

Riverside County Probation Department

Personnel and Field Policies

CHIEF'S PREFACE

This manual represents the values upon which the Riverside County Probation Department operates. The policies included herein are predicated on the law, best practice, and sound judgment. They are meant to provide guidance and protection to the individual employee, as well as to the organization as a whole.

We work in a complex, dynamic environment which represents a multitude of challenges on a daily basis. Every decision you make has the potential to profoundly affect the lives of others. Please refer to this manual often, for it is a fundamental tool to rely upon to help you do your job. But remember, ultimately it is your individual responsibility to perform your duties with honor and integrity.

Keep abreast of all revisions to this manual and remain knowledgeable as to its contents. The overall success of our department will be measured by the degree to which we maintain the trust of the public, the Courts, and other allied agencies. Adhering to the policies contained within this manual will ensure that trust is warranted and that it endures.

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MISSION, VISION, AND CORE VALUES

MISSION STATEMENT

Serving Courts - Protecting Our Community - Changing Lives

VISION

Fostering a diverse and innovative team committed to safe communities, facilitating connections and promoting resiliency.

CORE ORGANIZATIONAL VALUES

Integrity: The undivided adherence to strong ethical principles, such as honesty, fairness, humility, and personal accountability.

Commitment: Absolute dedication to our mission and team, the courts, the county, and the public.

Compassion: Empathy, kindness, understanding, and respect.

COMMITMENT STATEMENT

To promote an organization in which we continuously strive for our everyday operations, policies, and procedures to be inclusive and equitable for all of those we serve.

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Chapter 1 - Probation Role and Authority

Probation Code of Ethics

100.1 PURPOSE AND SCOPE

To set forth the guidelines for employee conduct. This policy applies to all members.

100.2 POLICY

Acceptance of employment with the Riverside County Probation Department signifies a commitment to comply with the Code of Ethics adopted by this department and county. Refer to [Riverside County Code of Ethics](#), for additional information.

100.3 RIVERSIDE COUNTY PROBATION DEPARTMENT CODE OF ETHICS

The people of California expect of probation members unfailing honesty, respect for the dignity and individuality of human beings, and a commitment to professional and compassionate service. To this end the Riverside County Probation Department subscribes to the following principles

PROBATION MEMBERS SHALL:

- Uphold the Constitution of the United States, the State Constitution and all laws enacted or established pursuant to legally constituted authority.
- Be courteous and respectful in their official dealing with the public, coworkers, superiors and subordinates.
- Respect the authority and follow directives of the court, recognizing at all times that they are an extension of the court.
- Respect and protect the civil and legal rights of all clients.
- Serve each case with appropriate concern for the client's welfare and with no purpose of personal gain.
- Encourage relationships with colleagues of such character to promote mutual respect within the profession and improvement of its quality of service.
- Make statements critical of colleagues or their agencies only as these are verifiable and constructive in purpose.
- Respect the importance of all elements of the criminal justice system and cultivate a professional cooperation with each segment.
- Subject to the client's rights of privacy, respect the public's right to know, and willingly share information with the public with openness and candor.
- Respect and protect the right of the public to be safeguarded from criminal activity.
- Be diligent in their responsibility to record and make available for review any and all case information which could contribute to sound decisions affecting a client or the public safety.
- Maintain the public trust, the trust of other criminal justice agencies, and the trust of coworkers, through honesty and integrity. Dishonesty includes misleading, misstating or misrepresentation of factual information, or the attempt by act of omission or commission to deceive.

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- Report without reservation any corrupt or unethical behavior which could affect either a client or the integrity of the agency.
- Maintain the integrity of private information; neither seek personal data beyond that needed to perform responsibilities, nor reveal case information to anyone not having proper professional use for same.
- In any public statement clearly distinguish between those that are personal views and those that are statements and positions on behalf of the agency.
- Not discriminate against any member, prospective member, or client on the basis of race, color, religious creed, sex, gender, gender identity, sexual preference, national origin, age, marital status, handicap, ancestry, medical condition, or veteran status.

PROBATION MEMBERS SHALL NOT:

- Engage in any activity, which would create a conflict of interest or would be in violation of any law.
- Use official position to secure privileges or advantages.
- Act in official capacity in any manner in which personal interest could in the least degree impair objectivity.
- Use official position to promote any partisan political purposes.
- Accept any gift or favor of a nature to imply an obligation that is inconsistent with the free and objective exercise of professional responsibilities.
- Be disrespectful, insolent, mutinous or insubordinate in attitude or conduct.
- Subscribe to the unspoken, unwritten "Code of Silence" that so often reinforces dishonesty in the guise of loyalty.
- Use violent, profane or insolent language or gestures or make derogatory comments about or express any negative prejudicial comments towards members of the public, other employees, adult or juvenile offenders or detainees.
- Represent themselves to the public in any manner which does not reflect accurately their position or responsibilities.
- Engage in conduct on or off duty which adversely affects the morale or efficiency of the department, or destroys, damages, or undermines public respect for the employee, the department and/or the Court.

PROBATION MEMBERS WHO ARE RESPONSIBLE FOR AGENCY PERSONNEL ACTIONS SHALL:

Make all appointments, promotions, or dismissals only on the basis of merit and not in furtherance of partisan political or personal interest.

100.4 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024;12/29/2021; 04/26/2010; 2/01/2001; and 03/15/1989

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Probation Code of Ethics

Date Created	07/01/1986
Attachments	None

Probation Authority

101.1 PURPOSE AND SCOPE

This policy is to identify the authority of Riverside County Probation Department Officers.

101.2 POLICY

It is the policy of this department for all officers to exercise their authority fairly and objectively.

This department recognizes the power of officers to use discretion in the exercise of the authority granted to them. Officers are encouraged to use sound discretion in the exercise of their duties.

This department does not tolerate abuse of authority.

101.3 OFFICER AUTHORITY

Officers are authorized to supervise clients as provided in this manual, applicable court orders, and state law (Penal Code § 1202.8; Penal Code § 1203.71).

101.4 ARREST AND OTHER POWERS

Officers authorized by the Chief Probation Officer may exercise peace officer powers at any place in the state while engaged in the performance of official duties. The authority extends only to (Penal Code § 830.5; Penal Code § 1203.71; Penal Code § 3455):

- (a) Conditions of any person being supervised by this department who is on parole, probation, mandatory supervision, or post-release community supervision.
- (b) The escape of an incarcerated person or ward from a state or local institution.
- (c) The transportation of persons on parole, probation, mandatory supervision, or post-release community supervision.
- (d) Violations of any penal provisions of law discovered while performing the usual or authorized duties of employment.
- (e) Rendering mutual aid to any other law enforcement agency.

101.5 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and California Constitutions.

101.6 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	01/20/2016
Attachments	None

Chief Probation Officer

102.1 PURPOSE AND SCOPE

Chief Probation Officers employed within the State of California are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief Probation Officer of the Riverside County Probation Department, who is required to exercise the powers and duties of the office as prescribed by state law (Government Code § 27771).

102.2 POLICY

It is the policy of the Riverside County Probation Department that the Chief Probation Officer meets the minimum standards for exercising the authority granted by law.

102.3 CHIEF PROBATION OFFICER REQUIREMENTS

The Chief Probation Officer of this department, as a condition of employment, shall be appointed and retained by the regional juvenile justice commission (Government Code § 27770).

102.4 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Oath of Office

103.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

103.2 POLICY

It is the policy of the Riverside County Probation Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

103.3 OATH OF OFFICE

All department members shall take and subscribe to the oaths or affirmations applicable to their positions as determined by the Chief Probation Officer (Cal. Const. Art. 20, § 3, Government Code § 3101-3103, 3105).

103.4 MAINTENANCE OF RECORDS

The oath of office shall be retained in the personnel file.

103.5 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 08/03/2017
Date Created	01/20/2016
Attachments	1. Oath

Policy Manual

104.1 PURPOSE AND SCOPE

The manual of the Riverside County Probation Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules, and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders, and regulations that conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders, and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

104.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and that circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

104.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Riverside County Probation Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the County, its officials, or department members. Violations of any provision of any policy contained within this manual shall only form the basis for administrative action, training, or discipline. The Riverside County Probation Department reserves the right to revise any policy content, in whole or in part.

104.3 AUTHORITY

The Chief Probation Officer shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state, and local laws. The Chief Probation Officer or the authorized designee is authorized to issue Departmental Directive Memorandums, which shall modify those provisions of the manual to which they pertain. Departmental Directive Memorandums shall remain in effect until such time as they may be permanently incorporated into the manual.

104.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

RCP - The Riverside County Probation Department.

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Department - The Riverside County Probation Department.

Employee - Any person employed by the Department.

Manual - The Riverside County Probation Department Policy Manual.

May - Indicates a permissive, discretionary, or conditional action.

Member - Any person employed or appointed by the Riverside County Probation Department, including:

- Full- and part-time employees
- Volunteers

Officer - Those employees of the Riverside County Probation Department who engage in the supervision of clients.

On-duty - A member's status during the period when actually engaged in the performance of assigned duties.

Order - A written or verbal instruction issued by a superior.

POST - The Commission on Peace Officer Standards and Training.

Rank - The title of the classification held by any officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

STC - Standards and Training for Corrections.

Supervisor - A person in a position of authority that may include directing the work of other members, and the authority to participate in or provide input regarding grievances, hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other members. The supervisory exercise of authority may not be merely routine or clerical in nature, but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead, or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank, or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

104.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief Probation Officer or the authorized designee.

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Each member shall acknowledge that the member has been provided access to and has had the opportunity to review the Policy Manual and Departmental Directive Memorandums. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

104.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief Probation Officer will ensure that the Policy Manual is periodically reviewed and updated as necessary.

104.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that the member has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

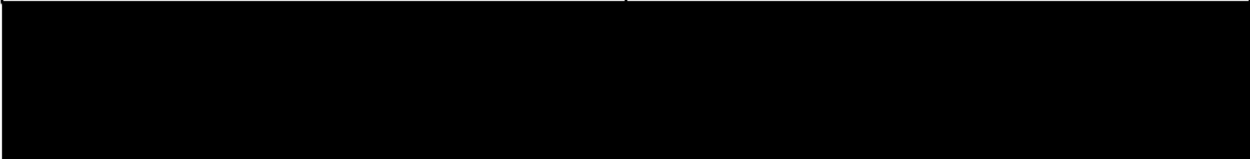
Members are responsible for keeping abreast of all Policy Manual revisions.

Each Manager will ensure that members under the Manager's command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Managers, who will consider the recommendations and forward them to the command staff as appropriate.

104.8 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 08/28/2020
Date Created	03/02/2010
Attachments	None



Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

This policy establishes the organizational structure of the Department and defines general responsibilities of department members.

200.2 POLICY

The Riverside County Probation Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control, and guidance of the Department. Each position and assignment should have clearly identified responsibilities and a defined chain of command.

200.3 SERVICES

The Chief Probation Officer is responsible for administering and managing the Riverside County Probation Department. These are the services in the Department:

- Field
- Administrative
- Institutions

200.3.1 FIELD SERVICES

Field Services is commanded by one or more assigned Chief Deputies, whose primary responsibility is to provide general management, direction, and control for Field Services.

200.3.2 ADMINISTRATIVE SERVICES

Administrative Services is commanded by one or more assigned Chief Deputies, whose primary responsibility is to provide general management, direction, and control for Administrative Services.

200.3.3 INSTITUTIONS SERVICES

Institutions Services is commanded by one or more assigned Chief Deputies, whose primary responsibility is to provide general management, direction, and control for the Institutions.

200.4 COMMAND PROTOCOL

200.4.1 SUCCESSION OF COMMAND

The Chief Probation Officer exercises command over all members of the Riverside County Probation Department. During planned absences, the Chief Probation Officer will designate the Assistant Chief Probation Officer or a Chief Deputy to serve as the acting Chief Probation Officer.

200.5 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024

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Organizational Structure and Responsibility

Attachments	None

Departmental Directive Memorandums

201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for issuing Departmental Directive Memorandums.

201.2 POLICY

Departmental Directive Memorandums will be used to modify policies of the Riverside County Probation Department when an immediate need to adapt a policy or procedure exists, in order to best meet the mission of the Department. Applicable memorandums of understanding and other alternatives should be considered before a Departmental Directive Memorandum is issued.

201.3 PROTOCOL

Before a Departmental Directive Memorandum is adopted, Riverside County Human Resources should be consulted in order to see if there is a requirement to meet and confer with the applicable employee association(s). Departmental Directive Memorandums will be incorporated into the Policy Manual, as required, upon approval. Departmental Directive Memorandums will modify existing policies or create a new policy as appropriate and will be rescinded if incorporated into the manual.

The Chief Probation Officer or the authorized designee shall ensure that all Departmental Directive Memorandums are disseminated appropriately. Departmental Directive Memorandums should be numbered consecutively and incorporate the year of issue. All members will be notified when a Departmental Directive Memorandum is rescinded or has been formally adopted into the Policy Manual.

201.4 RESPONSIBILITIES

201.4.1 MANAGERS

Managers shall periodically review Departmental Directive Memorandums to determine whether they should be formally incorporated into the Policy Manual and, as appropriate, will recommend necessary modifications to the Chief Deputy Probation Officer.

201.4.2 CHIEF PROBATION OFFICER

Only the Chief Probation Officer or the authorized designee may approve and issue Departmental Directive Memorandums.

201.5 ACCEPTANCE OF DIRECTIVES

All members shall be provided access to the Departmental Directive Memorandums. Each member shall acknowledge that the member has been provided access to and has had the opportunity to review the Departmental Directive Memorandums. Members shall seek clarification as needed from an appropriate supervisor for any provisions they do not fully understand.

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Departmental Directive Memorandums

201.6 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Emergency Plan

202.1 PURPOSE AND SCOPE

This policy clarifies the role of the Riverside County Probation Department and responsibilities of its members pertaining to large-scale emergencies and the State of California Emergency Plan.

202.2 POLICY

The Riverside County Probation Department will prepare for large-scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies.

The County Emergency Plan complies with the State of California's Emergency Services Act (Government Code § 8550 et seq.). This plan provides guidance for County emergency operations within and outside its borders as may be required (Government Code 3100, 3101).

In addition to the Emergency Operation Plan, each county facility has an Emergency Action Plan guiding facility response to emergencies. Refer to Riverside County [Standard Safety Operations Manual](#), for additional information.

202.2.1 RIVERSIDE COUNTY PROBATION DEPARTMENT CODE/ORDINANCES

An emergency management organization has been established by the County by ordinance. This ordinance has been approved by the County Council (Government Code § 8610).

202.3 ACTIVATING THE EMERGENCY PLAN

The Emergency Plan can be activated in a number of ways. For the Riverside County Probation Department, the Chief Probation Officer or the highest-ranking on-duty officer may activate the Emergency Plan in response to a major emergency.

