the Sheriff's Office Administrative Prosecutor.)

- iv. the employee's commander will ensure the employee accepting summary punishment signs the reverse side of CCSO Form 181(s), Waiver of Law Enforcement Officers' Bill of Rights and Acceptance of Punishment.
- v. the commander will then prepare an endorsement and route the original case, and CCSO Form 181(s), to the Chief Deputy.
- vi. when the complainant is a CCSO employee, the commander will make notification of case disposition to the employee in a Form 48. A copy of the Form 48 will be forwarded to the Chief Deputy for inclusion in the case file.

12. Cases for Prosecution

Case Screening

- a. In all sustained cases where the potential offense carries a category "D" or "E" penalty in the disciplinary matrix, the case will be screened by the Sheriff's Offices Administrative Prosecutor.
- b. The Chief Deputy will contact the Sheriff's Offices Administrative Prosecutor to schedule a screening of the case.
- c. Once the screening process is completed, the commander will prepare the CCSO Form 181(s) however, the commander will not sign the Form 181(s) until the case has been reviewed by the Chief Deputy and the Sheriff for sufficiency.

13. Review of Investigations by Sheriff's Office Administrative Prosecutor.

- a. Except for those cases disposed of through Summary Punishment, the employee's commander will retain the original Form 181(s) and forward the investigative file and a copy of Form 181(s), Notification of Charges, to the Sheriff's Office Administrative Prosecutor for legal sufficiency. The original Form 181(s) and the copy, which is forwarded to the Sheriff's Office Administrative Prosecutor, **shall not** be signed by the commander.
- b. If additional information is needed to support the charges, the Sheriff's Office Administrative Prosecutor will return the file to the employee's commander and request that this information be submitted.
- c. The Sheriff's Office Administrative Prosecutor will return the case file with his/her endorsement to the employee's commander for appropriate disposition.
- d. If the Sheriff's Office Administrative Prosecutor determines that a case is not legally sufficient and it is determined it cannot be prosecuted, the employee's commander will notify the employee that the case will not be presented for prosecution. This will be done on a CCSO form 48 "Memo." A copy will be retained in the case file.
- e. Cases which will not be prosecuted will be routed by the commander, with the commander's endorsement to the Chief Deputy. This will be done prior to the notification of the employee.

- f. Investigations that are sustained but do not result in prosecution or discipline do not qualify for expungement under Public Safety Art., § 3-110. It is preferable that the Administrative Prosecutor include in the file a memorandum explaining the basis of the failure to prosecute.

14. Preparation of Investigative Cases for Hearing Board

- a. Cases deemed legally sufficient for prosecution by the Sheriff's Office Administrative Prosecutor will be routed to the employee's commander. The Administrative Prosecutor will prepare the administrative charges, in consultation with the commander and the investigator. When completed, the commander will sign the CCSO Form 181(s) and the charges will be deemed "filed" on the date of signature. The commander, upon filing the charges, and prior to serving the accused Deputy with the copy of the charges, will forward a copy of the filed charges (CCSO Form 181) to the Chief Deputy and Sheriff for review.
- b. The commander will present the Form 181(s) to the accused employee for acknowledgment and signature and give a copy of the signed Form 181(s) to the employee.
- c. With the assistance of the Administrative Prosecutor, and consultation with the Chief Deputy, the commander may negotiate a settlement (or "plea bargain") with an employee who wishes to resolve the matter without a hearing. (See paragraph 17, below)
- d. If the case is not settled, forward the entire case file to the Chief Deputy for review.
- e. Once the Chief Deputy has reviewed the case file, the case file will be routed to the Sheriff's Office Administrative Prosecutor for prosecution of the charges.
- f. The Chief Deputy will be responsible for setting up the hearing board, however, the board members will be selected and appointed by the Sheriff.

15. Report Flow - Cases Investigated by Internal Affairs personnel

- a. All cases investigated by IA will be routed from IA to the involved employee's commander for review.
- b. The employee's commander will follow the prescribed manner of case disposition as delineated in this order. Cases will follow the case flow format as established in paragraphs 11-14.
- c. Investigations involving multiple employees assigned to different installations/divisions/units will be routed in the following manner:
 - i. If all of the involved employees are assigned to the same division, the investigative file will be forwarded, with a routing slip, to the involved employee's division commander for review and disposition. The employee's commander will be responsible for the preparation of CCSO Form 181's for his/her employee when appropriate. The division commander will then facilitate the appropriate case flow.

- ii. If the employees are assigned to different divisions, the report will be forwarded, with a routing slip, to one of the involved employees' division commanders. The division commander who first receives the report will notify the other commander and coordinate their review of the investigation.
- iii. After the employees' commanders have reviewed the report, each employee's commander will be responsible for the preparation of CCSO Form 181's for their employee when appropriate. The initial commander notified will facilitate the appropriate case flow.

16. Routing of Investigative Case for the LEOBR Hearing

- a. The employee's commander will forward the case file to the Sheriff's Office Administrative Prosecutor.
- b. The Sheriff's Office Administrative Prosecutor will provide, at no cost, (absent unusual circumstances) to the accused employee or his/her representative a copy of the investigation materials, as described and limited by the LEOBR, not less than ***ten (10) days*** prior to the employee's disciplinary hearing.
- c. The employee shall be required to execute a confidentiality agreement before the copy of the investigatory file is provided. If the employee is represented by counsel, the investigative materials will be provided to the attorney directly, and not to the employee.

17. Resolution of Case Prior to Hearing

- a. An employee may waive all rights afforded by the LEOBR after the employee is charged with a violation of CCSO regulations.
- b. The Sheriff's Office Administrative Prosecutor can be contacted by the employee or his representative to engage in negotiations to resolve the case at any time.
- c. When it would be in the best interest of the employee and the CCSO to resolve the case, the Sheriff's Office Administrative Prosecutor, is authorized to offer the employee an opportunity to waive the hearing board process. The Sheriff's Office Administrative Prosecutor may facilitate negotiations and initiate the completion of the **CCSO Form 187 "Waiver of Hearing."**
- d. Cases deemed by the agency prosecutor to be sensitive in nature or grounds for potential termination of employment will be reviewed by the Sheriff and Chief Deputy for a determination of the agency's recommendation for penalty.
- e. Recommendations for demotion or suspension exceeding **fifteen (15) days** will be reviewed by the Sheriff.