



CODE OF CIVIL AND PROCEDURAL LAW

Article 1. General Provisions and Principles

1.1 Code of Civil and Procedural Law

1.1.1 This Code of Civil and Procedural Law establishes the principles of civil justice and, together with the Body of State Law (all Bills, Codes and Acts for the State) and in harmony with the Government Engagement Code, governs the procedural order and the sequence of actions of law enforcement agencies, procedure before the court as well as procedure for the execution of judgments. This Code must be interpreted and applied as a whole, in keeping with civil law tradition.

1.2 The Objectives of the Code of Civil and Procedural Law are:

- 1.2.1 Protection of the rights, freedoms and legitimate interests of participants of administrative and criminal proceedings;
- 1.2.2 Legal regulation of procedural measures of criminal, administrative and civil matters;
- 1.2.3 Provision and control over the validity of procedural compulsion, fines and penalties;
- 1.2.4 Adequacy of the choice of the applicable legal procedure for each participant of administrative and criminal proceedings.

1.3. Primacy of this Code in Law

1.3.1 Proceedings in the state of San Andreas, regardless of where the crime was committed, are conducted in accordance with this Code.

1.4 Principle of Justice and Equality Before the Law

1.4.1 Justice is carried out on the basis of equality before the law and the court of all citizens, regardless of gender, race, nationality, language, origin, property and official status, place of residence, attitude to religion, beliefs, membership of public associations and other circumstances, as well as all organisations independently from their organisational and legal form, form of ownership, location, subordination and other circumstances.

1.5 Principle of the Presumption of Innocence

1.5.1 The Presumption of Innocence is a legal principle that every person accused of any crime or action is considered innocent until proven guilty.

1.5.2 The accused shall be presumed innocent until his guilt in committing a crime

is proved and established by an effective decision, a court verdict.

1.5.3 A suspect or accused is not required to prove his innocence. The burden of proof of the prosecution and refutation of the arguments presented in defence of the suspect, or the accused lies with the prosecution.

1.5.4 All doubts about the guilt of the accused, which cannot be eliminated in the manner prescribed by this Code, shall be interpreted in favour of the accused.

1.5.5 A conviction cannot be based on assumptions.

1.6 Principle of the Burden of Proof

1.6.1 Each party must prove the circumstances to which it refers as the basis for its claims and objections, unless otherwise provided by law. If necessary, the court determines what circumstances are relevant to the case and which party must prove them.

1.7 Principles of Evidence

1.7.1 Illegal Evidence. Evidence that was obtained illegally, or without following procedures set out for the collecting of that evidence, is not valid evidence and has no legal force.

1.7.2 Unreliable Testimony. A testimony of the victim or witness, based on guesswork, assumption, hearsay, as well as testimony of a witness who cannot indicate the source of his knowledge, are legally inadmissible evidence.

1.7.3 Inadmissible Evidence. Any evidence obtained illegally, when the provisions of the current regulatory legal acts were violated (seizure of a weapon without a search warrant, seizure of illegal things from a person with inviolability without a court decision to remove immunity, etc.), are legally inadmissible evidence;

1.7.4 Manipulated Evidence. Doctored photo and video evidence where the full screen is not visible or as well is edited or processed by third-party software, are legally inadmissible evidence; Edits can be made to highlight a point (red circles, crops, etc.) however complete unedited evidence should always be available of the same.

1.7.5 Corrupted Evidence. A low-quality photo and video evidence, in which important objects and subjects are hardly distinguishable or severely distorted, as well as video, where the sound is not heard at all, is practically indistinguishable or severely distorted, are legally inadmissible evidence;

1.7.5 Incomplete Evidence. An incomplete photo and/or video evidence is not valid. Whether the photo or video evidence is incomplete or not is decided by the judge after hearing the circumstances from both sides.

1.7.6 Physical Evidence. The evidence that served as tools, equipment or other means of committing a specific crime and retained traces of a criminal act, are legally admissible evidence;

1.7.7 Direct Evidence. Money and other valuable property received because of a crime that occurred right before the eyes and obtained in hot pursuit, are legally admissible evidence.

1.8 The Principle of Unreasonable Delay in Justice.

1.8.1 This Principle, simply expressed as “Justice delayed is Justice denied” stands as a principle of law.

1.8.2 It is the right of any suspect or detainee to not be unreasonably detained for an excessive period of time, or be unreasonably required to wait for their case to be decided on in the event of a question of law or an impasse between their legal representation and a law enforcement officer.

1.8.3 If the detainee was the cause of the delay themselves due to non-compliance or actions taken by them, then this principle cannot be applied.

Article 2. Basic Concepts, Definitions and Rights

2.1 Law Enforcement Agencies

2.2.1 A State Law Enforcement Agency is defined as a public authority that, based on the legislation of the State, carries out law enforcement activities within their jurisdiction in the State. The State Law Enforcement Agencies include the FIB, LSPD, SAHP.

2.2.1 A Government or Departmental Law Enforcement Agency is defined as a public authority that, based on the legislation of the State, carries out specific law enforcement activities as a Department of Government. Departmental Law Enforcement Agencies include the USSS and IRS.

2.2.2 Other State Organisations or Departments of Government are not considered Law Enforcement Agencies but may be empowered under law to take specific actions within their jurisdiction. These include the National Guard (NG), as well as representatives from the Department of Justice (DOJ) and officers from the Department of Corrections (DOC)

2.2 Investigation

2.2.1 An investigation is a set of measures to clarify the circumstances associated with an offense, to establish the situation and nature of the crime, as well as those responsible for the crime (interviewing witnesses, collecting evidence, etc.).

2.3 Lawyer (State Lawyers, State Organisation Lawyers and Private Lawyers)

2.3.1 A Lawyer is a person who holds a State **Lawyer's Licence**, legally obtained according to existing rules and regulations, and represents the interests of either the State in a criminal prosecution or the defendant in a criminal case, or either the plaintiff or defendant in a civil case.

2.3.2 A lawyer can practice as: a public defender and prosecutor, independently as a private attorney or with an existing law office, or may work within an organisation on retainer.

2.3.3 A lawyer may also be someone who practises law on a semi-professional basis while employed in other capacities for another state organisation **and may represent that organisation, or its employees, as legal counsel in both criminal and civil cases.**

2.4 Judges (District Court Judges and Supreme Court Judges).

2.4.1 A Judge is defined as an employee of the Department of Justice who has been granted the authority to preside over cases and issue rulings as to questions of evidence, guilt of the accused and rule as to the applicable law.

2.4.2 A Judge is not required to hold a State Lawyers Licence in order to perform their duties as a Judge, but must comply with the terms and conditions required of a Judge according to the Code of Lawyers and Judicial Law.

2.4.2 A Judge may also hold a Lawyers Licence and practice as a Lawyer in terms of Section 2.3 and the Code of Lawyers and Judicial Law, but may not act in their capacity as a Judge while doing so.

2.5 Pre-Trial Proceedings and Participants.

2.5.1 Pre-trial proceedings are the regulated activities of law enforcement agencies aimed at bringing to justice people who have committed an administrative offence or a criminal offence. It is a set of measures for law enforcement agencies, which include investigative actions and operational-search activities.

2.5.2 Participants in pre-trial proceedings are parties to pre-trial proceedings (victim and accused), legal representatives of the parties (Lawyer/State Attorney/Attorney General), representatives of law enforcement agencies (Law Enforcement Officer/State Attorney/Attorney General) and witnesses.

2.6 Miranda Rights

2.6.1 Upon the detaining or arrest of a citizen, a law enforcement officer is required to read the detainee their Miranda Rights. If these rights cannot be read at that time, due to it being unreasonable or a direct risk to the officer or suspect, they must be read at the earliest opportunity thereafter.

2.6.1 Miranda Rights: "You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to an attorney. If you cannot afford an attorney, one will be provided for you. Do you understand the rights I have just read to you?"

2.6.2 If a person is silent for 5 seconds or says that he does not understand his rights, it is necessary to repeat them, but no more than three times.

2.6.3 An officer must, after reading the Miranda Rights, clarify whether the detainee needs a lawyer. If the answer is affirmative then the officer is obligated to follow the process as set out in Section 2.9 The Right to a Lawyer.

2.7 Miranda Warning

2.7.1 During a period of Martial Law, the Miranda Rights are replaced with the Modified Martial Law Miranda Rights, also named the Miranda Warning.

2.7.2 Miranda Warning: "You have the right to remain silent, The State is under Martial Law, there is no bail, lawyer, or other legal services available at this time do you understand these rights?"

2.7.3 During Martial Law it is only required to read these modified rights a single time.

2.8 Rights of a Detainee as Expressed by the Miranda and Civil Procedure.

2.8.1 The suspect has the right to one phone call in the presence of an agent in order to notify a lawyer or relatives about the fact of his detention and whereabouts.