Upon activation of the plan, the Chief Probation Officer or the authorized designee should contact the State Office of Emergency Services to assist with mutual aid response from local, state, and federal law enforcement agencies.

202.3.1 RECALL OF PERSONNEL

In the event that the Emergency Plan is activated, all employees of the Riverside County Probation Department are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief Probation Officer or the highest-ranking on-duty supervisor.

Failure to promptly respond to an order to report for duty may result in discipline.

All public employees are "disaster service workers subject to such disaster service activities as may be assigned to them by their supervisors or by law" (Government Code 3100 and 3101).

202.4 LOCATION OF THE EMERGENCY PLAN

Copies of the Emergency Plan(s) are available in an Administrative and/or Manager's office. All supervisors should familiarize themselves with the Emergency Plan and the roles members will play when the plan is implemented. The Chief Probation Officer, or authorized designee

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should ensure that department members are familiar with the roles they will play when the plan is implemented. Refer to the Division Safety Representative, for additional information.

The County of Riverside Emergency Operations Plan is available on the County of Riverside Emergency Management Department website. Refer to [Riverside County Emergency Management Department](#) for additional information.

202.5 EMERGENCY PLAN REVIEW

The Chief Probation Officer or the authorized designee shall review the Emergency Plan at least once every two years and ensure the plan conforms to any revisions made by the National Incident Management System (NIMS). The Chief Probation Officer or the authorized designee should appropriately address any needed revisions.

The Department Safety/Facilities Manager is the Riverside County Probation Department's workplace safety representative and has the primary responsibility for ensuring each facility has a current Emergency Action Plan, and employees receive training on emergency procedures.

202.6 TRAINING

The Department should provide annual training on the Emergency Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Plan and personnel responsibilities when the plan is implemented. Training should incorporate a full or partial exercise, tabletop exercise, or command discussion.

202.7 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 11/18/2020
Date Created	10/10/2014
Attachments	None

Training

203.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted, and documented (including basic, in-service, and outside training). This policy is not meant to address all specific training endeavors or identify every required training topic.

203.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local, and the California Peace Officer Standards and Training (POST), Board of State and Community Corrections (BSCC), or Standards and Training for Corrections (STC) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

203.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of probation service to the public.
- (b) Increase the technical expertise and overall effectiveness of department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with STC rules and regulations concerning probation training.

203.4 TRAINING MANAGER

The Chief Probation Officer shall designate the Training Manager who is responsible for developing, reviewing, updating, and maintaining the department training plan so that required training is completed. The Training Manager should review the training plan annually.

203.4.1 TRAINING RESTRICTION

The Training Manager is responsible for establishing a process to identify officers who are restricted from training other officers for the time period specified by law because of a sustained use of force complaint (Government Code § 7286(b)).

203.5 TRAINING PLAN

The training plan should include the anticipated costs associated with each type of training, including attendee salaries and backfill costs. The plan should include a systematic and detailed method for recording all training for all members.

Updates and revisions may be made to any portion of the training plan at any time it is deemed necessary.

The plan will address all required training.

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Training

203.5.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all-inclusive, identify training that is required under state laws and regulations. Additional required training may be identified in individual policies.

- (a) State-mandated minimum training for officers requires completion of the following:
 - (a) Annual STC in-service training shall be selected by the Training Manager based on agency or individual needs (15 CCR 184):
 - (a) Maintenance of first-aid and CPR certification.
 - (b) Minimum academic in-service training as established STC Title 15 Regulations.
 - (b) No less than the minimum number of hours as established by the STC Probation Officer Core Course Manual.
 - (c) Peace Officer Standards and Training (POST) required training (Penal Code § 832).
 - (d) Any other mandated training as determined by the Riverside County Probation Department.

203.6 TRAINING ATTENDANCE

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to:
 - 1. Court appearances.
 - 2. Previously approved vacation or time off.
 - 3. Illness or medical leave.
 - 4. Physical limitations preventing the member's participation.
 - 5. Emergency situations or department necessity.
- (b) All members unable to attend training as scheduled shall notify their supervisors as soon as practicable, but no later than one hour prior to the start of training, and shall:
 - 1. Arrange through the supervisor or Training Supervisor to attend the required training or alternative course on an alternate date.
 - 2. Ensure all required annual training hours are met.

203.7 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a web-accessed system that provides training on the Riverside County Probation Department Policy Manual and other important topics.

Members assigned to participate in DTBs shall only use the login credentials assigned to them by the department. Members should not share their password with others and should frequently change their password to protect the security of the system. After each session, members should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

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Training

Members assigned to participate in the DTB program should complete each DTB during their shifts or as otherwise directed by their supervisor. Members should not allow uncompleted DTBs to build up over time. Members may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any internet-enabled computer, members shall only take DTBs as part of their on-duty assignments, unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of those under their command to ensure compliance with this policy.

203.8 TRAINING RECORDS

The Training Supervisor is responsible for the creation, filing, and storage of all training records. Training records shall be retained in accordance with the established records retention schedule.

203.9 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 08/20/2021; 05/22/2013; 02/22/2013; and 04/29/1997
Date Created	06/01/1992
Attachments	1. Authorization for Outside Travel and Training Form 2. Expense Reimbursement Form

Electronic Mail

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department.

204.2 POLICY

Riverside County Probation Department members shall use email in a professional manner in accordance with this policy, Board of Supervisors Policy A-50, and current law (e.g., California Open Records Act). Refer to Riverside County Board of Supervisors [Policy A-50](#) for additional information.

204.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

The email system is not a confidential system since all communications transmitted on, to or from the system are the property of the Department. Therefore, the email system is not appropriate for confidential communications. If a communication must be private, an alternative method to communicate the message should be used instead of email.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department.

204.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system should be used to send courteous, professional and businesslike communications.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing, or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire Department are only to be used for official business-related items that are of particular interest to all users. In the event that a member has questions about sending a particular email communication, the member should seek prior approval from a supervisor in the member's chain of command.

It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Members are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name, or password. Members who believe a password has become known to another person shall change the password immediately.

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204.5 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the California Open Records Act and must be managed in accordance with the established county records retention schedule and in compliance with state law.

The Chief Probation Officer, or the authorized designee, shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

204.6 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 01/20/2016
Date Created	04/29/1997
Attachments	None

Administrative Communications

205.1 PURPOSE AND SCOPE

This policy sets forth the manner in which the Department communicates significant changes to its membership, such as promotions, transfers, hiring and appointment of new members and separations; individual and group awards and commendations; or other changes in status. This policy also provides guidelines for the professional handling of electronic and non-electronic administrative communications from the Department.

205.2 POLICY

The Riverside County Probation Department will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature, and disclaimer guidelines as applicable.

205.3 MEMORANDUMS

Memorandums may be issued periodically by the Chief Probation Officer or the authorized designee to announce and document all promotions, transfers, hiring and appointment of new members, separations; individual and group awards and commendations; or other changes in status.

205.4 CORRESPONDENCE

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on department letterhead. Official correspondence and use of letterhead requires approval of a supervisor. Department letterhead may not be used for personal purposes.

Official internal correspondence shall be on the appropriate department electronic or non-electronic memorandum forms.

Electronic correspondence shall contain the sender's department-approved signature and electronic communications disclaimer language.

205.5 SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief Probation Officer or the authorized designee.

205.6 OTHER COMMUNICATIONS

Departmental Directive Memorandums and other communications necessary to ensure the effective operation of the Department shall be issued by the Chief Probation Officer or the authorized designee (see the Departmental Directive Memorandums Policy).

205.7 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024

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Administrative Communications

Date Created	10/10/2014
Attachments	None

Supervision Staffing Levels

206.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that proper supervision is available to meet the needs of the Department and members.

206.2 POLICY

The Riverside County Probation Department will ensure that proper supervision is available to meet the needs of its members and to achieve the goals of the Department. The needs of its members should be balanced with the needs of the Department for flexibility and discretion in assigning members to meet supervisory needs. While balance is desirable, the paramount concern is to meet the needs of the Department.

206.3 MINIMUM SUPERVISION STAFFING LEVELS

Minimum staffing levels should be established by the Managers for each work group. The supervision staffing levels should support proper supervision, span of control, compliance with any collective bargaining agreement or memorandum of understanding, and activity levels to meet the needs of members and the goals of the Department. Before minimum staffing levels are adopted, Riverside County Human Resources should be consulted in order to see if there is a requirement to meet and confer with the applicable employee association(s).

206.4 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	1. Visitor's Log

Retiree Concealed Firearms

207.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension, or revocation of Riverside County Probation Department identification cards to qualified former or retired law enforcement officers under the Law Enforcement Officers Safety Act (LEOSA) and California law (18 USC § 926C; Penal Code § 25455).

207.2 POLICY

It is the policy of the Riverside County Probation Department to provide identification cards to qualified former or retired officers to facilitate the lawful carrying of concealed weapons by those individuals.

207.3 LEOSA

The Chief Probation Officer may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as a peace officer for an aggregate 10 years or more or, if employed as a peace officer for fewer than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department in which the officer acknowledges disqualification to receive a firearms qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.
- (f) During their employment with the department successfully completed all required firearms training, and during the most recent 12-month period, has met, at the expense of the individual, the standards for qualification in firearms training for active law enforcement officers, as determined by the department.

207.3.1 LEOSA CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify the officer as having been employed as an officer.

If the Riverside County Probation Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active-duty standards for qualification to carry a firearm.

207.3.2 AUTHORIZATION

Any qualified former peace officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when:

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- (a) In possession of photographic identification that identifies the individual as having been employed as a peace officer, and one of the following:
 - 1. An indication from the person's former probation agency that the person has, within the past year, been tested or otherwise found by the agency to meet agency-established active-duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.
 - 2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active-duty peace officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (c) Not prohibited by federal law from receiving a firearm.
- (d) Not in a location prohibited by California law or entity on private property if such prohibition is permitted by California law.

207.4 CALIFORNIA IDENTIFICATION CARD

The Chief Probation Officer may issue an identification card with an endorsement to carry a concealed firearm to a person who (Penal Code § 26300):

- (a) Honorably retired following service as a full-time sworn officer of this department who was authorized to, and did, carry a firearm during the course and scope of employment (Penal Code § 25455).
 - 1. Honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement, however, it shall not include any officer who retires in lieu of termination or who is retiring because of a psychological disability (Penal Code § 26305).
- (b) Honorably retired as a peace officer from any jurisdiction that this department now serves under the following conditions (Penal Code § 25905):
 - 1. The retiree's previous agency is no longer providing law enforcement services or the relevant government body is dissolved.
 - 2. This department is in possession of the retiree's complete personnel records or can verify the retiree's honorably retired status.
 - 3. The retiree is in compliance with all of the requirements of this department for the issuance of a Concealed Carry Weapon (CCW) Approved endorsement.
- (c) Was a qualified retired reserve officer who met the department requirements for a CCW Approved endorsement (Penal Code § 26300).

207.4.1 CALIFORNIA IDENTIFICATION CARD FORMAT

The card shall be 2 inches by 3 inches and minimally contain (Penal Code § 25460):

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- (a) Photograph of the retiree.
- (b) Retiree's name and date of birth.
- (c) Date of retirement.
- (d) Name and address of this department.
- (e) A stamped endorsement "CCW Approved" along with the date by which the endorsement must be renewed (not more than one year). In the case in which a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege."

207.4.2 QUALIFIED RETIREES FROM INCORPORATED JURISDICTION

The Riverside County Probation Department shall provide an identification card with a CCW Approved endorsement to honorably retired peace officers from any jurisdiction that this department now serves under the following conditions (Penal Code § 25905):

- (a) The retiree's previous agency is no longer providing law enforcement services or the relevant government body is dissolved.
- (b) This department is in possession of the retiree's complete personnel record or can verify the retiree's honorably retired status.
- (c) The retiree is in compliance with all of the requirements of this department for the issuance of a CCW Approved endorsement.

207.5 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Chief Probation Officer or authorized designee of an arrest or conviction in any jurisdiction, or that the individual is the subject of a court order, in accordance with the Reporting of Arrests, Convictions, and Court Orders Policy.

207.5.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable department policies and federal, state, and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that the individual is not prohibited by law from receiving or possessing a firearm.

207.5.2 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT

In order to maintain a CCW Approved endorsement on an identification card issued under California law, the retired officer shall (Penal Code § 26305):

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- (a) Qualify annually with the authorized firearm at a course approved by this department at the retired officer's expense.
- (b) Remain subject to all applicable department policies and federal, state, and local laws.
- (c) Not engage in conduct that compromises public safety.
- (d) Apply for renewal every five years unless otherwise indicated by law (Penal Code § 25465). The CCW endorsement terminates at the five-year anniversary expiration date unless the endorsement is renewed.

207.6 DENIAL, SUSPENSION, OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended, or revoked, the former officer may request a review by the Chief Probation Officer. The decision of the Chief Probation Officer is final.

207.6.1 DENIAL, SUSPENSION, OR REVOCATION OF A CALIFORNIA CCW ENDORSEMENT CARD

A CCW endorsement for any officer retired from this department may be denied or revoked only upon a showing of good cause. The CCW endorsement may be immediately and temporarily revoked by the department designee when the conduct of a retired peace officer compromises public safety (Penal Code § 25470).

- (a) In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.
- (b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first-class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26315).
 - 1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
 - 2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).
 - 3. Failure to submit a timely written request for a hearing shall be deemed a waiver of such right.
- (c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department, one selected by the retiree or the retiree's employee organization, and one selected jointly (Penal Code § 26320).
 - 1. The decision of such hearing board shall be binding on the Department and the retiree.

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2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender the identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege" (Penal Code § 26325(b)).
- (d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Chief Probation Officer or the authorized designee as soon as practicable. The department designee should promptly take appropriate steps to look into the matter and, if warranted, contact the retiree in person and advise the individual in writing of the following:
 1. The retiree's concealed firearm CCW endorsement is immediately and temporarily suspended.
 2. The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
 3. The retiree will forfeit the right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.
 4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the department designee should attempt to make the above notice of temporary suspension through another law enforcement officer. For example, if a retiree was arrested or detained by a distant agency, the department designee may request that a law enforcement officer from that agency act as the agent of the Department to deliver the written notification.
 5. Notification of the temporary suspension should also be promptly mailed to the retiree via first-class mail, postage prepaid, return receipt requested.
 - (a) The department designee should document the investigation, the actions taken, and, if applicable, any notification made to the former member. The memo should be forwarded to the Chief Probation Officer.

207.7 FIREARM QUALIFICATIONS

Pursuant to this policy, retired peace officers must qualify annually with their firearm using the course of fire approved by the department and at the retired peace officer's expense.

207.8 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 04/06/2021; 10/10/2014; and 05/14/1994
Date Created	02/28/2011
Attachments	1. Request for Authorization to Carry a Concealed Weapon

Donations

208.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for handling donations. This policy applies to all members.

