Hampshire Sheriff's Office

Civil Process

Massachusetts General Laws Chpt. 37, Section 11 states that "Sheriffs and their deputies shall serve and execute, within their counties, all precepts lawfully issued to them and all other process required by law to be served by an officer. They may serve process in cases wherein a county, city, town, parish, religious society or fire or other district is a party or interested, although they are inhabitants or members thereof."

In FY '25 (July 1, 2024 – June 30, 2025), the HSO's Civil Process Division served more than 4,938 legal actions among the 20 cities and towns in the county, covering 527 square miles. Because of the rural nature of our county, the amount of travel required to fulfill our lawful mandate causes enormous wear and tear on our vehicles, not to mention the manpower hours required to serve these legal actions across such distances.

The eviction process in Hampshire County is governed by the courts and it is their role to interpret legislative demands. It is a much more complicated process than many people may understand. I want to share the following experience and the struggles my staff faces when dealing with these types of events:

An eviction, like all the work we do at the Hampshire Sheriff's Office, is complicated and nuanced. An eviction can culminate in the physical removal of a tenant solely on the basis of an unambiguous violation of a rental agreement with a landlord – the non-payment of rent, for

example, or the violation of public health and safety standards or other terms of a lease. More often than not, there are underlying factors triggering the eviction that must be addressed if all parties, tenants and landlords, defendants and plaintiffs, are to feel fairly treated by the process, especially when it reaches what can be a highly emotional, sometimes confrontational conclusion.

Especially since Covid, our Civil Process staff carries out court-ordered evictions of many tenants clearly suffering with mental illness and/or substance-use disorder. During such evictions, one of the HSO's licensed social workers with many years of experience will accompany our Civil Process teams. After some painstaking research on evictions and the nature of the tenant's illness, they try to find a bed and respite programs for the tenant, who may have no family in the area.

The television stereotype eviction features a kicked-in door and tenants thrown out on the street. That's not what we do. That's not who we are. The officers and staff who work in Civil Process are trained to be problem solvers who work with social service organizations and our partners in the community to achieve the best outcomes possible. The people at the Hampshire Sheriff's Office understand that everyone they engage will be treated with compassion, dignity and respect. That is, and should always be, the first requirement of all public servants, elected and appointed.