2.8.2 The suspect has the right to a lawyer, which cannot be denied or dismissed if requested (see Section 2.8).

2.8.3 The suspect has the right to remain silent and not be coerced or compelled to incriminate themselves.

2.9 The Right to a Lawyer.

2.9.1 To exercise the right of the detainee to provide him with the services of a lawyer who shall be under retainer by the State as a public defender, the procedure is as follows:

Procedure for Requesting a State Lawyer from the Department of Justice:

- 1.) The arresting officer should (or ask a higher up able to) ask GOV on the department radio for any available lawyers.
- 2.) The arresting officer should inform the suspect that a request has been made and

wait three minutes for a response from the GOV.

3.) If there is a valid response, the arresting officer will wait for the arrival of the State Lawyer.

Procedure for Requesting a Private Lawyer:

1.) The detainee informs the law enforcement officials about his private lawyer and their name.

2.) The Law Enforcement Officials may confirm the status of the Private Lawyer with the Department of Justice using the Department Radio, or may if authorised to do so check the public Registry of Licensed Lawyers.

3.) If the Private Lawyer is confirmed by the Department of Justice or is checked on the Registry of Licensed Lawyers, the detainee is given the ability to use his phone to get in touch with his lawyer under the supervision of a Law Enforcement Officer for three minutes.

4.) If the detainee confirms that his lawyer is coming, the arresting officer will wait 15 minutes for the arrival of his lawyer, and clearly inform them that if his lawyer does not arrive in 15 mins he will not be eligible for a state aid lawyer and will be directly processed.

Procedure for Requesting a State Organisation Lawyer:

In the event of the detainment or arrest of a member of a State Organisation, the detainee or their higher up may request the presence of a Lawyer from their State Organisation.

1.) The detainee informs the law enforcement officials about the State Organisation Lawyer and their name.

2.) The detainee is given the ability to use his Organisation Radio to get in touch with a lawyer from his State Organisation.

3.) If there is a valid response, the arresting officer will wait for the arrival of the State Organisation Lawyer.

2.10 The Right to a Trial.

2.10.1 The Right to a Trial is not a guaranteed right, but rather a conditional right in order to ensure that justice is served.

2.10.2 The Right to a Trial may be granted by a representative from the Department of Justice

a) if the application of the law is in doubt.

b) if the interpretation of any of the relevant laws require clarification.

c) if judgement or mediation is required in order to resolve any impasse between a lawyer and the law enforcement officers.

2.10.3 If the arresting officer requires the presence of a Judge, they should (or ask a higher up able to) ask GOV on the Department Radio for any available Judges.

2.10.4 A State Lawyer may contact a Judge from the Department of Justice directly if they feel it is required under the circumstances.

2.10.5 A Private Lawyer may request that the arresting officer contact a Judge from the Department of Justice directly if they feel it is required under the circumstances.

2.10.6 If a Judge is not available at the present time, the suspect may be considered for release under a Bond of Court Appearance in accordance with Section 6.4 of this Code.

Article 3. The Use of Force on a Suspect

3.1 The Principle of Adequacy.

A State Employee is obliged to act professionally, not exceeding their official powers, and as accurately as possible to understand the case before making conclusions.

3.2 The Principle of Urgency.

3.2.1 a State Employee is obliged to react to the violation and take action without undue delay.

3.2.2. If action cannot be taken due to circumstances beyond the employees control, or due to the potential risks of taking urgent action, the State Employee should take whatever measures are reasonable in the circumstances.

3.2.3 If detaining a suspect is not possible due to the circumstances a State Employee should attempt to gather evidence that may be used for later investigation and identification of the suspect(s).

3.3 The Principle of Necessity.

3.3.1 In case of procedural coercion of a person, law enforcement and other authorised bodies are obliged to adhere to the principles of the adequate use of force in relation to the actions of the citizen to whom they are applied and to only use as much force as necessary, given the circumstances.

3.3.2 The stages of the use of force against a person are as follows:

- a) **The Presence of a Law Enforcement Officer.** Applies if there is no need to use a higher stage of the use of force.
- b) **Verbal Commands or Caution.** Applies if it is necessary to suppress a violation of the law.
- c) **Simple Forceful Action** - used if it is necessary to arrest a citizen (wringing hands, pressing on pain points and the usual use of handcuffs);
- d) **Severe forceful impact** - used in the event of a threat of causing minor bodily harm to state citizens or causing damage to property (punches, kicks, batons, the use of electric shock devices);
- e) **Lethal force** - used in the event of a threat to the life of state citizens, or if the suspect is trying to escape from the crime scene, to prevent a direct threat to the life of a person or employee. At least one clear verbal warning must be given before lethal force is used on a fleeing subject.

Article 4. Detention and Arrest Procedure

4.1 Detention as a Procedural Measure.

4.1.1 **Detention.** Detention is a measure of short-term deprivation of a person's right to liberty, which is carried out on the basis of this Article of the Code of Civil and Procedural Law.

4.1.2 **Arrest** A period of detention does not need to lead to arrest and charges for a crime; however in order for the detention to be valid at least one of the conditions listed as reasonable cause (below) must be met.

4.1.3 These procedures, as laid out in Sections 4.4, 4.5 and 4.6 must be followed, wherever possible, in the order in which they are presented here. Failure to do so without good cause shall be considered a Gross Violation.

4.2 Detention as an Investigative Measure.

Detention is not considered a punishment, it is exclusively extrajudicial in nature and, in combination with other means and methods provided by law, allows law enforcement officers to collect the necessary information (sufficient evidence base) to resolve the issue of the possibility or impossibility of applying any liability to a person.

4.3 Reasonable Cause for Detention of a Suspect.

4.3.1 A person may be detained on suspicion of committing a crime for which a punishment of imprisonment or a fine may be imposed if there is at least one of the following grounds:

- a) When a person is caught at the time of committing a crime or immediately after it was committed by a law enforcement officer or a employee of a state organisation empowered to detain persons under the law.
- b) When there is a photo or video recording of the crime committed by this person; If the photo or video evidence is older than 15 minutes a warrant from a judge is needed for LEOs to take action.
- c) If there is a regulation or decree of an authorized person;
- d) If a person deliberately conceals his identity (uses makeup), then such a person may be detained outside the course of the investigation until the identity is established.

4.4 Detention Procedure for State Law Enforcement Agencies/Organisations.

State Law Enforcement Agencies are defined, under this law, as including the FIB, LSPD, SAHP. When detaining a suspect, FIB/LSPD/ SAHP are required to adhere to the following detention order:

4.4.1 Put handcuffs / ties on the suspect and notify them of the reason for the detainment or arrest.

4.4.2 The State Law Enforcement Officer should verbally identify their Name and Department and if demanded by the detainee show their Badge or ID.

(Exception: FIB/SAHP/LSPD Undercover Agents do not need to show their ID. They must ensure another State Law Enforcement Officer shows the detainee their ID. Whichever State Law Enforcement Officer that shows the detainee the ID should be the State Law Enforcement Officer that processes him)

4.4.3 Upon the detaining or arrest of a citizen, a State Law Enforcement Officer is required to read the detainee their Miranda Rights. If these rights cannot be read at that time, due to it being unreasonable or a direct risk to the officer or suspect, they must be read at the earliest opportunity thereafter.

4.4.4 A body search may be carried out on the spot if the detainee has violated the rules for which a punishment in the form of imprisonment is provided, and if nothing threatens the life of the detainee. Any illegal items found can be confiscated.

4.4.5 If necessary, place the suspect in handcuffs / ties in an official vehicle and transport them to a safe location or their HQ for further investigation.

Note: State Law Enforcement may use whichever location (DOC/FIB/LSPD/SAHP/BCSO) is the closest to hold the detainee within their jurisdiction.

4.4.6 The law enforcement officer is obliged to offer the detainee to remove the mask if they behave adequately and not aggressively. Only in case of refusal to voluntarily remove

the mask or aggressive and inadequate actions on the part of the detainee, an officer has the right to forcibly rip off the mask from the detainee.

Exception: A law enforcement officer is obliged to confiscate a mask from a suspect if the suspect is wearing a mask of government officials. Such masks include a balaclava from a State Organisation or an Emergency Medical Services (EMS) medical mask.

4.4.7 Carry out the identification of the detainee, by checking the detainees pockets and backpack for any form of identification.

4.4.8 Interrogate the suspect for no more than 10 minutes, if it is necessary for additional investigation. Implement (on demand) the right of the Lawyer to confidently talk with his client for additional clarification of the circumstances, warning the detainee about the consequences of knowingly giving false testimony and information to the lawyer;

Note: If at this stage it is revealed that the detainee is not guilty, the procedural actions by the law enforcement officer in relation to the detainee are terminated, the detainee is released.

4.4.9 At this point a period of detainment becomes an arrest under law. If in the process of inquiry it is revealed that the suspect is guilty, the officer shall advise the detainee that they are now under arrest and read the charges against them, the time to be served, and the fines that will be added.

4.4.10 If there is admissible evidence of the suspect's guilt, choose a preventive measure (by declaring the detainee on the wanted list through the PDA) within 25 minutes from the moment of lawful detainment . If the measure of restraint is not chosen within the allotted time, the detainee should be released.