208.2 POLICY

It is the policy of Riverside County Probation Department that donations provided by outside organizations be utilized to fulfill the mission of this department. The handling of donations shall be in compliance with Riverside County Auditor Controller policies and procedures. Refer to Riverside County Auditor Controller [Policy 509](#), for additional information.

208.3 REFERENCE

Date Last Reviewed:	07/01/2024
Date(s) revised:	07/01/2024; 05/09/2022; and 01/13/2011
Date Created	03/11/1992
Attachments	None

Purchasing Authorization

209.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for obtaining necessary approvals prior to the purchase of goods and/or services. This policy applies to all members.

209.2 POLICY

Management approval is required prior to any purchase of goods and/or services. It is the responsibility of the manager approving the request to ensure that they have the appropriate level of authorization per County and departmental policies. The handling of all purchases shall be in compliance with Riverside County Board of Supervisors policies, ordinances, purchasing policies and Riverside County Auditor/Controller Standard Practice Manual. Refer to Riverside County Purchasing and Fleet Services - [Procurement Card](#), for additional information.

209.3 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 04/06/2016
Date Created	01/13/2011
Attachments	1. Purchase Authorization Form

Chapter 3 - General Operations

Documentation and Report Preparation

300.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Department who complete documentation and reports as a part of their duties.

300.2 POLICY

It is the policy of the Riverside County Probation Department that members shall act with promptness and efficiency in the preparation and processing of all reports. Documentation and reports shall document sufficient information to refresh the member's memory and shall provide enough detail for follow-up investigation and successful prosecution.

300.3 EXPEDITIOUS REPORTING

Incomplete reports, unorganized reports, or reports that are delayed without supervisory approval are not acceptable. Documentation and reports shall be processed according to established priorities or to a special priority necessary under exceptional circumstances.

300.4 REPORT PREPARATION

Documentation is defined as providing a detailed written record of actions, reasons for actions, verbal statements, interpretations, observation, and/or measurements to include but not limited to entries into a database and completion of forms or required reports.

Documentation and reports should be sufficiently detailed for their purpose and free from errors prior to submission and approval. Members are responsible for completing and submitting all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be held.

All documentation and reports shall accurately reflect the identity of the persons involved; all pertinent information seen, heard, or assimilated by any other sense; and any actions taken. Members shall not suppress, conceal, or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such.

300.4.1 HANDWRITTEN OR TYPED REPORTS

County, state, and federal agency forms may be block printed unless the requirement for typing is apparent. Supervisors may require block printing or typing of reports of any nature for department consistency.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting member will be required by the reviewing supervisor to promptly make corrections and resubmit the report.

In general, the narrative portion of reports where an arrest is made or when there is a long narrative should be typed.

Members who generate reports on computers are subject to all requirements of this policy.

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300.4.2 ELECTRONIC SIGNATURES

The Riverside County Probation Department has established an electronic signature procedure for use by all members of the Riverside County Probation Department. The Business Process Manager or other designated Manager shall be responsible for maintaining the electronic signature system, ensuring that each member creates a unique, confidential password for the electronic signature, and ensuring that the use of electronic signatures otherwise complies with the law (Government Code § 16.5):

- (a) Members may only use their electronic signatures for official reports or other official communications.
- (b) Each member shall be responsible for the security and use of the electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

300.4.3 NOTATION OF INFORMATION RECEIVED FROM THIRD PARTIES

When information included in a report was received from a third party that is not an identified law enforcement, probation, parole, or corrections agency, the member authoring the report should state which specific information was obtained from a third party and whether it was independently confirmed by a member from the Department.

300.5 ADULT REQUIRED REPORTING

In all of the following situations, members shall complete reports using the appropriate department-approved forms and reporting methods, unless otherwise approved by a supervisor.

The reporting requirements are not intended to be all-inclusive. A member may complete a report if the member deems it necessary or as directed by a supervisor.

300.5.1 REPORTS TO THE COURT

As appropriate and necessary, officers should prepare and file with the court the following reports:

- (a) A pretrial diversion report, if requested by the court, as to the suitability of a person for pretrial diversion (Penal Code § 1000.1(5)(b)).
- (b) A presentence report for adult clients upon referral of a felony conviction from the court (Penal Code § 1203).
 - 1. The report should include a recommendation of whether the client should be granted probation and recommended conditions of probation, if granted (Penal Code § 1203).
 - 2. The report should be consistent with the requirements of Penal Code 1203(a) and Court Rule 4.411.5 (Penal Code §1203).
- (c) A conduct and worktime credit estimate to be filed with the court at the time of sentencing (Penal Code § 1191.3).
 - 1. The estimate shall also be provided to the victim.
- (d) A domestic violence report if a client has been granted probation for a violation of the domestic violence code (Penal Code § 1203.097(b)).

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1. The report should include recommendations of an appropriate batterer's program for the client.

300.5.2 CRIMINAL ACTIVITY AND VIOLATION CONDUCT

When a member becomes aware of any activity where a crime or violation of probation or supervised release has occurred, the member shall document the incident.

Activity to be documented:

- (a) All arrests.
- (b) All felony crimes.
- (c) Non-felony criminal incidents involving threats or stalking behavior.
- (d) Situations covered by the Use of Force Policy.
- (e) All misdemeanor crimes where the victim desires a report.
- (f) All violations of probation or supervised release.

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method.

300.5.3 NON-CRIMINAL ACTIVITY AND NON-VIOLATION CONDUCT

Non-criminal activity to be documented includes:

- (a) Any found property or found evidence.
- (b) All protective custody and welfare detentions.
- (c) Any time a person is reported missing, regardless of jurisdiction.
- (d) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (e) Suspicious incidents that may place the public or others at risk.
- (f) Any use of force by members of this department against any person (see the Use of Force Policy).
- (g) Any firearm discharge (see the Firearms Policy).
- (h) Any time a member points a firearm at any person.
- (i) Any traffic accidents, involving department vehicles or members involved in County business, above the minimum reporting level (see the Vehicle Use, Safety, and Maintenance Policy).
- (j) Whenever the member believes the circumstances should be documented or at the direction of a supervisor.

300.5.4 MISCELLANEOUS INJURIES

Any injury reported to this department shall require a report when:

- (a) The injury is the result of drug overdose.

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- (b) There is an attempted suicide.
- (c) The injury is major or serious and potentially fatal.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to document the event.
- (e) The injury is to a person in a member's custody or care.

300.6 JUVENILE REPORTING

Officers may be required to complete reports relating to juvenile clients in any of the following scenarios. Officers shall complete reports consistent with the appropriate department forms and reporting methods, unless otherwise approved by a supervisor. The reports referenced herein are not intended to be all-inclusive.

300.6.1 SOCIAL STUDY REPORT

Officers shall prepare and file with the court a social study, prepared pursuant to the requirements of Welfare and Institutions Code § 706.5, as follows (Welfare and Institutions Code § 727.4):

- (a) At least 10 days before a permanency hearing held pursuant to Welfare and Institutions Code § 727.3.
- (b) At least 10 days before a placement review hearing held pursuant to Welfare and Institutions Code § 727.2.
- (c) After any hearing during which the court has ordered a minor into the supervision of the officer for placement (Welfare and Institutions Code § 727).

300.6.2 ADDITIONAL REPORTS

Officers should also:

- (a) Prepare and file periodic reports and special reports, as appropriate (Welfare and Institutions Code § 284).
- (b) Make periodic reports to the Attorney General pursuant to the requirements of the Attorney General (Welfare and Institutions Code § 285).
- (c) Prepare and file with the court written reports and recommendations as requested by the court with regard to custody, status, or welfare of a minor. Reports shall be prepared consistent with the requirements of Welfare and Institutions Code § 281.

300.7 ANYCOUNTY PERSONNEL OR PROPERTY

Incidents involving County personnel or property shall require a report when:

- (a) An injury occurs as the result of an act of a County employee or on County property.
- (b) There is damage to County property or equipment.

300.8 REVIEW AND CORRECTIONS

Supervisors or authorized designee shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor or authorized designee should provide comments stating the reasons for rejection.

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The original report and the corrections should be returned to the reporting member for correction as soon as practicable. It shall be the responsibility of the originating member to ensure that any report returned for correction is processed in a timely manner.

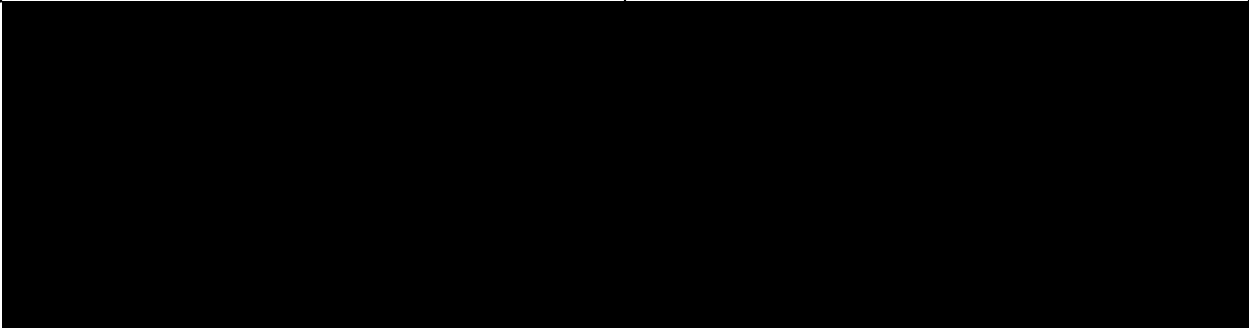
300.8.1 CHANGES AND ALTERATIONS

Reports that have been approved by a supervisor or authorized designee and submitted for filing and distribution shall not be modified or altered except by way of a supplemental report.

Reviewed reports not yet submitted may be corrected or modified by the authoring member only with the knowledge and authorization of the reviewing supervisor or authorized designee.

300.9 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 07/20/2011
Date Created	03/27/1995
Attachments	1. Incident Report 2. Dual Status Lead Change Screening Process



Search and Seizure

301.1 PURPOSE AND SCOPE

Both the federal and state constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Riverside County Probation Department personnel to consider when dealing with search and seizure issues.

301.2 POLICY

It is the policy of the Riverside County Probation Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards, and prosecutorial considerations regarding specific search and seizure situations.

301.3 SEARCHES GENERALLY

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions to the rule that permit a warrantless search.

Examples of probation supervision activities that are exceptions to the general warrant requirement include but are not limited to searches pursuant to:

- Authorization under the terms or conditions of a person's release or supervision.
- Valid consent.
- Incident to a lawful arrest.
- Vehicle searches under certain circumstances.
- Exigent circumstances.

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and the member's familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

Planned searches (non-cursory) shall be conducted in accordance with state and federal law, with adequate back up, in accordance with the Operations Planning Policy.

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Search and Seizure

301.4 SEARCH PROTOCOL

Although conditions will vary, and officer safety and other exigencies must be considered in every search situation, these guidelines should be followed whenever circumstances permit:

- (a) All searches should be conducted according to departmental training.
- (b) Members of this department will strive to conduct searches with dignity and courtesy.
- (c) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (d) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (e) All personnel shall wear identifying gear that may include name tags, jackets, identification vests, badges, etc.
- (f) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations, or access codes when a search of locked property is anticipated.
- (g) Whenever practicable, a search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.
- (h) When the person to be searched is of the opposite sex as the searching officer, when necessary a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search, unless it is not safe or practicable to do so. Transgender/intersex persons may request either a male or female staff member to conduct the search. Whenever feasible, the officers shall respect the subject's preference regarding the gender of the staff member who conducts any search of the subject. When it is not practicable to summon an officer of the same sex or preferred gender of the subject, these guidelines should be followed:
 1. Another officer or a supervisor should witness the search.
 2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing, or clothing that could not reasonably conceal a weapon.
 3. As soon as practicable after the initial search for weapons, a thorough search of the subject shall be conducted by an officer of the same sex or preferred gender.

301.5 DOCUMENTATION

Officers are responsible for documenting any search and ensuring that any required reports are sufficient, including, at a minimum, documentation of:

- Date, time, and location of search.
- Which individuals were searched to include results.
- Which officers were involved in the search.
- Reason for the search.
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys).

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- What, if any, injuries or damage occurred.
- All steps taken to secure property.
- The results of the search, including a description of any property or contraband seized.
- If the person searched was of the opposite sex or gender, any efforts to summon an officer of the same sex or preference of the person being searched and the identification of any witness officer.

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented, and that current legal requirements and department policy have been met.

Any property or contraband seized during a search shall be recorded and logged as outlined in the Property policy.

In the event of forced entry, injuries or damage to property, an incident report shall be completed by all involved or witnessing officers. If damages were allegedly caused by the Department to a person or property, an officer shall provide a Claim for Damages to Person or Property form. Refer to [Riverside County Claim Form for Damages](#), for additional information.

301.6 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 07/07/2022; 12/29/2021; 01/20/2016; 07/12/2006; 04/29/1997; 01/10/1996; 05/14/1994; and 12/08/1993
Date Created	10/01/1989
Attachments	None

Use of Force

302.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, members authorized to use force are expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Government Code § 7286).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Conducted Energy Devices policies.

Nothing in this policy is intended to limit members' lawful ability to defend themselves.

Retaliation prohibitions for reporting suspected violations are addressed in the Anti-Retaliation Policy.

302.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code § 835a).

De-escalation - The use of respectful interpersonal communication to avoid or reduce conflict or escalating situations that may lead to violence, utilizing techniques, if appropriate, such as: active listening, expressing empathy, building rapport, and influence.

Explicit bias - Conscious belief or attitude toward a specific social group that may lead an individual to act in discriminatory ways.

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person (Government Code § 7286(a)).

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when persons allow themselves to be searched, escorted, handcuffed, or restrained.

Imminent threat - An "imminent" threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the officer or another person. An officer's subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one, that from appearances, is reasonably believed to require instant attention.

Serious bodily injury - A serious impairment of physical condition, including but not limited to the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment

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of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (Penal Code § 243(f)(4)).

Totality of the circumstances - All facts known to the officer at the time, including the conduct of the officer and the subject leading up to the use of force (Penal Code § 835a).

302.2 POLICY

The use of force by officers authorized to use force is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers authorized to use force must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of duties.

The Riverside County Probation Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force in the performance of their duties requires monitoring, evaluation, and a careful balancing of all interests.

The use of force is restricted to circumstances authorized by law and only to the level necessary to accomplish a lawful probation task in accordance with established policies.

Officers shall utilize de-escalation techniques or other alternatives prior to using force when safe and feasible to do so.

This policy shall be regularly reviewed and updated in accordance with the Policy Manual Policy to reflect developing practices and procedures.

302.2.1 FAIR AND UNBIASED USE OF FORCE

Officers are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased (Government Code § 7286(b)).

302.2.2 DUTY TO INTERCEDE

Any officer present and observing another law enforcement officer or an employee using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, shall, when in a position to do so, intercede (as defined by Government Code § 7286) to prevent the use of unreasonable force.

When observing force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject (Government Code § 7286(b)).

302.2.3 FAILURE TO INTERCEDE

An officer who has received the required training on the duty to intercede and then fails to act to intercede when required by law may be disciplined in the same manner as the officer who used force beyond that which is necessary (Government Code § 7286(b)).

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302.2.4 DUTY TO REPORT EXCESSIVE FORCE

Any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary shall immediately report these observations to a supervisor (Government Code § 7286(b); Penal Code § 832.13).

As used in this section, "immediately" means as soon as it is safe and feasible to do so.

302.3 USE OF FORCE

Officers authorized by the Chief Probation Officer to use force in arresting a client or preventing a client from escaping custody shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance (Government Code § 7286(b)).

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the approved or authorized tools, weapons, or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

The use of force options following officer presence (command presence and professional demeanor) and/or verbal commands (communication skills, dialogue, and negotiation) for officers listed below are restricted to those in which the officer has been successfully trained and authorized.

- (a) Physical restraint/leverage: control holds, mechanical restraints
- (b) Pain compliance techniques
- (c) Defensive strikes and kicks

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- (d) Chemical agents
- (e) Baton
- (f) Conducted Energy Devices
- (g) Lethal force

302.3.1 ALTERNATIVE TACTICS - DE-ESCALATION

As time and circumstances reasonably permit, and when community and officer safety would not be compromised, officers should consider actions that may increase officer safety and may decrease the need for using force:

- (a) Summoning additional resources that are able to respond in a reasonably timely manner.
- (b) Formulating a plan with responding officers before entering an unstable situation that does not reasonably appear to require immediate intervention.
- (c) Employing other tactics that do not unreasonably increase officer jeopardy.

In addition, when reasonable, officers should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)). Such alternatives may include but are not limited to:

- Attempts to de-escalate a situation.
- If reasonably available, the use of crisis intervention techniques by properly trained personnel.

302.3.2 USE OF FORCE TO EFFECT AN ARREST

Officers authorized by the Chief Probation Officer and California Penal Code § 830.5 may use objectively reasonable force to effect an arrest, to prevent escape, or to overcome resistance (Penal Code § 835).

An authorized officer who makes or attempts to make an arrest need not retreat or desist from the efforts by reason of resistance or threatened resistance on the part of the person being arrested; nor shall an officer be deemed the aggressor or lose the right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or to overcome resistance. Retreat does not mean tactical repositioning or other de-escalation techniques (Penal Code § 835a).

302.3.3 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit (Government Code § 7286(b)). These factors include but are not limited to:

- (a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).

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- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time (Penal Code § 835a).
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The conduct of the involved officer leading up to the use of force (Penal Code § 835a).
- (e) The effects of suspected drugs or alcohol.
- (f) The individual's apparent mental state or capacity (Penal Code § 835a).
- (g) The individual's apparent ability to understand and comply with officer commands (Penal Code § 835a).
- (h) Proximity of weapons or dangerous improvised devices.
- (i) The degree to which the individual has been effectively restrained and the individual's ability to resist despite being restrained.
- (j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).
- (k) Seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.
- (l) Training and experience of the officer.
- (m) Potential for injury to officers, suspects, bystanders, and others.
- (n) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (o) The risk and reasonably foreseeable consequences of escape.
- (p) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (r) Prior contacts with the individual or awareness of any propensity for violence.
- (s) Any other exigent circumstances.

302.3.4 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

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The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

302.3.5 RESTRICTIONS ON THE USE OF CAROTID CONTROL HOLD

Officers of this Department are not authorized to use a carotid restraint hold. A carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person (Government Code § 7286.5).

302.3.6 RESTRICTIONS ON THE USE OF A CHOKE HOLD

Officers of this Department are not authorized to use a choke hold. A choke hold means any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe (Government Code § 7286.5).

302.3.7 ADDITIONAL RESTRICTIONS

Terms such as "positional asphyxia," "restraint asphyxia," and "excited delirium" continue to remain the subject of debate among experts and medical professionals, are not universally recognized medical conditions, and frequently involve other collateral or controlling factors such as narcotics or alcohol influence, or preexisting medical conditions. While it is impractical to restrict an officer's use of reasonable control methods when attempting to restrain a combative individual, officers are not authorized to use any restraint or transportation method which might unreasonably impair an individual's breathing or respiratory capacity for a period beyond the point when the individual has been adequately and safely controlled. Once the individual is safely secured, officers should promptly check and continuously monitor the individual's condition for signs of medical distress (Government Code § 7286.5).

302.3.8 USE OF FORCE TO SEIZE EVIDENCE

In general, authorized officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence.

In the instance when force is used to seize evidence, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration, or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted.

302.3.9 USE OF FORCE TO PREVENT INGESTION OF EVIDENCE

Officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband (see the Medical Aid and Response Policy).

302.4 DEADLY FORCE APPLICATIONS

Where feasible, the officer shall, prior to the use of deadly force, make reasonable efforts to identify as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts (Penal Code 835a).

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If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers shall evaluate and use other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably practical, officers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).

The use of deadly force by authorized members is only justified when the officer reasonably believes it is necessary in the following circumstances (Penal Code § 835a):

- (a) Officers may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury to the officer or another person.
- (b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

Officers shall not use deadly force against a person based on the danger that person poses to self, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or to another person (Penal Code § 835a).

An "imminent" threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the officer or another person. An officer's subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

302.4.1 CONSIDERATION OF SURROUNDINGS

Any discharge of a firearm entails significant risk of an unintended outcome and may endanger the lives of bystanders. Accordingly, to the extent reasonably practical under the circumstances, officers must consider their surroundings (including location and traffic), and potential risks to bystanders before discharging a firearm (Government Code § 7286(b)).

302.4.2 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective and may involve additional considerations and risks. When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others (Government Code § 7286(b)).

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

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302.4.3 DISPLAYING OF FIREARMS

Given that individuals might perceive the display of a firearm as a potential application of force, officers should carefully evaluate each tactical situation and use sound discretion when drawing a firearm in public by considering the following guidelines (Government Code § 7286(b)):

- (a) If the officer does not initially perceive a threat but reasonably believes that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed toward an individual.
- (b) If the officer reasonably believes that a threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed encounter), firearms may be directed toward such threat until the officer no longer perceives such threat.

Once it is reasonably safe to do so, officers should carefully secure all firearms.

302.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why the officer believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms as specified in department policy, procedure, or law. See the Documentation and Report Preparation Policy for additional circumstances that may require documentation.

302.5.1 NOTIFICATION TO SUPERVISORS

Any use of force by an officer shall be reported immediately to a supervisor in circumstances, including but not limited to the following (Penal Code § 832.13):

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the conducted energy device (CED) or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

As used in this section, "immediately" means as soon as it is safe and feasible to do so.

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302.5.2 REPORT RESTRICTIONS

Officers shall not use the term excited delirium to describe an individual in an incident report. Officers may describe the characteristics of an individual's conduct, but shall not generally describe the individual's demeanor, conduct, or physical and mental condition at issue as excited delirium (Health and Safety Code § 24402).

302.5.3 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2 (see the Records Maintenance and Release Policy).

302.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, properly trained officers should promptly provide or procure medical assistance for any person injured or claiming to have been injured in a use of force incident (Government Code § 7286(b)).

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until medically assessed.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away (see the Medical Aid and Response Policy).

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302.7 SUPERVISOR RESPONSIBILITY

A supervisor should respond to any reported use of force, if reasonably available. The responding supervisor is expected to (Government Code § 7286(b)):

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived *Miranda* rights, the following shall apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
 - 1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the individual may pursue civil litigation.
 - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and advise if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

302.7.1 SUPERVISOR REVIEW

The unit supervisor shall review each use of force by any personnel within their command to ensure compliance with this policy and to address any training issues. All use of force incidents shall be forwarded to the Division Manager for review.

302.7.2 MANAGER RESPONSIBILITY

The Manager shall review each use of force by any personnel within the Manager's command to ensure compliance with this policy.

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302.8 USE OF FORCE COMPLAINTS

The receipt, processing, and investigation of citizen complaints involving use of force incidents should be handled in accordance with the Personnel Complaints Policy (Government Code § 7286(b)).

302.9 TRAINING

Officers and supervisors will receive periodic training on this policy and demonstrate their knowledge and understanding (Government Code § 7286(b)).

Subject to available resources, the Training Manager should ensure that officers receive periodic training on de-escalation tactics, including alternatives to force.

Training should also include (Government Code § 7286(b)):

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly persons, pregnant individuals, and individuals with physical, mental, and developmental disabilities.
- (b) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10.

See the Training Policy for restrictions relating to officers who are the subject of a sustained use of force complaint.

The following courses meet the objectives in this policy (Government Code § 7286(b)):

- (a) Armed Staff Training: OIS Critical Incident, and Force on Force Scenario Training
- (b) Chemical Agents
- (c) Crisis Intervention Training
- (d) De-Escalation Training
- (e) Mandatory Defensive Tactics Training (Field and Institutions; Armed and Unarmed)
- (f) Supervisor Mandatory Defensive Tactics Training (Armed and Unarmed)
- (g) Probation Search and Weapon Safety
- (h) Cultural Diversity & Ethnic Disparity
- (i) Disproportionate Minority Contact
- (j) PC 832 Module on Cultural Diversity

302.10 USE OF FORCE ANALYSIS

At least annually, the department should prepare an analysis report on use of force incidents. The report should be submitted to the Chief Probation Officer or the authorized designee. The report should not contain the names of officers, suspects, or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.

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(d) Policy revision recommendations.

302.11 POLICY REVIEW

The Chief Probation Officer or the authorized designee should regularly review and update this policy to reflect developing practices and procedures (Government Code § 7286(b)).

302.12 POLICY AVAILABILITY

The Chief Probation Officer or the authorized designee should ensure this policy is accessible to the public (Government Code § 7286(c)).

302.13 PUBLIC RECORDS REQUESTS

Requests for public records involving an officer's personnel records shall be processed in accordance with Penal Code § 832.7 and the Personnel Records, and Records Maintenance and Release policies (Government Code § 7286(b)).

302.14 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 08/20/2021; 04/06/2021; 06/05/2020; 10/10/2014; 11/24/2009; and 04/28/1998
Date Created	03/27/1995
Attachments	None

Handcuffing and Restraints

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

This policy does not address the transportation of restrained persons or handcuffing and restraint of juveniles appearing in court or those already detained in a local secure juvenile facility, camp, ranch, or forestry camp.

303.2 POLICY

The Riverside County Probation Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, and department training. Restraint devices shall not be used to punish, to display authority, or as a show of force.

303.3 USE OF RESTRAINTS

Only members who have successfully completed Riverside County Probation Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime or violation leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing in the front to allow the person to sign or write notes.
- Whether the person has any other apparent disability.
- Whether the person has a history of resisting arrest, escapes and mental health issues.

When carrying restraints, the officer shall be in possession of a key necessary to lock and unlock the restraints. Officers are responsible for retrieving and/or securing department-issued restraints including handcuffs, shackles, and waist chains when appropriate for use.

Persons who have been placed in any form of restraints shall be under continuous direct visual supervision until the restraints are removed and shall not be left unattended. Officers must also protect restrained persons from abuse by others.

303.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should

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continue only for as long as is reasonably necessary to ensure the safety of officers and others. A protective search for weapons, following the Search and Seizure Policy, shall be conducted. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion on the detainee.

303.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure herself or others, or damage property.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others.

303.3.3 RESTRAINT OF JUVENILES

A juvenile younger than 14 years of age should not be restrained unless the juvenile is suspected of a violent felony consistent with Welfare and Institutions Code 707(b) or when the officer reasonably suspects that the juvenile may resist, attempt escape, self-injure, injure the officer, or damage property.

303.3.4 NOTIFICATIONS

Whenever an officer transports a person in restraints other than handcuffs, as described below, the officer shall inform the detention facility staff upon arrival at the facility that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the detention facility.

303.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department unless required by law, other policy, or facility regulations. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed regardless of the circumstances. Handcuffs shall be used when a person is taken into custody or being transported while in custody, unless other auxiliary restraints are utilized.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists. Handcuffs shall be periodically checked to ensure they are secure and not causing injury. The subject shall be monitored at all times. Subjects shall not

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be restrained to the arresting officer or to a vehicle or any other object not specifically designed for such purpose.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

303.5 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon a person in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and so that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations when the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head, and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after use.

303.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, but while permitting adequate movement, comfort, and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

303.7 REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

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If a person is arrested, the use of handcuffs or other restraints shall be documented. The officer should include, as applicable:

- (a) How handcuffs were applied (e.g., double locked and gapped).
- (b) The amount of time the person was restrained.
- (c) How the person was transported and the position of the person during transport.
- (d) Observations of the person's behavior and any signs of physiological problems.
- (e) Any known or suspected drug use or other medical problems.
- (f) Any complaint regarding restraints being too tight and how the complaint was resolved.

303.8 TRAINING

Subject to available resources, the Training Manager should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

303.9 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 08/02/2022; 10/10/2014; and 05/14/1994
Date Created	10/01/1989
Attachments	None

Control Devices

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

This policy does not address the application of a control device on juveniles appearing in court or those already detained in a local secure juvenile facility, camp, ranch, or forestry camp.

304.2 POLICY

In order to control individuals who are violent or who demonstrate the intent to be violent, the Chief Probation Officer may authorize officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

304.3 ISSUING, CARRYING, AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief Probation Officer or the authorized designee.

Only those members who have been authorized by the Chief Probation Officer and who have successfully completed department-approved training on this policy and the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain, or arrest a person who is violent or who demonstrates the intent to be violent and using the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

304.4 RESPONSIBILITIES

304.4.1 UNIT SUPERVISOR RESPONSIBILITIES

The Unit Supervisor shall control the inventory and issuance of OC spray and shall ensure that all damaged, inoperative, outdated or expended OC spray devices are properly disposed of or replaced.

304.4.2 RANGEMASTER RESPONSIBILITIES

Other than OC spray, the Rangemaster shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated, or expended control devices are properly disposed of, repaired, or replaced.

Every control device will be periodically inspected by the Rangemaster or the designated instructor for a particular control device. The inspection shall be documented.

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304.4.3 USER RESPONSIBILITIES

All normal maintenance, charging, or cleaning shall remain the responsibility of personnel using the devices. Periodic testing of OC spray canisters in a safe manner is recommended. Control devices shall not be left unattended or stored in vehicles overnight.

Any damaged, inoperative, outdated, or expended control devices, along with documentation explaining the cause of the damage, shall be returned to the appropriate supervisor or Rangemaster for disposition. Documentation shall also be forwarded through the chain of command, when appropriate, explaining the cause of damage.

Equipment supplied by the department shall only be used by an officer while on-duty. Equipment shall not be used when an officer is off-duty.

304.5 BATON GUIDELINES

The need to immediately control a subject must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys, and groin should not be intentionally targeted except when the officer reasonably believes the subject poses an imminent threat of serious bodily injury or death to self or others.