Note 1: The time allotted for the selection of a preventive measure does not take into account the waiting time of the lawyer, the time to talk with the lawyer as well as the waiting time for the head of the law enforcement agency, the state attorney, the FIB employee when requested. This stops and pauses the 25 minute clock from the time requested until the time the lawyer, or head of department have completed their investigation or questioning.

Note 2: The moment of lawful detainment is the moment of first handcuffing by by any authorised agent of a governmental agency

4.4.11 The reason for declaring the individual wanted must follow the following format: [TC/PC CODE] – [DESCRIPTION Brief Abbreviated]

Note: The description may be omitted if 3 or more TC/PC codes are being charged. The description must be clear in distinguishing the charge from other similar charges.

Example:

PC 3.6.2 – Murder of LEO –or– Attempted Murder of LEO /

PC2.17.2 AR with XXX –or– PC 2.17.2 500 AR rounds

4.4.12 Ask the suspect for the size of clothes they wear and hand them the appropriate size to start their stay in the penal colony. If the suspect does not respond, repeat once more. If they still do not respond, hand them a free size.

4.4.13 Fill in the database (email paperwork/ state website if available) within 1 hour from the moment of choosing the preventive measure, if the Database is not filled in the specified period. A Database that is not completed by a law enforcement officer is considered a violation of the order of detention and entails liability for the employee, according to the law.

Note: Database is the standard the org follows for paperwork for arrests.

If the state website is operational, the entry format of information is standardised

4.5 Detention procedure for Government or Departmental Law Enforcement Agencies.

Government or Departmental Law Enforcement Agencies are defined, under this law, as including the USSS, GOV and IRS. When detaining a suspect, USSS/GOV/IRS are required to adhere to the following detention order:

4.5.1 Put handcuffs / ties on the suspect and notify them of the reason for the detainment or arrest.

4.5.2 The Government Law Enforcement Officer should verbally identify their Name and Department and, if demanded by the detainee, show their Badge or ID.

Note: USSS Agents – covering all personal data in the ID, leaving only its number and position.

(Exception: USSS Undercover Agents do not need to show their ID. They must ensure another State Law Enforcement Officer shows the detainee their ID. Whichever State Law Enforcement Organisation that shows the detainee the ID should be the State Law Enforcement Organisation that processes him)

4.5.3 Upon the detaining or arrest of a citizen, a Government Law Enforcement Officer is required to read the detainee their Miranda Rights. If these rights cannot be read at that time, due to it being unreasonable or a direct risk to the officer or suspect, they must be read at the earliest opportunity thereafter.

4.5.4 A body search may be carried out on the spot if the detainee has violated the rules for which a penalty of imprisonment is provided, and if nothing threatens the life of the detainee.

4.4.5 If necessary, place the suspect in handcuffs / ties in an official vehicle and transport them to a safe location or their HQ for further investigation.

Note: Government or Departmental Law Enforcement Agencies may use whichever location (CAPITOL/DOC/FIB/LSPD/SAHP/BCSO) is the closest to hold the detainee within their jurisdiction.

4.5.4 Transfer the suspect to a State Law Enforcement Agency (FIB/LSPD/SAHP).

4.5.5 When transferring a detainee to a State Law Enforcement Agency for further selection of a preventive measure and placing him in places of detention, USSS/GOV/IRS are required to provide (send by email) all collected evidence of the detainee's guilt to officers or head of Department which will choose a measure of restraint for the detainee.

4.5.6 The USSS/GOV/IRS shall remind the State Law Enforcement Officer performing the processing of the arrestee into the DOC that the Miranda rights must be read to the suspect.

4.6 Detention Procedure for Other State Organisations.

Other State Organisations are defined, under this law, as the National Guard (NG). When detaining a suspect, State Organisations (NG) are required to adhere to the following detention order wherever possible:

4.6.1 Put handcuffs / ties on the suspect and notify them of the reason for the detainment or arrest.

4.6.2 The arresting NG member should verbally identify their name and rank, and if demanded by the detainee, showing their Military ID.

4.6.3 A body search may be carried out on the spot if the detainee has violated the rules for which a penalty of imprisonment is provided, and if nothing threatens the life of the detainee.

4.6.4 If necessary, place the suspect in handcuffs / ties in an official vehicle and transport them to a safe location or their HQ for further investigation.

Note: **State Organisations** may use whichever location (CAPITOL/DOC/FZ) is the closest to hold the detainee within their jurisdiction.

4.6.5 Transfer the suspect to an officer of a State Law Enforcement Agency. (FIB/LSPD/SAHP) for processing.

4.6.6 The NG shall identify themselves to the officer performing the processing by showing their Military ID, and must state the reason for the detainment of the suspect.

4.6.7 NG shall remind the officer performing the processing of the detainee into the DOC that the Miranda rights have not yet been read and must immediately be read to the suspect.

4.6.8 When transferring a detainee to a State Law Enforcement Agency for further selection of a preventive measure and placing him in places of detention, NG are required, on request of the Law Enforcement Officer, to provide (send by email) all collected evidence of the detainee's guilt to officers or head of Department for the above State Law Enforcement Agency, which will choose a measure of restraint for the detainee.

4.7 The Procedure for the Detention of Employees of State Organisations.

This process is to be applied to any Employee of a State Organisation (EMS, FIB, GOV, LSPD, SAHP).

4.7.1 Put handcuffs / ties on the suspect (at the discretion of the arresting officer or agent) and notify him of the reason for the arrest;

Note: At the moment of detainment, the employee who is being detained is obliged to inform that he is an employee of a state structure and then present his ID, and request a member of their Organisation or Agency's high command to become involved. (Exception: USSS/FIB agents must show identity by covering personal data).

4.7.2 The **arresting officer** should verbally identify their Name and Department and if demanded by the detainee, show their Badge or ID.

*(Exception: FIB/SAHP/LSPD Undercover Agents do not need to show their ID. They must ensure another State **Law Enforcement Officer** shows the detainee their ID. Whichever **State Law Enforcement Officer** that shows the detainee the ID should be the **State Law Enforcement Officer** that processes him)*

*(Exception: USSS Undercover Agents do not need to show their ID. They must ensure another State **Law Enforcement Officer** shows the detainee their ID. Whichever **State Law Enforcement Organisation** that shows the detainee the ID should be the **State Law Enforcement Organisation** that processes him)*

4.7.3 Upon the detaining or arrest of an employee of a State Organisation, a Law Enforcement Officer is required to read the detainee their Miranda Rights. If these rights cannot be read at that time, due to it being unreasonable or a direct risk to the officer or suspect, they must be read at the earliest opportunity thereafter.

4.7.4 A body search may be carried out on the spot if the detainee has violated the rules for which a punishment in the form of imprisonment is provided, and if nothing threatens the life of the detainee.

4.7.5 If necessary, place the suspect in handcuffs / ties in the back seat of an Organisation vehicle.

4.7.6 Take the suspect to the FIB/LSPD/SAHP Headquarters, depending on the Organisation which has made the arrest.

Note: In the event of an attack on a convoy, a law enforcement officer is primarily responsible for ensuring the safety of the detainee and taking him to a safe place (CAPITOL/DOC/FIB/LSPD/SAHP Headquarters). A law enforcement officer does not

have the right to make stops when transporting a detainee unless absolutely necessary. Also, the officer is not obliged to make a stop at the request (demand) of the detainee until he takes him to a safe place.

4.7.6 **Contact** the Head of the State Organisation of the detainee and a senior employee of the Department of Justice (District Court Judge/Supreme Court Judge/Attorney General).

Note: As defined under Section 4.10, the maximum waiting time for a response is 5 minutes, in cases where no response is received, the detention process continues with further remote notification of the Head of the employees organisation and the Attorney General's Office, Supreme Court Judge, or Department of Justice Representative.

4.7.7 Provision of evidence of the detainee's violation to the Head of the detainee's State Organisation and to the Department of Justice.

4.7.8 If the Department of Justice approves the charges, the detainee is subject to punishment in accordance with the current legislation. The detainee is then to be transferred to the Department of Corrections for processing.

4.7.9 If the charges are rejected by the Attorney General's Office, all charges against the detainee are dropped, and the Attorney General's Office begins to check the actions of the law enforcement Officer.

4.8 The Right to a Lawyer.

4.8.1 To exercise the right of the detainee to provide him with the services of a lawyer who shall be under retainer by the State as a public defender, the procedure is as follows:

Procedure for Requesting a State Lawyer from the Department of Justice:

- 1.) The arresting officer should (or ask a higher up able to) ask GOV on the department radio for any available lawyers.
- 2.) The arresting officer should inform the suspect that a request has been made and wait three minutes for a response from the GOV.
- 3.) If there is a valid response, the arresting officer will wait for the arrival of the State Lawyer.

Procedure for Requesting a Private Lawyer:

- 1.) The detainee informs the law enforcement officials about his private lawyer and their name.
- 2.) The Law Enforcement Officials may confirm the status of the Private Lawyer with the Department of Justice in the Registry of Licensed Lawyers.
- 3.) If the Private Lawyer is confirmed by the Department of Justice or is checked on the Registry of Licensed Lawyers, the detainee is given the ability to use his phone to get in touch with his lawyer under the supervision of a Law Enforcement Officer for three minutes.
- 4.) If the detainee confirms that his lawyer is coming, the arresting officer will wait 15 minutes for the arrival of his lawyer, and clearly inform them that if his lawyer does not arrive in 15 mins he will not be eligible for a state aid lawyer and will be directly processed.

Procedure for Requesting a State Organisation Lawyer:

In the event of the detainment or arrest of a member of a State Organisation, the detainee or their higher up may request the presence of a Lawyer from their State Organisation.

- 1.) The detainee informs the law enforcement officials about the State Organisation Lawyer and their name.
- 2.) The detainee is given the ability to use his Organisation Radio to get in touch with a lawyer from his State Organisation.

3.) If there is a valid response, the arresting officer will wait for the arrival of the State Organisation Lawyer.

4.9 Parties to the Process of Detention.

4.9.1 The primary parties to the process of detention are defined as such:

- a) State employees or law enforcement officers on duty or authorised undercover operatives from a law enforcement organisation;
- b) The detainee(s) under arrest;

4.9.2 The additional parties to the process of detention are defined as such:

- a) A lawyer, if requested by the detainee(s). Only a licensed lawyer can represent the interests of citizens.
- b) A judge, if required by either the lawyer or the law enforcement officer.
- c) A representative of the detainee's State Organisation if required under Section 4.7.
- d) A representative of the Department of Justice (Attorney General/Supreme Court Judge/State Court Judge) if required under Section 4.7.
- e) A representative of EMS, if medical or psychological assessment or treatment is required for the detainee under Section 4.13.

4.10 Third Parties to a Detention.

4.10.1 There can be no other third parties in the process of detention.

4.10.2 Third parties are regarded as all persons who are not defined under Section 4.9

4.10.3 Law enforcement officers have the right to demand that all citizens who are not the subjects of detention move 10 metres away from the place of detention. If they are inside the DOC the LEOs have the ability to immediately arrest non subjects of detention for trespassing and obstruction of justice.

4.11 Duration of Detention

4.11.1 The maximum duration of a period of lawful detainment until the selection of a preventative measure is 25 minutes.

4.11.2 The moment of lawful detainment is the moment of first handcuffing by any authorized State Law Enforcement Officer, Government Law Enforcement Department or State Organisation.

4.11.3 The time allotted for the selection of a preventive measure does not take into account the time taken for requesting any additional parties to the detention. The maximum waiting time for a response on Department Radio is 5 minutes.

4.11.4 The time allotted for the selection of a preventive measure does not take into account the time taken for waiting for the arrival of additional parties to the detention once they have been confirmed. The maximum waiting time for arrival is 10 minutes.

4.11.5 The time allotted for the selection of a preventive measure does not take into account the performance of the lawful duties or responsibilities of any of the additional parties to the detention.

4.12 Recording and Presentation of Evidence

4.11.1 Officers present at the scene of the organisation involved with the arrest are obliged to record the arrest and must explain to the lawyer the reasons for the arrest with a list of the relevant charges and a presentation of all evidence.

4.12.2 If a recording and evidence is requested by a lawyer it MUST be provided by LEO agencies via a live viewing (screen share) within a reasonable time from the request (up to 10 minutes)

4.12.3 If a recording and presentation of evidence is unable to happen the detainee must be set free of charges at this time. If able to present evidence at a later time this evidence can be brought to the **Department of Justice by the State Law Enforcement Organization's Lawyer** and be presented for a request of an arrest warrant within 48 hours of the alleged crime.

4.13 Onus of Care for the Wellbeing of a Detainee

4.13.1 Any harm or injury caused to a detainee by the direct actions of any member involved in the detainment process is the responsibility of the State Organisation the member belongs to with proof.

4.13.2 If requested by the detainee, medical assistance cannot be refused. This may take the form of first aid by the arresting officer or an assisting officer, but may require assistance from EMS in severe cases.

4.13.3 If the assistance of EMS is required, it must be made on the Department Radio and the location of the detainee must be indicated.

4.13.4 If medical treatment is required, the time of detention for that detainee is suspended until the detainee has been declared medically fit by the EMS worker.

Article 5. Procedural Actions Against People with Complete Immunity

5.1 Immunity from Detention without a Warrant.

5.1.1 In the event that a person with full immunity status is suspected of committing a crime, or is caught red-handed, all evidence is sent to the Attorney General (Minister of Justice) to file a motion to initiate an investigation with the Supreme Court. The Supreme Court either issues a warrant to authorise the investigation or refuses with an explanation.

5.2 Procedural Actions Against the Leaders of the Department of Justice.

5.2.1 If the Attorney General or Supreme Court Justice are under investigation then the all evidence shall be turned over to the "Immunity Review Board" which shall be comprised of the leaders of the following agencies (For a total of 7 members):

- Director of FIB
- Director of SAHP
- Director of LSPD
- Director of USSS
- Sitting Governor
- Both Sitting Deputy Governors or Directors of LI and EMS

5.3 Procedural Actions and Investigations.

5.3.1 The Office of the Attorney General conducts an investigation in respect of people with full immunity with the order of the Supreme Court.

5.3.2 An arrest, a search, an interrogation and other actions of procedural coercion in relation to people with the status of full immunity and their property are not allowed without a warrant from the Supreme Court or Immunity Review Board.

5.3.3 To arrest a person with full immunity status, a warrant from the Supreme Court or

The Immunity Review Board is required to remove this status.

Article 6. Grounds for the Release of a Suspect

On the Decision or Order of the Arresting Officer(s).

6.1.1 The suspect shall be released by the officer's decision who carried out the detention, arrest and interrogation, if:

- a) there is no reason to believe that this person was involved in the commission of a crime or there is no direct evidence of the suspect's guilt;
- b) there are no grounds for applying to him a preventive measure in the form of detention;
- c) the detention was carried out with gross or numerous violations of the provisions of this Code of Civil and Procedural Law (see Section 6.2)
- d) if the law enforcement officer has not chosen a measure of restraint in the form of arrest or imprisonment within 25 minutes from the moment of detention to the placement in the DOC cell (See Section 4.11 for provisions).
- e) On conditions of a release on bond and a scheduled court appearance (see Section 6.4 and Article 8 of this Code)

6.2 Violations of the Code of Civil and Procedural Law.

6.2.1 Gross Violations. A gross violation of the rules of the Code of Civil and Procedural Law should be understood as either one major violation of the order of detention or two minor violations of the order of detention.

Major Violations

- a) If no Miranda Rights were read to the detainee and show of badge on demand.
- b) If a suspect is taken anywhere else in the process without a valid reason.
- c) If a compliant detainee loses mask because officer rips it off without giving chance of removal
- d) If a detainee is denied the right to a lawyer before processing.
- e) If the detainee was processed without confirmation of their identity
- f) If a person is charged with the incorrect charge.

6.2.2 All other violations are minor violations.

6.3 On Conditions of a Court Appearance.

6.3.1 By agreement of all parties to the detention that the suspect is to be released under a bond to appear before either the District Court or the Supreme Court at a date and time set by a representative of the Department of Justice.

6.3.2 In the event of an impasse, or an irreconcilable difference in opinion as to the release on a bond, the matter shall be referred to the Attorney General or a Judge or from the Department of Justice, who will decide as to the validity of a release on a bond.

Article 7. Search as a Procedural Coercive Measure

7.1 Search of a Suspect.

7.1.1 A suspect may be subjected to a body search only during arrest or on the basis of a warrant from the Attorney General and / or the Court. Illegal items are seized immediately.

7.2 Search of a Person for Security Reasons.

7.2.1 USSS officers have full authority to conduct body searches of all citizens and government officials who are in the vicinity of a USSS-guarded person or of the Capitol (City Hall).

7.2 Search of a Building or Residence.

7.2.1 Building searches are conducted for two reasons: to apprehend criminals and to assure building users and owners of the facility are safe. To conduct a building search, the law enforcement agency officers must have one of the following:

- a) a Warrant from the Attorney General;
- b) a Warrant from a Superior Court Justice with the approval of the Attorney General;
- c) consent of the people living in it.

Exception: if the suspect fled into the building from the prosecution by law enforcement officers (When the building search is urgent, these investigative actions can be carried out on the basis of the decision of a law enforcement officer without a warrant from the Attorney General).

7.2.2 The Law Enforcement Officer must record the whole procedure of the search with a bodycam and store the recorded video for 72 hours, as well as must notify the USAG or a Superior Court Judge of the investigative action and provide video recording with case materials no later than 1 hour after the beginning of the investigative action.).