When carrying a baton, uniformed personnel shall carry the baton in an authorized holder. As it is considered a use of force, baton use shall be restricted to circumstances authorized by law and only to the level necessary to accomplish a lawful probation task in accordance with established policies.

Officers shall seek medical attention, in accordance with the Use of Force policy, when a baton is used.

304.6 OLEORESIN CAPSICUM GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray may be considered for use to bring under control an individual engaging in, or about to engage in, violent behavior. OC spray should not be used against individuals who do not reasonably appear to present a risk to the safety of department members or the public. Officers carrying OC spray shall carry the device in an authorized holder.

304.6.1 TREATMENT FOR EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those who complain of further severe effects shall be examined by appropriate medical personnel.

304.7 POST-APPLICATION NOTICE

Whenever OC has been introduced into a residence, building interior, vehicle, or other enclosed area, the owners or available occupants should be provided with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that cleanup will be at the owner's expense. Information regarding how and when the notice was delivered and the individuals notified should be included in related reports.

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304.8 TRAINING FOR CONTROL DEVICES

The Training Manager shall ensure that those members who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified control-device weapons or tactics instructor. Refresher OC training shall be conducted every two years or as designated by the Training Manager. Should the department determine an officer is in need of remedial training due to the misuse of OC spray, refresher training for the officer shall be mandatory. Refresher courses for energy conducted weapons and baton shall be conducted every year as designated by the Training Manager.
- (b) All training and proficiency for control devices will be documented in the member's training file.
- (c) Members who fail to demonstrate proficiency with the control device or knowledge of the Use of Force Policy will be provided remedial training. If a member cannot demonstrate proficiency with a control device or knowledge of the Use of Force Policy after remedial training, the member will be restricted from carrying the control device.

304.9 REPORTING USE OF CONTROL DEVICES

Any application of a control device shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

304.10 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 09/10/2020; 01/20/2016; 11/03/2011; 12/01/1998; and 08/28/1995
Date Created	12/04/1991
Attachments	1. Chemical Agent Warning

Conducted Energy Device

305.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

305.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

305.3 ISSUANCE AND CARRYING CEDS

Only members who have successfully completed department-approved training may be issued and may carry the CED.

The Rangemaster should keep a log of issued CEDs and the serial numbers of cartridges/magazines issued to members.

CEDs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department inventory.

Officers shall only use the CED and cartridges/magazines that have been issued by the Department. Cartridges/magazines should not be used after the manufacturers' expiration date.

Officers who have been issued the CED shall wear the device in an approved holster.

Officers who carry the CED shall not carry it on the same lateral side as the primary firearm (Penal Code § 13660).

- (a) All CEDs shall be clearly distinguishable to differentiate them from a duty weapon and any other device.
- (b) Officers should not hold a firearm and the CED at the same time.

305.3.1 USER RESPONSIBILITIES

Officers shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the officer's shift.

CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the Rangemaster for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

305.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the CED should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.

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- (b) Provide other officers and individuals with a warning that the CED may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, activate any warning on the device, which may include display of the electrical arc, an audible warning, or the laser, in a further attempt to gain compliance prior to the application of the CED. The laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the CED in the related report.

305.5 USE OF THE CED

The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely deploy the device within its operational range. Although the CED may be effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

305.5.1 APPLICATION OF THE CED

The CED may be used when the circumstances reasonably perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated by words or action an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.

Mere flight from a pursuing officer, without additional circumstances or factors, is not good cause for the use of the CED to apprehend or control an individual.

The CED shall not be used to psychologically torment, elicit statements, or punish any individual.

305.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject, or others, and the officer reasonably believes that the need to control the individual outweighs the potential risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious children.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capicum (OC) spray.

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- (f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

Any CED capable of being applied in the drive-stun mode (i.e., direct contact without probes as a primary form of pain compliance) should be limited to supplementing the probe mode to complete the circuit or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

305.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

305.5.4 MULTIPLE APPLICATIONS OF THE CED

Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

305.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, officers shall notify a supervisor any time the CED has been discharged in compliance with the Use of Force Policy. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

305.5.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

305.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department CEDs while off-duty.

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Officers shall ensure that CEDs are secured while in their homes, vehicles, or any other area under their control, in a manner that will keep the device inaccessible to others.

305.6 DOCUMENTATION

Officers shall document all CED discharges in the related report in compliance with the Use of Force Policy. Photographs should be taken of any obvious probe impact or drive-stun application sites and attached to the related report. Unintentional discharges, pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented in the client management system or as directed. Data downloads from the CED after use on a subject should be done as soon as practicable using a department-approved process to preserve the data.

305.6.1 CED INCIDENT REPORTING

As applicable based on the device type, items that shall be included in the CED related report are:

- (a) The brand, model, and serial number of the CED and any cartridge/magazine.
- (b) Date, time, and location of the incident.
- (c) Whether any warning, display, laser, or arc deterred a subject and gained compliance.
- (d) The number of probes deployed, CED activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The estimated range at which the CED was used.
- (f) The type of mode used (e.g., probe deployment, drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.
- (m) Any weapons possessed by the suspect.
- (n) Police report number and any new charges (e.g., 148(a)(1) PC Resist/Delay/Obstruct a Peace Officer in Discharge of their Duties).
- (o) Copy of deployment information from the CED.

The department designee should periodically analyze CED related reports to identify trends, including deterrence and effectiveness. The designated supervisors should also conduct audits of CED data downloaded to an approved location and reconcile CED reports with recorded activations. CED information and statistics, with identifying information removed, should periodically be made available to the public.

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305.6.2 REPORTS

The officer should include the following in their report:

- (a) Identification of all personnel firing CEDs
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication, or other medical problems

305.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel or officers trained in probe removal and handling should remove CED probes from a person's body. Used CED probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by CED probes, who have been subjected to the electric discharge of the device, or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The CED probes are lodged in a sensitive area (e.g., groin, area of the heart, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio/video recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Medical Aid and Response Policy). An officer shall remain at the medical facility until the subject is medically cleared for transportation and housing at a detention facility, unless the subject is admitted and sufficient custodial safeguards are in place, or the subject is otherwise released from custody.

305.8 SUPERVISOR/RANGEMASTER RESPONSIBILITIES

When possible, supervisors should respond to calls where the CED was discharged.

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A supervisor should review each incident report where a CED was discharged. The device's internal logs should be downloaded by a supervisor, Lead Rangemaster, or authorized designee and saved with the related incident report. Records of all discharges shall be maintained by the Lead Rangemaster or authorized designee.

The Lead Rangemaster should order and maintain adequate cartridges and maintenance supplies. Additionally, conduct inspections of CEDs.

305.9 TRAINING

Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CED as a part of their assignments for a period of six months or more shall be recertified by a qualified CED instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time, if deemed appropriate, by the assigned supervisor. All training and proficiency for CEDs will be documented in the officer's training files.

Command staff, supervisors, and administrative investigators should receive CED training as appropriate for the investigations they conduct and review.

The Training Manager is responsible for ensuring that all members who carry CEDs have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of CEDs during training could result in injuries and should not be mandatory for certification.

The Training Manager or authorized designee should include the following training:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin.
- (e) Scenario-based training, including virtual reality training when available.
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options.
- (g) De-escalation techniques.
- (h) Restraint techniques that do not impair respiration following the application of the CED.
- (i) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.
- (j) Proper tactics and techniques related to multiple applications of CEDs.

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305.10 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 01/20/2016
Date Created	01/11/2010
Attachments	None

Firearms

306.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance, and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized by law and the Chief Probation Officer to carry firearms.

306.2 POLICY

The Riverside County Probation Department may authorize and equip certain members with firearms for specified duties. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

306.3 AUTHORIZED FIREARMS, AMMUNITION, AND OTHER WEAPONS

Members may carry firearms consistent with the written authorization of the Chief Probation Officer identifying when a firearm may be carried and any limitations.

Authorized members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Rangemaster. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized range.

An approved non-lethal chemical agent, electronic control device (CED) and impact weapon shall be carried in conjunction with the department-issued firearm while conducting field work. When in the office, if an officer chooses to carry the department-issued firearm, at least one approved less lethal option (chemical agent, electronic control device (CED), or impact weapon), shall be carried in conjunction with a department-issued firearm. Task force officers and other positions as designated by the Chief Probation Officer are exempt from the above requirements. The authorized firearm shall be encased in an approved holster and worn in conjunction with the officer's badge. It may be worn in plain view or concealed at the officer's discretion.

All other weapons not provided by the Department, including but not limited to edged weapons, chemical or electronic weapons, impact weapons, or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the Chief Probation Officer. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

306.3.1 DUTY HANDGUNS

The Chief Probation Officer, or designee, shall publish a list of authorized firearms. Firearms issued by the department will not be altered in any manner, except for grips or grip adapters, as

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approved by the Rangemaster. All safety devices on the firearms provided by the manufacturer will be intact and functioning at all times. Firearms shall be inspected for serviceability by a designated armorer on an annual basis.

306.3.2 AUTHORIZED SECONDARY HANDGUN

Members authorized by the Chief Probation Officer to carry a firearm in the performance of their duties who desire to carry a secondary handgun must receive written approval from the Chief Probation Officer and are subject to the following restrictions:

- (a) The handgun shall be issued by the department.
- (b) Only one secondary handgun may be carried at a time.
- (c) The ammunition shall be provided by the Department.
- (d) Unless being carried as a primary duty weapon, secondary handguns shall be carried concealed at all times either inside the officer's load bearing vest or on their ankle, and in such a manner as to prevent unintentional cocking, discharge, or loss of physical control.
- (e) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.

306.3.3 OFF-DUTY FIREARMS

Unless specifically authorized, a member may not carry their department-issued firearm off duty except to and from work.

Under certain circumstances, members may be given written authorization by the Chief Probation Officer to carry a firearm (department-issued or personally owned) off duty. Once approved, personally owned firearms are subject to the following restrictions:

- (a) The firearm shall be in good working order and on the department list of approved firearms.
- (b) The firearm shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (d) Members shall provide written notice of the make, model, color, serial number, and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

As provided in Penal Code section 830.5 (a), probation officers are duly appointed peace officers whose authority extends to any place in the state while engaged in the performance of the duties

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of their employment and for purposes of carrying out the primary function of their employment. Accordingly, pursuant to Penal Code section 25450(b), the provisions of Penal Code section 25400 do not apply to probation officers.

In the event an officer chooses to carry a personal firearm while not performing employment functions for the county, whether authorized or not, the county does not consider such use within the course and scope of county employment. The officer will be considered to be acting independently from the county and will be considered individually liable for any claims arising from the use of a firearm. No employee of the Riverside County Probation Department is permitted to carry any firearm on their person, or to have any firearm on county property or job location, or in their vehicle while on official business, except with the prior and specifically expressed approval of the Chief Probation Officer.

306.3.4 AMMUNITION

Members shall carry only department-issued ammunition for all Department-issued firearms. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member's firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed, in accordance with established policy.

Members authorized to carry personal firearms should be issued department ammunition in specified quantity as available. Authorized members carrying personally owned firearms of a caliber differing from department-issued firearms shall be responsible for obtaining ammunition in accordance with the above, at their own expense.

306.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

306.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.

Firearms that are the property of the Department may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Rangemaster.

Any repairs or modifications to the member's personally owned firearm shall be done at the member's expense and must be approved by the Rangemaster.

306.4.2 HOLSTERS

Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

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306.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

306.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

306.5 SAFE HANDLING, INSPECTION, AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.
- (c) Members shall not clean, repair, load, or unload a firearm anywhere in the Department, except where clearing barrels are present.
- (d) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into a custodial facility when securing or processing an arrestee, but shall instead place all firearms in a secured location.
- (e) Members shall not use any automatic firearm, heavy caliber rifle, gas, or other type of chemical weapon or firearm except with Department approval.
- (f) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

Department field offices shall provide a clearing barrel for the safe loading and unloading of firearms.

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306.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. All firearms shall be pointed in a safe direction or into clearing barrels.

Department-owned firearms shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster.

306.5.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles, or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil and criminal liability (Penal Code § 25100).

306.5.3 STORAGE IN VEHICLES

When leaving a handgun in an unattended vehicle, members shall ensure that it is locked in the trunk, or in a locked container that is placed out of view, or in a locked container that is permanently affixed to the vehicle's interior and not in plain view, or in a locked toolbox or utility box permanently affixed to the vehicle (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452).

Firearms are not to be stored overnight in a county vehicle or private vehicle used on county business. If an on-duty armed officer, when conducting business other than client or high-risk contacts, does not wish to carry their firearm into a residence or public building, the firearm may be temporarily stored in a locked vehicle trunk, as long as the vehicle is locked.

If the vehicle does not have a trunk or a locked container, the firearm should be locked within the center utility console that can be locked with a padlock, keylock, combination lock, or other similar locking device (Penal Code § 25140).

Officers are exempt from these requirements during circumstances requiring immediate aid or action in the course of official duties (Penal Code § 25140).

306.5.4 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member's senses or judgment.

306.5.5 ARMING RESTRICTIONS

Officers who have been authorized to be armed are restricted from carrying or using firearms under the following conditions:

- (a) While in a condition where the officer's motor skills, reflexes, or judgment are or could be adversely affected.
- (b) While injured or in a physical condition causing inability to utilize a firearm properly.

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- (c) While on administrative leave, unless specifically authorized by the Chief Probation Officer.
- (d) While on extended leave without pay, or other period of unpaid absence from the department, including disciplinary suspension.
- (e) When ordered by the Chief Probation Officer and/or designee not to be armed.

306.6 FIREARMS TRAINING AND QUALIFICATIONS

To become armed, an officer must successfully complete all department and state required firearms training and qualification requirements.

When permission is granted for an officer to be armed, the authorization will be in writing, countersigned by the armed officer, and placed in the officer's personnel file, subject to periodic review by the Chief Probation Officer. The written authorization shall include a statement indicating the officer understands and accepts departmental policy regarding firearms and shooting.

All members who carry a firearm while on-duty are required to successfully complete training with their duty firearms per Department guidelines. All members will qualify at least quarterly with their duty firearms. Members will also qualify with off-duty and secondary firearms at least quarterly. Training and qualifications must be on an approved range course (Penal Code § 830.5).

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations, including low-light shooting.

306.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status, or scheduling conflict, a rangemaster shall submit a memorandum to the immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for:
 - 1. Unauthorized range make-up.
 - 2. Failure to meet minimum standards or qualify after remedial training.

Members who repeatedly fail to meet minimum standards will be removed from an armed field assignment.

Being armed is completely voluntary. Armed officers may opt to become unarmed at any time by submitting a written request to their immediate supervisor.

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306.6.2 ARMING REVOCATION

The Chief Probation Officer may rescind or revoke the authorization to be armed at any time, with no requirement for cause.