7.4 Search of a Vehicle

7.4.1 A search of vehicles can be carried out without a warrant from the Attorney General or Judge in the following cases:

- a) Chasing a suspect;
- b) During a raid;
- c) State of Martial Law;
- d) The presence of direct evidence of law violation that is punished by imprisonment according to the State Penal Code;
- e) Wanted individuals;
- f) Routine checks of the State organisations by FIB/USSS/Homeland Security employees for the presence of prohibited substances;
- g) An unscheduled check of the State organisations by FIB/USSS/Homeland Security employees for the presence of prohibited substances
- h) Vehicle search of the vehicles located on the territory of the National Guard (with the direct order of the NG General or during a government inspection).
- i) In the situation of hot pursuit where the suspect who has committed a violation of the TC/PC has failed to stop after four stop signals in intervals of five seconds or five verbal commands to pull over inside the audible range in intervals of two seconds.

7.4.2 All law enforcement agency officers are required to store video materials for 3 days (72 hours) when performing this procedural action.

7.4.3 Law Enforcement Agencies may deploy the use of engine blockers at this time if for whatever reason a vehicle refuses to stop or unable to be stopped all evidence shall be taken to a District Court Justice for a warrant.

7.5 Search of an Abandoned or Unoccupied Vehicle

7.5.1 If the driver or owner of the vehicle is not at the scene, opening the luggage compartment and putting the owner of the car on the wanted list by scanning the vehicle's VIN is possible only in case of violation of the law, which is punished by imprisonment according to the State Penal Code.

7.5.2 All law enforcement agency officers are required to store video materials for 3 days (72 hours) when performing this procedural action.

Article 8. Bail and Release on Bond.

Repealed as it forms Article 6 of the Code of Lawyers and Justices with enhanced provisions and procedure under law. Inclusion here was redundant.

Article 9. Termination of a Case and Pre-Trial Procedures.

Pre-Trial Hearings and Settlements

9.1.1 The State Attorney General, or a Judge or Lawyer nominated by the Attorney General from the Department of Justice, represents the State in court and holds the right to conduct a pre-trial hearing in an attempt to reach a settlement with the Defendant and agree on mutually beneficial terms.

9.1.2 The Judge of a case may, on their own discretion and based on a case file brought to them, Subpoena the plaintiff and defendant to present themselves in Court to arrange a Pre-Trial Hearing or Settlement with or without the presence of a Lawyer for either party.

9.1.3 The Lawyer for the Defendant(s) named in a case have the right to petition the Department of Justice to arrange a Pre-Trial Hearing with the Plaintiff in order to reach a Settlement.

9.1.4 The Lawyer for the Defendant(s) named in a case have the right to petition the Department of Justice to arrange a Pre-Trial Hearing with the Judge in order to present grounds for termination of the case.

9.2 Grounds for the Termination of a Case.

9.2.1 **On Grounds of Corpus Delicti.** On these grounds, the lack of *corpus delicti*, or body of evidence against the defendant shall result in the termination of a case. This includes any evidence that is later found to be invalid, or cannot be presented when required by law.

9.2.2 **On Grounds of the Statute of Limitations.** On these grounds, a case file opened after the expiration of the statute of limitations must be terminated or dismissed. The expiration of the statute of limitations occurs 48 hours from the moment the crime was committed.

9.2.3 **On Grounds of Double Jeopardy.** On these grounds, the defendant has already been acquitted or convicted of the same charges on the same evidence already presented and cannot be tried or prosecuted for those same charges using the same evidence.

9.3 Insufficient Grounds for the Termination of a Case.

9.3.1 **On Grounds of a Plea of Insanity.** Under the law of the state there is no insanity clause, or other mental defect, that will prevent prosecution for a crime committed. A Plea of Insanity may diminish, but not remove, the defendant's responsibility and thus mitigate part of the sentencing at the discretion of the Judge or Law Enforcement Officer so long as clear evidence as to the defendant's mental state is available as evidence.

Note. If such evidence is available, the Judge may issue an Order of Action, requiring the defendant to undergo further assessments.

9.3.2 On Grounds of a Mistake in Law. Within the state of San Andreas, the legal system embraces the idea that ignorance of the law is no excuse for violating that law. A citizen that is unaware of the legality of their actions may not use this as grounds for termination of a case or a defense against the charges therein. Mistake in Law may however be used as grounds for a reduction of sentence, if the law is particularly obscure and the actions taken were reasonable given the evidence.

9.4 Termination of a Case during a Pre-Trial Settlement, Trial or Hearing.

9.3.1 Total Reconciliation between all of the Parties. Under the provision of reconciliation, all parties to the case agree that the matter should no longer be pursued and that the case file should be closed.

9.3.2 Partial Reconciliation between the Parties. In the event that only some of the parties to the case reconcile, one or more of the Plaintiff(s) in the case reserve the right to continue with the legal proceedings of the case.

9.3.2 Agreement between all the Parties. Under the provision for agreement, the parties to the case reach a mutually agreed settlement and upon completion of the terms of this agreement, under the supervision of the Judge, the case is to be terminated.

9.3.3 Motion for nolle prosequi (Not Prosecuting). The prosecution, or the law enforcement officer, based on the facts as established, decides not to pursue the case any further and that, given the reasons that they must state, the case is to be immediately terminated.

Article 10. Legal Documentation

10.1 Order of Cease and Desist.

10.1.1 A Order of Cease and Desist is issued by the Judge on the case file evidence and the reasonable assumption that a violation of the rights of another citizen may continue to occur.

10.1.2 The order shall be signed and shall contain the persons that are party to the order, the action that is to be prohibited or restrained and on what grounds the Order is to be issued. It shall command that the defendant be arrested if found in breach of the Order.

Order of Restraint (Restraining Order)

10.2.1 A Order of Restraint is issued by the Judge on the case file evidence and/or as a punitive measure or in addition to a criminal conviction where the target of the Order is prohibited from meeting with or being in the proximity of the subject named within the Order.

10.2.2 The order shall be signed and shall contain the persons that are party to the order, namely the plaintiff and the offending party. It shall describe the prohibited actions by the offending party and the punitive measures that shall be taken if found in violation of the Order. It shall command that the offending party be arrested if they are found in violation of the Order.

10.3 Subpoena for Appearance

10.3.1 A Subpoena for Appearance is a legal notice of demand for the person named within the Subpoena to present themselves before the court, or to meet with the issuing judge, at the stated time and date.

10.3.2 If the person named within the Subpoena provides good or reasonable cause as to why they cannot comply with the Subpoena before the time, a new Subpoena of Appearance shall, at the Judges discretion, be issued.

10.3.3 Failure to comply with a Subpoena of Appearance without good or reasonable cause, shall, at the judges discretion, result in a new Subpoena being issued or a Warrant of Arrest being issued against the person named on the Charge of 5.1.2, Contempt of Court.

10.4 Subpoena for Information

10.4.1 A Subpoena for Information is a legal demand for additional information or evidence when assessing or forming a case file to help establish further facts that have a material bearing on the case file and the charges therein.

10.4.2 If the information requested is not available, or cannot reasonably be obtained, then the Court should be informed of this fact, and evidence provided as to the cause for the information not being available.

10.4.3 Failure to comply with a Subpoena of Information without reasonable cause, shall, at the judges discretion, result in a Warrant of Arrest being issued against the person named on the Charge of 5.1.2, Contempt of Court.

10.5 Warrant of Arrest.

10.5.1 If a warrant of arrest is issued on a defendant by a judge of the state, then that warrant for arrest will stay active until it is executed by any officer authorised by law to arrest persons. It may be executed at any time or place within the state.

10.5.2 The warrant shall be signed by the judge and shall contain the name of the defendant. It shall describe the offence(s) charged in the case file. It shall command that the defendant be arrested.

10.6 Warrant of Search.

10.6.1 If a warrant of search is issued on a suspect by a Judge of the state, then that warrant for search of their property will stay valid for 24 hours or until the officers have searched the property named therein.

10.6.2 The warrant shall be signed by the judge and shall contain the property to be searched and on what grounds the warrant is to be issued. It shall describe the offence(s) charged in the case file.

10.7 Warrant/Writ of Seizure.

10.7.1 A Warrant of Seizure

10.7.2 The warrant shall be signed by the judge and shall contain the personal property to be seized and on what grounds the property is to be seized. It shall describe the reason for the seizure of the property.

10.7.3 Property value is assessed only at the Government Value of the property

Article 11. Court Structure of the State

11.1 The Small Claims Court

11.1.1 A Small Claims Court is a civil process between two citizens, where it comes to pecuniary compensation only.

11.1.2 Every citizen may file a claim directly to the Small Claims Court, where no presence of a lawyer or representative of the Department of Justice is needed, and the Judge himself delivers a verdict based on the testimony of both sides.

11.1.3 All correspondence between parties involved must be held through the official email.

11.1.4 The plaintiff files a complaint with the court and serves a copy of the complaint on the defendant.

11.1.5 Both sides present their attorneys to the judge and settle the date of hearings.

11.1.6 Both sides prepare the evidence base to prove guilt / innocence of their clients and present it in the case-file to the judge.

11.1.7 During the court hearing, first the plaintiff side attorney, then the defendant side attorney, make a speech to present their evidence and one's point.

11.1.8 After evidence is heard, each side gives a closing argument.

11.1.9 The judge determines whether the defendant is responsible for harming the plaintiff in some way and the amount of damages that the defendant will be required to pay.

11.1.10 The copy of the completed case file must be placed in the public archive of the Library of the Department of Justice.

12.1 The District Court of the State of San Andreas

12.1.1 The types of cases that the District Court shall include but not limited to:

- a) Any and all civil cases without criminal complaint
- b) Criminal cases that involve a single citizen not tied to any state or criminal organisation, unless directed or requested by the Attorney General
- c) Any case regardless of the persons involved if directed or requested by the Attorney General or the Supreme Court.
- d) Traffic Cases
- e) Cases that involve any crime listed as "Extremely Felonious " that is punishable by 75 months imprisonment of the penal code should NOT be heard or considered by the District Court and must be heard or considered by the Supreme Court unless ordered by the Supreme Court Justice or Attorney General.
- f) The District Court shall have no jurisdiction regarding the instatement or revocation of immunity status of first persons.
- g) The District Court shall have no jurisdiction unless otherwise granted by the Attorney General or Supreme Court Justice over incomplete immunity cases.

11.2 District Court Justices.

11.2.1 A District Court Judge has the following judicial powers:

- a) Issue Arrest Warrants for individuals without immunity status. Arrest warrants issued by justices do not expire and are active until the subject has been apprehended, including 'Bench' warrants.
- b) Issue a Warrant of Seizure of property following a civil case.
- c) Issue Prison terms up to 60 months for a single crime and up to 75 months for

- 2 or more crimes pursuant to the penal code.
- d) Render civil verdict of up to \$1,000,000.
- e) Render Fines pursuant to the Penal Code and Traffic Code.
- f) Issue Subpoenas for Appearance
- g) Issue Subpoenas for Information
- h) Issue Gag Orders
- i) Hold persons in contempt as defined in penal code Article 5 section 2.
- j) Order the immediate detainment and arrest for persons without immunity status who commits a crime within the courthouse.
- k) Order the revocation of transport or gun licence or permit issued by any governmental agency.
- l) Introduce Bills directly to the governor for review
- m) May only review Case Files from the FIB upon the direction or request of the Attorney General
- n) Wear Black robes and or powdered wigs whilst performing their duties in the courthouse.
- o) Entitled to protection and escort by law enforcement agents upon request.
- p) Personal information shall be classified by FIB

11.3 The Supreme Court of the State of San Andreas.

11.3.1 The Supreme Court may exercise all the judicial powers of the District Court.

11.3.2 The Supreme Court may review verdicts and case files from the District Court.

11.4 Supreme Court Justices.

11.4.1 The Supreme Court Judges have the following judicial powers:

- a) The powers of a District Court Justice.
- b) The authority under law to revoke the Immunity Status of a First Person
- c) Issue Warrants of Arrest for individuals with immunity status
- d) Render civil verdicts of any amount.
- e) Entitled to a First Person Protection (FPP) detail from the USSS on request.
- f) Granted Full Immunity Status

Article 12. Ethics Codes

12.1 General provisions

12.1.1 The Ethics Code is a set of general principles of ethics and basic rules of conduct in society in the State of San Andreas. All residents, citizens and visitors of the State of San Andreas are required to follow the Ethics Code. At all times residents, citizens and visitors of the State of San Andreas are required to be guided by general principles of morality and ethics, including the situations that are not covered by the articles of this Ethics Code.

12.2 General Rules of Conduct

12.2.1. All residents of the State of San Andreas are required to show politeness to each other and to all state employees.

12.2.2. All residents of the State of San Andreas are required to cooperate with and assist government organisations.

12.2.3. All residents of the State of San Andreas have a responsibility to be honest

and fair with themselves and those around them.

12.2.4. All residents of the State of San Andreas are required to maintain cleanliness and order on their private property.

12.2.5. All residents of the State of San Andreas are prohibited from negligently treating state property or committing any acts of vandalism.

12.2.6. All residents of the State of San Andreas must comply with the rules of etiquette when communicating:

- a). Discretion: do not get into other people's conversations, do not interrupt or eavesdrop on them.
- b). Modesty: do not behave boldly and rudely in society.
- c). Decency: it is not customary to talk loudly when in society.

12.3. Rules of Conduct in Public Places

12.3.1. All residents of the State of San Andreas are prohibited from making any loud noises in public places, as well as using any other languages than English.

12.3.2. All residents of the State of San Andreas are prohibited from appearing in public places without clothes.

12.3.3. All residents of the State of San Andreas are prohibited from performing any sexual acts or pronouncing verbal vulgarity in any language in public places.

12.4. Professional Ethics

12.4.1. Every employee of a state organisation on duty must be polite and respectful to visitors and colleagues.

12.4.2. Every employee of a state organisation on duty must comply with the chain of command.

12.4.3. Every employee of a state organisation on duty must look neat and follow the Dress-code of the organisation.

12.4.4. Every employee of a state organisation on duty has no right to use any slang, or obscene words and expressions.

12.4.5. Every employee of a state organisation on duty must treat the state property with respect.

12.4.6. Every employee of a state organisation on duty must improve his working skills and help his colleagues to progress.

12.4.7. Every employee of a state organisation on duty must be honest with colleagues and higher-ups.

12.4.8. Every employee of a state organisation on duty, **or off-duty**, has no right to disclose information obtained in the course of his professional activities.

12.4.9. Every employee of a state organisation on duty must comply with the Charter of his organisation.

12.4.10. Every employee of a state organisation must not make demands for pay raises or promotions; however they may submit in writing a request for a review of their personnel file to their superior in their chain of command or HR department.

12.4.11. Every employee of a state organisation on duty should prioritise the interests of the State and society over personal ambitions or family obligations.

12.4.12. Every employee of a state organisation on duty must act professionally, following all the laws of the State and performing assigned tasks in a timely manner.

12.4.13. Every employee of a state organisation on duty must take care of the prestige of his organisation.

12.4.14. Every employee of a state organisation on duty must be attentive to the needs of the people of the State.

Article 13. Uniforms and Dress Code for State Organisations

13.7.1. Every employee of a state organisation on duty is prohibited from having any tattoos on the hands, face or neck.

Exception: authorised undercover agents of Law Enforcement Agencies.

13.7.2. Every employee of a state organisation on duty must comply with the dress code of the organisation.

Exception : authorised undercover agents of Law Enforcement Agencies.

13.7.3. Every State organisation has the right to establish its own dress code for employees and visitors.

13.7.4. Every employee of a state organisation on duty is prohibited from using any backpacks during business hours.

Exception: workwear items; authorised undercover agents of Law Enforcement Agencies.

Article 14. Legal Immunity

14.1. Legal Immunity as a Principle of Law

14.1.1 Legal Immunity is a legal status wherein an individual cannot be held liable for a violation of the law, in order to facilitate societal aims that outweigh the value of imposing liability in such cases.

14.1.2 Full immunity status in the State of San Andreas is given to the Top officials of the State of San-Andreas (hereinafter referred to as First Persons), such as:

- a) Governor;
- b) Deputy Governor;
- c) **Leaders** of the State Organisations;
- d) **Directors** of USSS;
- e) Supreme Court Judges;
- g) Attorney General;
- h) Ministers.

14.1.3 The personal files of First Persons must be kept secret by the Federal Investigation Bureau (FIB). The FIB is obligated to monitor the timely classification of the First Persons of the State

14.2. Full Legal Immunity Status

14.2.1 The First Persons of the State cannot be held liable for class E or D **criminal** offences, **or misdemeanours**, as per Article 1 of the Penal Code.

14.2.2 The First Persons cannot be detained, regardless of the motives of the representatives of law enforcement agencies.

Exception: Decision of the Supreme Court or Order from the Attorney General.

14.2.3 The official vehicles used by the First Persons, as well as the official vehicles accompanying the First Persons, cannot be stopped, inspected and/or searched without an appropriate warrant and / or order from the Attorney General or the Supreme Court or The Immunity Review Board

14.2.4. Organised Motorcade of First Persons – an organised convoy of two or more vehicles, with police cars with flashing beacons and special signals turned on at the head and tail of the convoy.

14.2.5. The provisions of the Traffic Code and other regulatory legal acts of a similar nature do not apply to an organised motorcade.

14.2.6. The First Persons have the right to wear special equipment to ensure their own safety in the absence of government guards.

14.2.7. Pre-trial proceedings, as well as investigations of criminal offences against a First Person cannot be initiated without an appropriate order from the Attorney General or the Supreme Court.

14.2.8. Criminal prosecution against the Minister of Justice (the Attorney General) or a Supreme Court Justice is a subject to a special warrant issued by the Supreme Court or the Immunity Review Board.

14.2.9. Criminal prosecution against Superior Court Judges is a subject to a special warrant issued by the Attorney General.

14.3. Suspension of the Immunity Status

14.3.1. Suspension or restriction of the immunity status cannot be executed without a valid waiver order issued directly by the Attorney General or by the current Supreme Court Judge or a decision by the Immunity Review Board.

14.3.2. Suspension or restriction of the immunity status cannot be executed without a valid waiver order issued directly by the Attorney General or by the current Supreme Court Judge or by the Immunity Review Board.