- (a) An armed officer's Division Director or designee may temporarily relieve an armed officer of their firearm, subject to review by the Chief Probation Officer.
- (b) If a recommendation for revocation or rescinding of authorization to be armed has been made to the Chief Probation Officer, the person recommending the revocation shall immediately submit a written report to the Chief Probation Officer, via the chain of command, indicating the circumstances that led to the recommendation.
- (c) An armed officer may be re-assigned at any time based upon the needs of the department. If the new assignment is not designated as an armed position, the officer may be required to relinquish the department-issued firearm and related equipment at the discretion of the Chief Probation Officer.
- (d) There is no appeal to any revocation or rescinding of authorization.

306.7 FIREARMS DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to the member's supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall file a written report with the supervisor or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, the member shall file a written report or provide a recorded statement no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., presence of local law enforcement or animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

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306.7.2 WARNING AND OTHER SHOTS

Warning shots are prohibited. Department-issued firearms may be used for practice/training on the officer's own time, only when authorized in advance by the Rangemaster. Such approval shall restrict the officer to using only department-approved firing ranges and/or facilities.

306.8 RANGEMASTER DUTIES

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Staff Development Unit after each range date. Failure of any member to sign in and out with the Rangemaster may result in non-participation or non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.

The Rangemaster has the responsibility of ensuring periodic inspections are completed, at least once a year, of all duty and authorized personal firearms carried by members of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to the personally owned firearm; it will not be returned to service until it has been inspected and approved by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning, and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit to the Staff Development Unit documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided, and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance, or other records as directed by the Staff Development Unit.

306.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Riverside County Probation Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature, and the signature of the Chief Probation Officer or the official seal of the Department and must present this identification to airline officials when requested.

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The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).

- (c) The Riverside County Probation Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Riverside County Probation Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief Probation Officer authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail the itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of the officer's assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on the officer's person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative, or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft or within eight hours prior to boarding an aircraft.

306.10 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 04/04/2023; 06/18/2018; 12/07/2017; 03/07/2016; 02/02/2011; and 02/19/2008
Date Created	07/01/2007
Attachments	None

Use of Force Review Boards

307.1 PURPOSE AND SCOPE

This policy establishes a process for the Riverside County Probation Department to review the use of force by its members.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or the evaluation of the use of force.

307.2 POLICY

The Riverside County Probation Department will objectively evaluate the use of force by its members to ensure that their authority is used appropriately and consistent with training and policy.

307.3 REMOVAL FROM LINE DUTY ASSIGNMENT

Generally, whenever a member's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that member may be temporarily reassigned pending an administrative review.

307.4 PROCEDURE PRIOR TO FIELD REVIEW BOARD

Field division managers shall review every incident involving use of force by staff in their division and send related incident reports to the Professional Standard's Bureau (PSB) for storage. If after initial division manager review, and Chief Deputy approval, the use of force incident should be referred to PSB for an administrative investigation, the UOF Review Board will not receive or review the incident. All use of force Incidents not referred to PSB for investigation after initial division manager review will be referred to the UOF Review Board.

307.5 FIELD REVIEW BOARD

The Field-Use of Force Review Board should review all use of force incidents, other than intentional discharge of a firearm at another person after initial review by the involved division manager, and Chief Deputy Probation Officer.

The Use of Force Review Board will convene quarterly, if applicable. If there is an immediate concern, the board will convene as requested by a field division manager or as directed by a Chief Deputy Probation Officer (CDPO).

Every incident where a probation staff member intentionally discharges a firearm at a person shall be reviewed by a Shooting Review Board pursuant to the Probation Department's Memorandum of Understanding (MOU) regarding officer involved shootings.

The Use of Force Review Board may be convened to investigate and review the circumstances surrounding any other discharge of a department-issued firearm to include, an accidental or negligent discharge of a firearm, whether the member was on- or off-duty.

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307.5.1 COMPOSITION OF THE BOARD

The Chief Probation Officer or the authorized designee should staff the Use of Force Review Board with individuals from the following, as appropriate:

- At least one manager from each Field Division
- At least one manager from PSB
- At least one manager from Staff Development Unit (SDU)
- At least one use of force or defensive tactics instructor
- Any subject matter experts related to subjects including, but not limited to training, equipment, department practices, and legal standards.

The manager designated by the Chief will serve as chairperson.

307.5.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct a review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, and call persons to present information.

The board does not have the authority to recommend discipline.

The Chief Probation Officer or the authorized designee will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges, or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

The review shall be based on those facts that are reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures, and approved training to those facts. Facts later discovered but unknown to the involved member at the time shall neither justify nor call into question a member's decision regarding the use of force.

The board shall evaluate the following:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

After the board has reviewed each incident, any incidents requiring further action beyond routine training, the applicable Incident Review shall be forwarded to the designated Chief Deputy Probation Officer for review of findings.

The Chief Deputy Probation Officer shall review the recommendations, and determine whether any additional actions, investigations, or reviews are appropriate.

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After Incident Reviews have been completed, including recommendations, the original signed Incident Review shall be submitted to the Professional Standards Bureau for filing. A Review Log of all incidents the board has evaluated shall be maintained by the Chair of the Use of Force Committee.

307.6 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Major Incident Notification

309.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Riverside County Probation Department in determining when, how, and to whom notification of major incidents should be made.

309.2 POLICY

The Riverside County Probation Department recognizes that certain incidents should be brought to the attention of supervisors, managers, or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed. Additional information regarding media inquiries is addressed in the Media Relations policy.

309.3 CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief Probation Officer, the affected Manager, and the appropriate County administrators. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Officer-involved shooting, whether on- or off-duty (see the Officer-Involved Shootings Policy for special notification)
- Homicides, suspicious deaths, or other deaths related to probation activity
- Crimes or other behavior by clients of unusual violence, or circumstances that may include hostages, barricaded persons, home invasions, armed robbery, or sexual assaults involving clients
- In-custody deaths or in-custody serious injuries related to clients
- Traffic accidents with fatalities or severe injuries involving department members or clients
- Significant injury to or death of a member of the Department, whether on- or off-duty
- Arrest of a member of the Department
- Equipment failures, utility failures, and incidents that may affect staffing or pose a threat to basic probation services
- Any other incident that has attracted or is likely to attract significant media attention

309.4 DEPARTMENT MEMBER RESPONSIBILITIES

All members who are aware of or believe they may be aware of a major incident should report that information to a supervisor as soon as possible. Staff members may report incident information to a manager should a supervisor not be available.

Supervisors receiving information regarding a major incident shall report that information to a manager or utilize the chain of command should a manager be unavailable. Managers shall notify a

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Chief Deputy Probation Officer of any major incident information. Managers shall make reasonable attempts to obtain as much information on the incident as possible before notification and shall attempt to make the notifications as soon as practicable.

The Chief Deputy Probation officer shall determine notification of the Assistant Chief and Chief Probation Officers. The Chief Probation Officer or designee shall determine what further notifications shall be made.

Member support may be available through Riverside County Human Resources, [Employee Assistance Program](#). Managers may refer to [The Counsel Team International](#), for additional support.

309.4.1 MEDIA RELATIONS

The Chief Probation Officer or the authorized designee should assign the Legal Affairs Unit or designee to respond to requests for information if it appears the media may have a significant interest in the incident.

309.5 REFERENCE

Date Last Reviewed	7/01/2024
Date(s) Revised	07/01/2024; 08/02/2022; 05/09/2022; and 01/01/2002
Date Created	04/10/1995
Attachments	None

Outside Agency Assistance

310.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or assistance from a law enforcement agency.

310.2 POLICY

It is the policy of the Riverside County Probation Department to respond to requests for mutual aid or assistance by law enforcement agencies, subject to available resources and consistent with the applicable laws, memorandums of understanding (MOU) and policies of this department.

310.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from a law enforcement agency should be routed to the unit supervisor for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

Mutual aid or assistance may be provided by this department when a law enforcement agency requests assistance. The unit supervisor may authorize an appropriate number of available officers to assist. Supervisors should communicate with other supervisors and the chain of command to coordinate assistance as needed. Officers rendering assistance shall comply with applicable laws and the policies of this department.

When requesting authorization to participate in a conjoint operation, the officer must submit the Riverside County Probation Department Operation Package or the Operation Plan provided by the host agency to the unit supervisor prior to the activity or operation. Once approved, a copy of the operational plan shall be provided to the Division Managers and Chief Deputy Probation Officer prior to the activity or operation.

310.3.1 EMERGENCY ASSISTANCE

Officers assigned to a multi-agency team, task force, or other assignment designated by the Chief Probation officer or designee may respond to emergency requests for assistance pursuant to department policy and any applicable MOU. All other officers should not respond to any emergency calls except as authorized by the Department and in accordance to this policy. If an officer believes that an emergency response is required, the officer should immediately request a response by local law enforcement. Nothing in this policy prevents an officer from assisting another officer in life-threatening or exigent circumstances.

Officers should only respond to a request for assistance as an emergency response when dispatched and when authorized by this agency to operate an emergency vehicle under emergency circumstances. Officers responding should notify a supervisor as soon as reasonably practicable. Officers responding to an emergency request for assistance from a law enforcement agency shall proceed immediately as appropriate and shall operate the emergency vehicle lighting and siren as required by law (Vehicle Code § 21055; Vehicle Code § 21056).

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Officers not responding to a request for assistance as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren. Officers responding to a request for assistance as an emergency response in a vehicle that is not equipped with lights and siren should observe all traffic laws.

310.4 REQUESTING OUTSIDE ASSISTANCE

If emergency assistance is needed from an outside agency, the officer requesting assistance should, if practicable, first notify a supervisor. The officer requesting assistance or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

If requesting assistance from an outside agency in advance of an activity or operation, the officer must submit the Riverside County Probation Department Operation Package or the Operation Plan provided by the host agency to the unit supervisor prior to the activity or operation. Once approved, a copy of the operational plan shall be provided to the Division Managers and Chief Deputy Probation Officer prior to the activity or operation.

310.5 REPORTING REQUIREMENTS

Incidents of outside assistance shall be documented pursuant to department policy and as directed by the Division Manager or designee.

310.6 SHARED EQUIPMENT AND SUPPLIES

A plan should be prepared by the designated Manager or the authorized designee regarding equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies.

The plan should include:

- (a) An itemization of the equipment.
- (b) The conditions relative to sharing.
- (c) The training requirements for:
 - 1. The use of the equipment and supplies.
 - 2. The members trained in the use of the equipment and supplies.
- (d) Any other requirements for use of the equipment and supplies.

Copies of the plan should be provided to the Manager to ensure use of the equipment and supplies complies with the sharing agreements.

The Training Manager should see that appropriate members have received the required training on the plan.

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310.7 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/24; 04/04/23; 05/09/2022; 01/20/2016; 09/22/2014; 04/21/2001; 12/01/1998; and 05/13/1994
Date Created	01/01/1989
Attachments	None

Mandatory Reporting

311.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for notification to the appropriate social services entities and local law enforcement in the case of encountered, reported, or suspected abuse.

This policy also addresses documentation specific to the discovery of abuse.

311.2 POLICY

It is the policy of the Riverside County Probation Department to ensure documentation and notification to the proper entity, as may be required by law, in the case of encountered, reported, or suspected abuse. Refer to [Riverside County Department of Public Social Services](#), for additional information.

311.3 CHILD ABUSE

311.3.1 NOTIFICATION

Members of this department who are mandated reporters of child abuse pursuant to Penal Code § 11165.7 shall notify law enforcement or the County Welfare Office when the member has knowledge of or observes a child who the member knows or reasonably suspects has been the victim of child abuse or neglect (Penal Code § 11165.9; Penal Code § 11166).

When the Riverside County Probation Department receives a report of abuse or neglect, notification shall be made to the law enforcement agency having jurisdiction and the County Welfare Office.

The District Attorney's office shall also be notified in all instances of known or suspected child abuse or neglect reported to the Riverside County Probation Department, except the following (Penal Code § 11166; Penal Code § 11165.2; Penal Code § 11165.13).

- (a) A report of general neglect by a person who has the care or custody of a child to provide adequate food, clothing, shelter, medical care, or supervision, and where there is no physical injury to the child.
- (b) A report of a positive toxicology screen at the time of the delivery of an infant, unless there is an indication of maternal substance abuse.

When the abuse or neglect occurs at a licensed facility or is alleged to have resulted from the actions of a person who is required to have a state license (e.g., foster homes, group homes, day care), notification shall also be made to the California Department of Social Services or other applicable licensing authority. When the alleged abuse or neglect involves a child of a minor parent or a dependent adult, notification shall also be made to the attorney of the minor or the dependent adult within 36 hours (Penal Code § 11166.1; Penal Code § 11166.2).

For purposes of notification, abuse or neglect includes physical injury or death inflicted by other than accidental means upon a child by another person; sexual abuse (Penal Code § 11165.1); neglect (Penal Code § 11165.2); willful harm or injury to a child or endangering the person or

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health of a child (Penal Code § 11165.3); and unlawful corporal punishment or injury (Penal Code § 11165.4). Child abuse or neglect does not include a mutual fight between minors, nor does it include an injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of employment as a peace officer.

311.3.2 NOTIFICATION PROCEDURE

Notification should occur as follows (Penal Code § 11166):

- (a) When the member is making an initial notification:
 - 1. Notification shall be made immediately, or as soon as practicable, by telephone.
 - 2. A written follow-up mandated report shall be forwarded by fax or electronic transmission within 36 hours of receiving the information concerning the incident.
- (b) When the Riverside County Probation Department is making notification:
 - 1. Notification shall be made immediately, or as soon as practicable, by telephone, fax, or electronic transmission.
 - 2. A written report shall be forwarded by fax or electronic transmission within 36 hours of receiving the information concerning the incident.
 - 3. For cases involving the commercial sexual exploitation of a child who is receiving child welfare services, notification shall be made within 24 hours to a law enforcement agency that has jurisdiction over a case.
 - 4. For cases involving a child who is receiving child welfare services who is reasonably believed to be the victim of commercial sexual exploitation and is missing or has been abducted, notification shall be made to the appropriate law enforcement authority within 24 hours for entry into NCIC and to the National Center for Missing and Exploited Children.

311.3.3 EMERGENCY REMOVAL

An officer may take temporary custody of a minor without a warrant when the officer reasonably believes that the minor (Welfare and Institutions Code § 300; Welfare and Institutions Code § 305):

- (a) Is in immediate need of medical care.
- (b) Is in immediate danger of physical or sexual abuse.
- (c) Is in a physical environment that poses an immediate threat to the minor's health or safety.
- (d) Is left unattended, posing an immediate threat to the minor's health or safety.
 - 1. Officers shall attempt to contact the parent or guardian to take custody of the unattended child.
 - 2. If contact with the parent or guardian of the unattended minor cannot be made, the County Welfare Office shall be contacted to assume custody of the minor.
- (e) Is in the hospital and release to the parent poses an immediate threat to the minor's health or safety.