14.4 Partial or Incomplete Immunity Status.

14.4.1. Incomplete immunity status guarantees that a person bestowed with this status cannot be arrested, searched (them or their personal belongings) or interrogated during the performance of their official duties without the presence of a high rank of their organisation and/or a First Person.

14.4.2. In the State of San-Andreas, the incomplete immunity status is granted to :

- a) Deputy Head of USSS;
- b) Deputy Head of Department of Justice;
- c) District Court Judges
- c) USSS Agents, unless the Agent is Undercover;
- d) FIB Agents, unless the Agent is Undercover;
- e) Special Forces of State Organisations (SASD/SOCOM/SEALS/SWAT)

Article 15 Government Engagement Code

15.1 The Executive Branch of Government

15.1.1. The Governor. The Executive Branch of the State is headed by the Governor and consists of the Governor, the Deputy Governor(s), the Government Ministers and the Directors.

15.1.2. The Deputy Governor(s). Deputy Governors and their **Aid de Camps** have a responsibility to meet, but not interfere, with the Ministers and Directors of the Government Departments and **are to** assist the Governor with the day to day operation of **Government as well as** meeting with citizens to hear complaints, advise, and answer questions of said citizens.

15.1.3. Aide de Camp(s). An Aide De Camp is the personal assistant of their assigned First Person. These members are entrusted to assist their assigned First Person with day to day tasks, and provide assistance as necessary. They do NOT have the ability or right to issue orders to any one in Government unless directly ordered to do so by their first person and when not actively performing a task for their first person they should be assisting the public with inquiries at the Capitol building. Aid de Camps are NOT allowed to carry any weapon other than a taser and a personal weapon for personal defence.

15.2 Government Ministers

15.2.2. The Minister of Homeland Security. The Minister of Homeland Security is a Governor's delegate whose principal functions are to execute supervision, to coordinate and to reconcile the collaboration of all law enforcement agencies (FIB, LSPD, SAHP, USSS and IRS) as well as ensure compliance with the law by the state organisations by conducting unannounced inspections.

15.2.3. The Minister of Justice. The Minister of Justice, referred to in law as the Attorney General, is a Governor's delegate and leads the Department of Justice, which controls judicial and taxation systems. As the chief attorney of the Government, they constitute the Attorney General's Office and serve as the principal advisor to the Governor on all legal matters. The Attorney General must hold a lawyer's licence to perform their duties.

15.2.4. The Minister of Finance. The Minister of Finance is a Governor's delegate who leads the Department of Finance and the IRS. They look after the commercial and economic interests of citizens, including matters of labour. As the manager of the Government's finances they advise the Governor as to financial matters, liaise with State Organisation Leaders as to funding requirements, conduct financial audits, and publish the weekly financial report for the Government.

15.2.5. The Minister of Social Development. The Minister of Social Development is a Governor's delegate whose principal functions are to organise the events for the citizens and visitors of the State, to execute supervision, to coordinate and to reconcile the activities of EMS, LI and the Department of Social Development.

15.3 The Legislative Branch of Government

15.3.1 The Legislature. The Legislative Branch of Government is a separate but equal branch of Government with the role of creating and changing the laws of the city through democratic representation within Congress and facilitating good relations between Organisations and groups within the city. The Legislative Branch is headed by the Speaker of the House of Representatives.

15.3.2. The Speaker of the House of Representatives. The Speaker of the House of Representatives is a Governor's delegate but is not considered part of the Executive Branch of Government but rather as part of the Legislative Branch (see Article 17 for the duties and role of the Speaker within Congress).

15.3.3 The Adjutants of the House of Representatives. Adjutants are administrators and assistants to the Speaker, and are nominated by the Speaker to help facilitate the role of Congress.

15.4 The Government and State Organisations.

15.4.1 All State organisations and agencies report directly to the Governor,

15.4.2. All State organisations and agencies are guided by internal regulatory documents (charters), which must fully comply with current legislation

15.4.3. Charters may only meet or exceed the labour code and should only be prepared by licensed lawyers in good standing of the state.

15.4.4. Heads of state organisations have the right to request funding from the Government.

15.4.4. Law enforcement agency officers of the state cannot have links with any criminal organisation or its members, except for undercover employees.

15.4.5. Employees of state organisations have the right to submit written complaints about the misconduct of their leaders to the Attorney General's Office.

15.4.6. It is against the policy of the government for individual officers to go on a patrol without an additional unit to support them. An officer who is travelling by themselves and is taken hostage will be personally responsible for the costs incurred by the state for their rescue. Exceptions:

- a) The officer is enroute to support other units as backup
- b) The officer is on orders by high command to go to a specific location
- c) The officer is off duty
- d) The officer is high command acting in the interests of their organisation.

15.5 The State Structure

15.5.1. The National Guard (NG), the state's military force that protects national and Public safety, is the backbone of the defence of the State of San-Andreas. NG has the right to carry out their activities throughout the State of San Andreas and is headed by the General. NG has the ability and right to conduct personal and vehicle searches anywhere in the state when providing patrol support or joint operations with FIB, SAHP, LSPD. NG has jurisdiction over the core of Blaine County and shares jurisdiction over Sandy Shores with SAHP.

15.5.2. The Federal Investigation Bureau (FIB) is a law enforcement agency with federal jurisdiction, has the role of an internal intelligence agency and is a federal criminal investigative body. FIB has the right to carry out their activities throughout the State of San-Andreas and is headed by the Director.

15.5.3. The United States Secret Service (USSS) is a law enforcement agency with federal jurisdiction, has the role of criminal investigative body and protection of the State's First Persons, their families and all official foreign heads visiting the state. As a part of the US Department of Treasury, USSS carries out the encashment, as well as investigates and combats widespread counterfeiting of U.S. currency. The USSS is also the investigative body at the direction of the governor that shall conduct any investigation requested by the executive branch of the government. **The USSS is headed by the USSS Directors.**

15.5.4. The Internal Revenue Service (IRS) is a law enforcement agency with federal jurisdiction and has a role of criminal investigation body with financial crimes as well as the official tax collectors of the state. **The IRS is headed by the IRS Directors.**

15.5.5. The Los Santos Police Department (LSPD) is a **State** Law Enforcement Agency responsible for public order that has district jurisdiction (Los Santos City Limits) and is headed by the Chief.

15.5.6. The San-Andreas Highway Patrol (SAHP) is a **State** Law Enforcement Agency responsible for public order that has primary district jurisdiction over the coastal region of Blaine County and jurisdiction on every highway of the State. SAHP also shares jurisdiction over traffic matters on all arterial roads in the city of Los Santos with LSPD. Headed by the Sheriff.

Note: Arterial roads are defined as any road, street, boulevard, or parkway that has more than four lanes. (Two in each direction)

15.5.7. The Emergency Medical Service (EMS) is a state health care system that provides medical care to patients, first aid to injured victims and transportation to a medical facility. This service conducts inspections, general government activities and vaccinations and is headed by the Chief.

15.5.8. The LifeInvader (LI) is an infotainment media company with statewide coverage responsible for prompt broadcast of reportages about the events organised for citizens and visitors of the State, the political and cultural life news, the entertainment programs, as well as the publishing of state, commercial and personal ads. Headed by the CEO.

Article 16 Government Organisations, Departments and Structure.

16.1 Cooperation between the State Law Enforcement Organisations, Agencies and Departments.

16.1.1 SAHP, LSPD, FIB, USSS, IRS and NG can cooperate to carry out joint investigative activities.

16.1.2 The Minister of Homeland Security takes command of any special operation involving the correlation between the state organisations and agencies.

16.1.2 All employees of all law enforcement agencies are required to have a video record for each incident of offence committed by state citizens and keep the record for 48 hours.

16.1.3 All photo and video evidence are valid within 7 days from the moment of recording.

16.1.3 All employees of all law enforcement agencies are required to know by heart and read the Miranda Rights, as well as to ask if the detainee wants to use a Private Lawyer or a State Lawyer

16.1.4 The law enforcement agency officers are obliged to present their Badge/ID to the detained person upon arrest.

16.1.5 Employees of USSS, FIB, LSPD and SAHP performing their duties are required to show their Badge/ID with an identification number at the first request of any citizen, if there are grounds for that.

Exceptions: undercover work and special operation.

16.1.6 NG employees are required to show their Military ID upon detaining a suspect.

16.1.7 If an employee of any law enforcement agencies (FIB/LSPD/SAHP/GOV/USSS/IRS) left the organisation without permission and did not hand over to the warehouse all received ammunition, he becomes a subject to detention pending clarification of the circumstances. If there is no possibility to detain the person, he must be declared on the federal wanted list.

16.1.8 The official permission to access the restricted area is required for a law enforcement agency officer, in order to have the right to detain or arrest the state citizens inside this restricted area.

16.2 Jurisdiction and Cooperation between the LSPD and SAHP.

16.2.1 The SAHP may refer a case-file to the LSPD in cases where the perpetrator has gone into hiding in Los Santos County.

The LSPD may refer a case-file to the SAHP in cases where the perpetrator has gone into hiding in Blaine County.

SAHP and LSPD have the right to join forces and conduct joint operations to capture such perpetrators.

16.2.2 If the case of the district jurisdiction has reached an impasse, the FIB has the right to take such a case under its jurisdiction.

16.2.3 The LSPD / SAHP must provide maximum assistance to other law enforcement agencies and to the National Guard.

16.2.4 The LSPD / SAHP are obliged to refer the following cases to FIB/USSS: federal crimes, crimes related to encroachment on the life of members of the government.

16.3 Jurisdiction and Cooperation between the FIB and USSS.

16.3.1 FIB and USSS are equivalent federal top-level law enforcement agencies, acting on the whole territory of the State of San-Andreas and sharing their spheres of authority in accordance with the involvement of the persons mentioned in 2.3 of the Engagement Code in the process of investigation.

16.3.2 The USSS / FIB may provide assistance to other law enforcement agencies, including the National Guard.

16.3.3 Undercover USSS / FIB detectives and agents are allowed to use private vehicles to collect the data on suspects, raid materials and other relevant information.

16.3.4 The reason for the detention of a USSS employee is an order from the Attorney General issued to the FIB employees.

16.3.5 The reason for the detention of an FIB officer is an order from the Attorney General issued to the USSS.

16.3.5 The FIB agent has the right to issue lawful orders to any employee of the state organisation of the State of San-Andreas, in order to fulfil their direct official duties working on the case-file under the federal jurisdiction.

16.3.6 The USSS agent has the right to issue lawful orders to any employee of the state organisation of the State of San-Andreas, when it comes to the First Persons of the State (including : organising rescue, liberation and assault operations, assistance in conducting special investigations).

16.3.7 The USSS officers have the right to detain the perpetrators committing offences on the territory of the Capitol and in the area of organised events, for further transfer to other law enforcement agencies.

16.3.8 In the absence of the Minister of Homeland Security, the FIB has the right to take command of any special operation, regardless of its status.

Exception: USSS takes command of any emergencies and special operations concerning the First Persons of the State, but may transfer command to the FIB by Agreement.

16.4 The State National Guard

16.4.1 The State National Guard (NG) is subject to the State Codes and laws, therefore has no right to interfere with the activities of the FIB, GOV, USSS, LSPD and SAHP.

16.4.2 The territory of the National Guard (Fort Zancudo) is a restricted area with two zones of access and control levels :

Yellow zone - the special control area, where the NG officials have the right to stop and detain any person or vehicle for identification, as well as to oblige to leave the area.

Red zone - the restricted area, where any unauthorised access is prohibited for any person, vehicle or aircraft, and the "shoot on sight" policy may be applied.

16.4.3 The access to Fort Zancudo is prohibited to all civilians and state employees, except:

- a) The Governor;
- b) The Deputy Governor;
- c) The Speaker of the House of Representatives
- d) The Minister of Homeland Security;
- e) The Minister of Justice (Attorney General);
- f) The law enforcement agency officers with a warrant from the US Attorney General for investigative and search activities on the military base territory;
- g) The law enforcement agency officers and the State officials who have received authorization to access the area and are accompanied by NG officials at all times.

16.4.4 The San-Andreas National Guard is required to supply government supplies to all government agencies in the state.

16.4.5 In case of a loss or theft of a vehicle with ammunition, the National Guard is obliged to notify the FIB of this incident.

16.4.6 The Military Police personnel are allowed to patrol, with the aim of finding and detaining the deserters (NG soldiers who left the unit without permission) throughout the state.

16.4.7 The National Guard has the right to use all military equipment during the Martial Law.

16.4.8 The National Guard has the power to detain and arrest all state citizens in yellow and red zones of Fort Zancudo, to transfer the detainees to other law enforcement agencies in place or to deliver the detainees to the nearest law enforcement agency.

16.4.9 The National Guard is prohibited from using lethal weapons against an unarmed person.

Exception: Threat to life and any trespassing of Fort Zancudo

16.5 Emergency Medical Services (EMS)

16.5.1 The Emergency Medical Service reports directly to the Governor.

16.5.2 Each event must be attended by at least one ambulance.

16.5.3 The Chief of EMS has the right to establish the rules for the provision of medical services and the sale of medications, although must stay subject to compliance with the current legislation and the absence of massive complaints from citizens.

16.5.4 All EMS personnel are required to provide medical assistance to state citizens, in exception of situations where there is a threat to the life of an EMS employee.

Article 17 The Congress of San Andreas

17.1 Administrators of the Legislature.

17.1.1 The Speaker of the House of Representatives leads the Legislative branch of the Government and is second only to the Governor and Deputy Governor as a representative of Government.

17.1.2 The Speaker of the House of Representatives shall lead the Legislature in their meetings, set the time of meetings, and ensure the good order of those meetings. The Speaker is appointed by the Governor and has the authority to appoint Adjutants of Congress as they see fit.

17.1.3 The Speaker of the House of Representatives shall be responsible for the organisation and good management of the Congress of San Andreas. As the facilitator of good relations

and order within the city, the Speaker shall be empowered to grant limited clemency to individuals to facilitate the purposes of Congress.

17.1.2 Adjutants of the House of Representatives are administrators of the Legislature appointed to assist the Speaker in their duties. They may include appointed Justices of the District Court of San Andreas, or the Supreme Court of San Andreas, assigned to the Legislature for the purposes of facilitating the official functions of Congress and advising Congress as to matters of law.

17.2 The House of Representatives (Congress)

17.2.1 The House of Representatives, also referred to as Congress within the law of San Andreas, is a legislative body organised by the State Government and is part of the Legislative Branch of Government.

17.2.2. The Congress of San Andreas shall be commenced each week in the Legislative Chamber of the Capitol Building at a time and day set by the Speaker.

17.2.3 The Speaker of the House of Representatives, Adjutants of the House of Representatives and any security detail attached to the Legislature shall not be obliged to detain or arrest, or order the detention or arrest of an individual suspected of a crime if they are performing their official functions in good faith and may offer clemency agreements to the representatives of recognized organisations which shall extend limited protections to individuals while they participate in officially sanctioned legislative meetings.

17.2.4 Congress recognizes 1 vote from each of the following organisations and individuals:

- a) The 5 Representatives from the State Organisations (EMS, FIB, SAHP, LSPD, NG)
- b) The 5 Representatives from the most significant families each week, as determined the day after each congress
- c) The 5 Representatives from each of the prominent illegal organisations
- d) The 5 Representatives from elected citizens of the State, chosen by sortition.
- e) The Speaker of the House of Representatives
- f) The Governor

17.2.5. The legislature shall be responsible for the privacy and security of official representatives and an escort provided by a special detachment of National Guard soldiers may be offered upon request.

17.2.6. Meetings of the legislature should be conducted by anonymous representatives of the organisations who have voting rights as determined above.

17.2.7 Each Representative should clarify which organisation they are representing at the commencement of the meeting of Congress.

17.2.8. The Governor and the Speaker of the House shall have the power to veto Legislation approved by the Congress.

17.2.9. The legislature may conduct special meetings between organisations under the protection of clemency with security provided by a special detachment of National Guard soldiers.

17.3 The Legislative Process

17.3.1 Each member of congress with a recognized vote is entitled to propose a Resolution for New Legislation, or a Resolution for Amendment to Existing Legislation, or submit a new Bill of Legislation to be approved by the Congress.

17.3.2 These resolutions and bills should be submitted to the Speaker and the Adjutants of the Legislature no later than 48 hours prior to an official meeting of Congress.

17.3.3 The Speaker of the House of Representatives, or a nominated Adjutant, shall read the executive summary of each Resolution or Bill to Congress.

17.3.4 Each voting member of congress shall have 20 seconds to make a statement about each resolution or bill in turn (known as their Right to Speak), and then may request a second period of 20 seconds once each member has had an opportunity to speak (known as their Right to Reply).

17.3.5 After the discussion, a vote will be recorded in the official congressional email by each voting member

17.3.6 If there is no veto, upon the signature of the Governor any Legislation will take effect as written.

17.3.7 When a resolution to draft new legislation is passed, interested parties present at Congress shall be offered the opportunity to collaborate with the Speaker of the House of Representatives or Adjutants of the Legislature to craft the specific language of that legislation.

Credit and Copyright

This work, and the others in this series of legislative enhancement are produced and promulgated in the interests of justice and the promotion of the legal rights of all citizens of the State of San Andreas.

All Articles of this Code of Civil and Procedural Law reviewed and amended by Poppy Lasombra, the Minister of Justice and Attorney General of the State in the 2nd Month of 2022, with council and assistance from the Right Honourable Fred Fredrickson, Supreme Court Justice.

Built upon from previous work on the Code of Civil Procedure by the Honourable Ansenn Pickens, Speaker of the House of Representatives in the 11th Month of the year of our lord 2021.

Originally derived from work laid out by the Whitewind Law Office, Lane Stevens, and Ni Bjeebies from another city with a great history.

Signed into Legislation By

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