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- (f) Is a dependent of the juvenile court and the officer reasonably believes that the juvenile has violated an order of the court.
- (g) Has left any placement ordered by the juvenile court.
- (h) Requires medical or other care after having been found suffering from injury or sickness in a public place.

311.4 ELDER AND ADULT DEPENDENT ABUSE

311.4.1 NOTIFICATION

Members of this department who are mandated reporters of elder or dependent adult abuse pursuant to Welfare and Institutions Code § 15630 shall notify the county adult protective services agency of known, suspected, or alleged instances of abuse when the member reasonably suspects, has observed, or has knowledge of an incident that reasonably appears to be abuse of an elder or dependent adult, or are told by an elder or dependent adult that the individual has experienced abuse.

For purposes of notification, a dependent adult is an individual between 18 and 64 years of age who has physical or mental limitations that restrict the ability to carry out normal activities or to protect the individual's rights, including but not limited to persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. This also includes those admitted as inpatients to a 24-hour health facility, as defined in state law (Welfare and Institutions Code § 15610.23). An elder adult is an individual residing in this state who is age 65 or older (Welfare and Institutions Code § 15610.27).

For purposes of notification, abuse is physical abuse, abandonment, abduction, isolation, financial abuse, or neglect. Physical abuse includes any assault or sex crime (Welfare and Institutions Code § 15610.63). Financial abuse includes taking personal or real property by undue influence or intent to defraud (Welfare and Institutions Code § 15610.30).

Because additional notifications may also be required, depending on where the alleged abuse occurred, the supervisor is responsible for ensuring that proper notifications are made to the District Attorney's Office and any other regulatory agency that may be applicable (e.g., care facility, hospital) (Welfare and Institutions Code § 15630).

311.4.2 NOTIFICATION PROCEDURE

Notification should occur as follows (Welfare and Institutions Code § 15630):

- (a) Notification shall be made immediately, or as soon as practicable, by telephone, fax, or electronic transmission.
- (b) A written report shall be forwarded within two working days.

311.5 DOCUMENTATION

In all encountered, reported, or suspected cases of abuse, officers should, after making the notifications above, document the notification and the circumstances surrounding discovery of the abuse.

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311.6 CONFIDENTIALITY OF REPORTS

Information related to incidents of abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Penal Code § 11167.5; Welfare and Institutions Code § 15633).

311.7 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 08/03/2017; and 01/20/2016
Date Created	06/01/1992
Attachments	None

Discriminatory Harassment

312.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law (Government Code § 12940(k); 2 CCR 11023).

312.2 POLICY

The Riverside County Probation Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

312.3 DEFINITIONS

Definitions related to this policy include:

312.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

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312.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

312.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

312.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and California Civil Rights Council guidelines.
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with County or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

Riverside County Probation defers to the Riverside County Board of Supervisors Policy C-25 - Non-Discrimination and Anti-Harassment Policy and Complain Procedure.

312.4 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 12/29/2021; 08/30/2010; and 04/29/1997
Date Created	07/01/1986
Attachments	1. Equal Opportunity Statement

Biological Samples

313.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from those individuals required by California law to provide a biological sample to the Riverside County Probation Department as a result of a qualifying conviction or adjudication.

This policy does not apply to biological samples in conjunction with a criminal investigation, nor does it apply to biological samples collected from those required to register, for example, as sex offenders or arson offenders. Biological samples collected for purposes of drug and/or alcohol testing (e.g., urine, blood) are addressed in the Drug and Alcohol Testing Policy.

313.2 POLICY

The Riverside County Probation Department will assist in the collection of required biological samples from clients and individuals subject to post-release community supervision or mandatory supervision in accordance with the laws of this state, including out-of-state transfer cases.

313.3 INDIVIDUALS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

The following individuals who are on probation or under supervision for any felony or misdemeanor offense are required by California law to submit a biological sample to an officer of the Riverside County Probation Department if the individual has a prior felony conviction or adjudication, including a conviction or adjudication for an equivalent out-of-state offense (Penal Code § 296.1):

- (a) Adults and juveniles subject to [probation/supervised release] supervision
- (b) Individuals subject to post-release community supervision
- (c) Individuals subject to mandatory supervision pursuant to Penal Code § 1170(h)(5)

In addition, individuals who are accepted for supervision by this department from another jurisdiction and who are not confined are required to submit a biological sample if the individual has a prior felony conviction or adjudication, including a conviction or adjudication for an equivalent out-of-state offense (Penal Code § 296.1(a)(5)).

313.4 MANDATED PROCEDURE

When an individual is required to provide a biological sample to a probation officer, subsequent to conviction, a probation officer of the Riverside County Probation Department should:

- (a) Verify the individual is required to provide a sample pursuant to California law.
 - 1. Verification includes querying the individual's criminal history record for a DNA collection flag or, during regular business hours, contacting the California Department of Justice (DOJ) designated laboratory to determine whether a biological sample has previously been collected from the individual. There is no need to obtain a sample if one has been previously obtained.
- (b) Notify the individual of the time and location to appear to submit a sample.

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1. The date to appear shall be, when practicable, within five days of notification to the individual of the requirement to submit a sample (Penal Code § 296.1).
 2. Collections from an individual accepted for supervision from another jurisdiction shall occur at a county jail facility located in the county where the person resides (Penal Code § 296.1).
 3. All other collections may occur at a county jail facility or at any other city, state, local, or private facility designated by the California DOJ for the collection of a sample (Penal Code § 296.1).
- (c) Provide or use the collection kit designated by the California DOJ for the collection of the sample.
 - (d) Document in the individual's file that the sample was taken.
 - (e) Forward the sample to the California DOJ as soon as practicable.

313.5 USE OF FORCE TO OBTAIN SAMPLES

If a client refuses to cooperate with the sample collection process, members should attempt to identify the reason for refusal and seek voluntary compliance without resorting to the use of force. Force will not be used in the collection of samples except as authorized by court order.

Methods to consider when seeking voluntary compliance include:

- (a) Communicating the possible consequences of a refusal.
- (b) Contacting the District Attorney to seek additional charges against the individual for failure to comply pursuant to Penal Code § 298.1 or bring the refusal before the appropriate court.
- (c) Notifying the court at the client's next court appearance, if any.
- (d) Contacting the client's attorney, if known.
- (e) Filing a violation report pursuant to the Violations Policy.

A Supervisor shall review and approve any plan to use additional actions to compel a sample. Both the supervising officer and the Supervisor should document the client's refusal to submit a sample and the steps taken in any attempt to obtain voluntary compliance.

313.5.1 USE OF FORCE DOCUMENTATION

A supervisor shall prepare prior written authorization for the use of any force (Penal Code § 298.1). The written authorization shall include information that the individual was asked to provide the requisite specimen, sample, or impression and refused, as well as the related court order authorizing the force.

313.5.2 VIDEO RECORDING

A video recording should be made any time force is used to obtain a biological sample. The recording should document all persons participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the client's file.

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313.6 BLOOD SAMPLES

A blood sample should only be obtained under this policy when (Penal Code § 295; Penal Code § 298):

- (a) The California DOJ requests a blood sample and the subject consents.
- (b) A court orders a blood sample following a refusal.

The withdrawal of blood may only be performed in a medically approved manner by health care providers trained and qualified to draw blood. A California DOJ collection kit shall be used for this purpose (Penal Code § 298).

313.7 LITIGATION

The Chief Probation Officer or authorized designee should notify the California DOJ's DNA Legal Unit in the event this department is named in a lawsuit involving the DNA Data Bank sample collection, sample use or any aspect of the state's DNA Data Bank Program.

313.8 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 05/22/2013
Date Created	05/01/2006
Attachments	1. DNA Admonishment Form

Information Technology Use

314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software, and systems.

314.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented, or licensed by the Riverside County Probation Department that are provided for official use by its members. This includes all access to, and use of, internet service providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes but is not limited to computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), pagers, modems, or any other tangible computer device generally understood to comprise hardware.

Software - Includes but is not limited to all computer programs, systems, and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file, or file - Any electronic document, information, or data residing or located, in whole or in part, on the system, including but not limited to spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs, or videos.

314.2 POLICY

It is the policy of the Riverside County Probation Department that members shall use information technology resources, including computers, software, and systems, that are issued or maintained by the Department in accordance with this policy. Refer to Riverside County Board of Supervisors [Policy A-58](#), for additional information.

314.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy regarding emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any department computer system.

The Department reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network, and/or any information placed into storage on any department system or device. This includes records of all keystrokes or web-browsing history made at any department computer or over any department network. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices, or networks.

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The Department shall not require a member to disclose a personal username or password for accessing a personal social media account or to open a personal social website; however, the department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

314.4 RESTRICTED USE

Agency property - All information, data, documents, communications, and other entries initiated on, sent to or from, or accessed on any department computer, or through the department computer system on any other computer, whether downloaded or transferred from the original department computer, shall remain the exclusive property of the Department and shall not be available for personal or non- departmental use without the expressed authorization of an employee's supervisor.

Members shall not access computers, devices, software, or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software, or systems by another member to their supervisor.

Members shall not use another person's access passwords, login information, and other individual security data, protocols, and procedures.

Examples of prohibited and inappropriate use include, but are not limited to:

- (a) Using a computer account that you are not authorized to use.
- (b) Obtaining a password for a computer account without the consent of the owner.
- (c) Using the county or department network to gain unauthorized access to any computer systems.
- (d) Knowingly performing an act which will interfere with the normal operation of computers, terminals, peripherals or networks.
- (e) Attempting to circumvent data protection schemes or uncover security loopholes.
- (f) Deliberately wasting computing resources.
- (g) Using electronic mail to harass others.
- (h) Masking the identity of an account or machine.
- (i) Posting on electronic bulletin boards materials that violate existing laws or the county or department codes of conduct.
- (j) Attempting to monitor or tamper with another user's electronic communications or reading, copying, changing or deleting another user's files or software without the explicit agreement of the owner.

314.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for authorization from Riverside County Information Technology (RCIT), in accordance with the software company's copyright and license agreement.

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To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software on any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief Probation Officer or the authorized designee.

No member shall knowingly make, acquire, or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems, or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as a part of the automated maintenance or update process of department- or County-approved or installed programs by the original manufacturer, producer, or developer of the software. Any other introduction of software requires prior authorization from IT members and a full scan for malicious attachments.

314.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

314.4.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include but are not limited to adult forums, pornography, gambling, chat rooms, and similar or related internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information from the internet shall be limited to messages, mail, and data files.

314.4.4 OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email, or any other off-the-clock work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

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314.5 PROTECTION OF SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off, and password protections enabled whenever the user is not present. Access passwords, login information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to a supervisor.

314.6 INSPECTION AND REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of supervisory duties or based on cause.

Reasons for inspection or review may include but are not limited to computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

314.7 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 01/20/2016
Date Created	04/29/1997
Attachments	None

Department Use of Social Media

315.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Speech, Expression, and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a compliance monitoring (see the Compliance Monitoring Policy).

315.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

315.2 POLICY

The Riverside County Probation Department will use social media as a method of effectively informing the public about department services, issues, investigations, recruitment, and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all people.

315.3 AUTHORIZED USERS

Only members authorized by the Chief Probation Officer or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief Probation Officer or designee may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

315.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission, and that conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

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- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings, or disaster information.
- (f) Traffic information.
- (g) Media releases.
- (h) Recruitment of personnel.

315.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy, and frequent updates are paramount, the Public Information Supervisor or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the designated manager.

315.5 PROHIBITED CONTENT

Content that is prohibited from posting includes but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory, or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal, or local laws.
- (c) Any information that could compromise an investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation, or professionalism of the Riverside County Probation Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, clients, or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that the member believes is unauthorized or inappropriate should promptly report such content to a supervisor. The chain of command will ensure its removal from public view and investigate the cause of the entry.

315.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

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315.6 MONITORING CONTENT

The Chief Probation Officer will appoint a designee to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content, and the resolution of any issues.

315.7 RETENTION OF RECORDS

The Chief Probation Officer or designee should establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

315.8 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, and dissemination and retention of information posted on department sites.

315.9 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Media Relations

316.1 PURPOSE AND SCOPE

This policy provides guidelines for the release of official department information to the media.

316.2 POLICY

It is the policy of the Riverside County Probation Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect inter- or intra-agency investigations will not be released. Refer to Riverside County Board of Supervisors [Policy A-44](#), for additional information.

316.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief Probation Officer. In situations not warranting immediate notice to the Chief Probation Officer and in situations where the Chief Probation Officer has given prior approval, Managers or designated members may prepare and release information to the media in accordance with this policy and applicable laws regarding confidentiality.

316.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of department members and other persons, advance information about planned actions by probation personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief Probation Officer.

Any exceptions to the above should only be considered for the furtherance of legitimate probation purposes. Prior to approving any exception, the Chief Probation Officer or designee will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual or prejudice the rights of any person or is otherwise prohibited by law.

316.5 MEDIA REQUESTS

Any media request for information or access to department members shall be referred to the Chief Probation Officer or designee. Prior to releasing any information to the media, members shall consider the following:

- (a) At no time shall any member of this department make any comment or release any official information to the media without prior approval from the Chief Probation Officer or designee.
- (b) In situations involving multiple agencies or government departments, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.

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- (c) Under no circumstance should any member of this department make any comment to the media regarding any probation incident not involving this department without prior approval of the Chief Probation Officer or designee. Under these circumstances the member should direct the media to the agency handling the incident.

316.6 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of criminal investigations, emergencies and other probation activities subject to the following conditions (Penal Code § 409.5(d)):

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
 - 1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the Chief Probation Officer or other designated spokesperson.
- (c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee (Government Code § 3303(e))
- (d) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief Probation Officer or designee and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Employees shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be provided by the Chief Probation Officer or designee.

316.7 RELEASE OF INFORMATION

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents, or requests for public assistance in solving crimes or identifying suspects or clients with warrants. This information may also be released through the department website or other electronic data sources.

316.8 CONFIDENTIAL OR RESTRICTED INFORMATION

It shall be the responsibility of the Legal Affairs Unit to ensure that confidential or restricted information is not inappropriately released to the media. When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

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316.8.1 EMPLOYEE INFORMATION

The identities of officers involved in shootings or other critical incidents may only be released to the media upon the consent of the involved officer or upon a formal request filed.

Any requests for copies of related reports or additional information including the identity of officers involved in shootings or other critical incidents, shall be referred to the Legal Affairs Unit.

Requests should be reviewed and fulfilled by the Legal Affairs Unit or, if unavailable, the Chief Probation Officer or the authorized designee. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and public records laws (e.g., California Public Records Act).

316.9 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 08/03/2017; 05/22/2013; and 01/02/2002
Date Created	01/31/1989
Attachments	1. Report of Information Request by Media

Victim and Witness Assistance

317.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that members address victim- and witness-related issues appropriately.

317.2 POLICY

The Riverside County Probation Department recognizes the difficulties faced by victims and witnesses of crime. The members of the Riverside County Probation Department will treat victims with compassion and provide them the services required by law.

317.3 RESPONSIBILITIES

Member responsibilities include the following:

- (a) Members preparing a pre-sentence investigation are expected to include available information regarding the impact of the offense on the victim and the victim's family and any sentencing/disposition recommendations from the victim as required by California Constitution Article I § 28. Post-sentencing/disposition, the Revenue and Recovery Technician shall determine restitution in all "Restitution to be Determined" orders made by the court.
- (b) Officers who supervise a client requesting a transfer to another county shall provide written notice of the date, time, and place set for hearing on the motion to the victim, if a victim exists (Cal. Rules of Court, Rule 4.530).
- (c) Members should follow county protocol as applicable regarding notice to witnesses who were threatened by the offender following the offender's arrest and each victim or next of kin of the victim of a violent offense of their right to request and receive a release notification (Penal Code § 679.03).
- (d) Officers should provide victims, or the parents or guardians of the victim if the victim is a minor, or the next of kin of the victim if the victim has died written material containing their rights pursuant to Penal Code § 1191.1 and Penal Code § 1191.2.
- (e) Members will notify a victim of domestic violence or abuse, or a victim of stalking of the offender's current community of residence or proposed community of residence when the offender is being placed on or being released on probation when the victim has requested notification and provided the department with a current address for notification (Penal Code § 679.06).

317.4 VICTIM SAFETY

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct the person to the proper written department material or available victim resources.

Officers should report all known allegations of victim intimidation to the appropriate local law enforcement agency and prosecutor as soon as practicable.

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317.5 VICTIM INFORMATION

Written victim information materials should include:

- (a) Shelters and other community resources for victims, including domestic violence and sexual assault victims.
- (b) An advisement that a person who was arrested may be released on bond, probation, or other forms of release and that the victim should not rely upon such status or supervision as a guarantee of safety.
- (c) A clear explanation of relevant court orders and how they can be obtained.
- (d) Information regarding available compensation for qualifying victims of crime.
- (e) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an adult offender's custody status and to register for automatic notification when a person is released from jail.
- (f) Notice regarding U visa and T visa application processes.
- (g) Resources available for victims of identity theft.
- (h) Victims' rights provided in Penal Code § 1191.1 and Penal Code § 1191.2, including:
 - 1. Their right to attend all sentencing or disposition proceedings.
 - 2. Adequate notice of all sentencing or disposition proceedings.
 - 3. Information concerning the victim's right to civil recovery against the offender.
 - 4. The requirement that the court order restitution for the victim.
 - 5. The victim's right to receive a copy of the restitution order from the court and to enforce the restitution order as a civil judgment.
 - 6. The victim's responsibility to furnish the probation department, district attorney, and court with information relevant to any losses.
 - 7. The victim's opportunity to be compensated from the Restitution Fund if eligible. This information shall be in the form of written material prepared by the Judicial Council in consultation with the California Victim Compensation Board, shall include the relevant sections of the Penal Code, and shall be provided to each victim for whom the probation officer has a current mailing address.

317.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that the witness's identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should report all known allegations of witness intimidation to the appropriate local law enforcement agency and prosecutor as soon as practicable.

317.7 REFERENCE

Date Last Reviewed	07/01/2024
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Personnel and Field Policies

Victim and Witness Assistance

Date(s) Revised	07/01/2024; 06/13/2006; 12/01/2005; 07/01/1997; and 09/19/1994
Date Created	07/01/1986
Attachments	None

Limited English Proficiency Services

318.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

318.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficiency (LEP) individual - Any individual whose primary language is not English and who has a limited ability to read, write, speak, or understand English. These individuals may be competent in certain types of communication (e.g., speaking, understanding) but still exhibit LEP for other purposes (e.g., reading, writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting, but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Riverside County Probation Department, designated by the Department, who has the ability to communicate fluently, directly, and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

318.2 POLICY

It is the policy of the Riverside County Probation Department to reasonably ensure that LEP individuals have meaningful access to probation services, programs, and activities while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights, or programs based on national origin or any other protected interest or right.

318.3 FOUR-FACTOR ANALYSIS

Because there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law

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enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of the following four factors, which are:

- (a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of this department or a particular geographic area.
- (b) The frequency with which LEP individuals are likely to come in contact with department members, programs, or services.
- (c) The nature and importance of the contact, program, information, or service provided.
- (d) The cost of providing LEP assistance and the resources available.

318.4 TYPES OF LEP ASSISTANCE AVAILABLE

Riverside County Probation Department members should never refuse service to an LEP individual requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will use all reasonably available tools when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include but are not limited to the assistance methods described in this policy.

318.5 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The designated member will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

318.6 AUDIO RECORDINGS

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals representative of the community being served.

318.7 QUALIFIED BILINGUAL MEMBERS

The Riverside County Probation Department shall comply with all Riverside County procedures and applicable Memorandum of Understandings (MOU) regarding bilingual member qualification and pay.

When a qualified bilingual member from this department is not available, personnel from other County departments who have been identified by the Department as having the requisite skills and competence may be requested.

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318.8 AUTHORIZED NON-MEMBER INTERPRETERS

Any person designated by the Department to act as an authorized interpreter and/or translator must be approved pursuant to Riverside County procedures, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

318.8.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may contract with authorized interpreters who are available over the telephone pursuant to County procedures. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other County departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

318.8.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted above), and have been approved by the Department to communicate with LEP individuals.

When qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called on when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

318.9 CONTACT AND REPORTING

Although all probation contacts, services, and individual rights are important, this department will use the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

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Whenever any member of this department is required to complete a report or other documentation that involves a situation in which interpretation services were provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services used and whether the individual elected to use services provided by the Department or some other identified source.

318.10 FIELD SUPERVISION

Field supervision will generally include such contacts as home, school, or work visits and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and use the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information, and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

318.11 INVESTIGATIVE FIELD INTERVIEWS

In any situation where an interview may reveal information that could be used as the basis for revocation of probation or supervised release, or arrest, or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses, and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

An LEP individual's bilingual friends, family members, children, neighbors, or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

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318.12 CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal case. Only qualified bilingual members or, if none are available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter. To ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible.

318.13 COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

318.14 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional probation duties. This department will continue to work with community groups, local businesses, and neighborhoods to provide equal access to such programs and services.

318.15 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 06/13/2016; and 09/17/1996
Date Created	07/01/1986
Attachments	1. Bilingual/Validation Pay Request Form

Communications with Persons with Disabilities

319.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

319.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include but are not limited to using gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

Qualified interpreter - A person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters, and intermediary interpreters.

319.2 POLICY

It is the policy of the Riverside County Probation Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects, and arrestees, have equal access to probation services, programs, and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights, or programs based upon disabilities. Refer to Riverside County Board of Supervisor [Policy A-74](#), for additional information.

319.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Chief Probation Officer shall delegate certain responsibilities to an ADA coordinator (28 CFR 35.107). The coordinator shall be appointed by and directly responsible to the Chief Probation Officer or the authorized designee.

The responsibilities of the coordinator include but are not limited to:

- (a) Working with the County ADA coordinator regarding the Riverside County Probation Department's efforts to ensure equal access to services, programs, and activities.
- (b) Developing reports or new procedures or recommending modifications to this policy.

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- (c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs, and activities.
- (d) Ensuring that a list of qualified interpreter services is maintained and available to each member of the department. The list should include information regarding:
 - 1. Contact information.
 - 2. Availability.
- (e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.
- (f) Ensuring signage is posted in appropriate areas indicating that auxiliary aids are available free of charge to individuals with disabilities.
- (g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs, and activities.

319.4 FACTORS TO CONSIDER

Because the nature of any probation contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs, and activities. These factors may include but are not limited to:

- (a) Members should not always assume that effective communication is being achieved. That an individual appears to be nodding in agreement does not always mean the individual completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate understanding.
- (b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
- (c) The nature of the probation contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- (d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

319.5 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various probation encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

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In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length, and complexity of the involved communication.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, is hard of hearing, or has impaired speech must be handcuffed while in the custody of the Riverside County Probation Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

319.6 TYPES OF ASSISTANCE AVAILABLE

Riverside County Probation Department members shall never refuse an available service to an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall it require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to disabled individuals through a variety of services.

Disabled individuals may choose to accept department-provided auxiliary aids or services, or they may choose to provide their own.

Department-provided auxiliary aids or services may include but are not limited to the assistance methods described in this policy.

319.7 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form (e.g., a personnel complaint form) or provide forms with enlarged print.

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319.8 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect, or arrestee) if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time but in no event longer than one hour if requested.
- (b) Experienced in providing interpretation services related to probation matters.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide an interpreter (28 CFR 35.160).

319.9 TELETYPEWRITER (TTY) AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking, attorney contacts), members must also provide those who are deaf, are hard of hearing, or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

319.10 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with

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the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

319.11 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect/client/person on supervised release).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.
- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

319.12 REPORTING

Whenever any member of this department is required to complete a report or other documentation and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

319.13 FIELD SUPERVISION

Field supervision will generally include such contacts as home, work, or school visits, street contacts, community encounters, and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity, and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information, and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally

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request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

319.13.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, depending on the circumstances, include such simple things as:

- (a) Hand gestures or visual aids with an individual who is deaf, is hard of hearing, or has impaired speech.
- (b) Exchange of written notes or communications.
- (c) Verbal communication with an individual who can speech read by facing the individual and speaking slowly and clearly.
- (d) Use of computer, word processing, personal communication device, or similar device to exchange texts or notes.
- (e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

319.14 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, are hard of hearing, or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that the individual understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided by a qualified interpreter or by providing a written *Miranda* warning card to suspects who are deaf or hard of hearing.

To ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible.

319.15 ARRESTS AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

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When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, are hard of hearing, have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, to protect the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information should be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

319.16 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the ADA coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this department.

319.17 TRAINING

To ensure that all members who may have contact with disabled individuals are properly trained, the Department will provide periodic training that should include:

- (a) Awareness and understanding of this policy and related procedures, related forms, and available resources.
- (b) Procedures for accessing qualified interpreters and other available resources.
- (c) Working with in-person and telephone interpreters and related equipment.

The Training Manager shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including those who are deaf, are hard of hearing, have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Training Manager shall maintain records of all training provided and will retain a copy in each member's training file in accordance with the established records retention schedule.

319.18 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 08/03/2017
Date Created	01/20/2016
Attachments	None

Child and Dependent Adult Safety

320.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult abuse investigation. These are covered in the Mandatory Reporting Policy.

320.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Riverside County Probation Department will endeavor to create a strong, cooperative relationship with local, state, and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

320.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases, this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the client has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider asking witnesses, neighbors, friends, and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should consider reasonable alternatives to arresting a parent, guardian, or caregiver in the presence of a child or dependent adult.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be nonproductive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that appropriate care will be provided.

320.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

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Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases, the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
 - 1. Officers should consider allowing the person to use the person's cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
- (b) Unless there is evidence that it would not be in the dependent person's best interest (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends who the person knows and trusts because familiarity with surroundings and consideration for comfort, emotional state, and safety are important.
 - 1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian, or caregiver.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify Child Protective Services or the Adult Protective Services, if appropriate.
- (e) Notify the field supervisor or Manager of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

320.3.2 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting member will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Special needs (e.g., medical, mental health)
 - 5. How, where, and with whom or which agency the child was placed
 - 6. Identities and contact information for other potential caregivers

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7. Notifications made to other adults(e.g., schools, relatives)
- (b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:
 1. Name
 2. Sex
 3. Age
 4. Whether the person reasonably appears able to engage in self-care
 5. Disposition or placement information if the person is unable to engage in self-care

320.3.3 SUPPORT AND COUNSELING REFERRAL

If the handling officers believe the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate, or a crisis response telephone number, they should provide appropriate referral information.

320.3.4 SELF-SURRENDER

If an officer allows a client to self-surrender, the officer should, where practicable, allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate.

320.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service agency to determine whether protective custody is appropriate.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

320.5 TRAINING

The Training Manager is responsible for ensuring that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian, or caregiver is arrested.

320.6 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	01/20/2016
Attachments	None

Service Animals

321.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

321.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks to benefit an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104; Health and Safety Code § 113903).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size, and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

321.2 POLICY

It is the policy of the Riverside County Probation Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

321.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness, or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors, or flipping switches for people who have limited use of their hands, arms, or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities, or psychiatric disabilities, such as reminding a person with depression to take medication.

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- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

321.4 MEMBER RESPONSIBILITIES

Service animals assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Riverside County Probation Department affords to all members of the public (28 CFR 35.136).

321.4.1 INQUIRY

If it is apparent or if a member knows that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about the disability nor should the person be asked to provide any license, certification, or identification card for the service animal.

321.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting, or otherwise initiating contact with a service animal.

321.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually, and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

321.5 REFERENCE

Date Last Reviewed	07/01/2024
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Date(s) Revised	07/01/2024; and 06/13/2016
Date Created	01/20/2016
Attachments	None

Part-Time Officers

322.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Riverside County Probation Department part-time officers to supplement and assist regular full-time probation officers in their duties. These officers provide professional and special functions and part-time services that can augment regular staffing levels.

322.1.1 DEFINITIONS

Definitions related to this policy include:

Part-time officer - An Officer who is engaged in probation duties for less time than full-time officers (Government Code § 20065).

322.2 POLICY

The Riverside County Probation Department shall ensure that part-time officers are properly appointed, trained, and supervised and that they maintain the appropriate certifications and readiness to carry out their assigned duties.

322.3 RECRUITMENT AND SELECTION

The Riverside County Probation Department shall endeavor to appoint only those applicants who meet the high ethical, moral, and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as regular full-time officers before appointment.

322.3.1 APPOINTMENT

Applicants who are selected for appointment as part-time officers shall, on the recommendation of the Chief Probation Officer, be sworn in and take the Oath of Office in accordance with the Oath of Office Policy and as required for the position.

322.4 IDENTIFICATION AND UNIFORMS

Part-time officers will be issued Riverside County Probation Department badges, and identification cards, uniforms when applicable. The uniforms and badges shall be the same as those worn by regular full-time officers. The identification cards will be the standard Riverside County Probation Department identification cards, with the exception that "Part-time" will be indicated on the cards.

322.5 AUTHORITY

Part-time officers shall perform probation officer duties within the scope of their approved training. Part-time officers:

- (a) Perform probation functions and have the authority to officially act on behalf of this department.
- (b) Shall not exercise probation officer duties when off-duty.

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322.6 COMPENSATION

Compensation for part-time officers is provided as follows:

- (a) Part-time officers shall work the schedule assigned by the Chief Probation Officer or the authorized designee.
- (b) Part-time officers are issued designated attire and safety equipment, as applicable to their positions and assignments. All property issued to part-time officers shall be returned to this department upon termination or resignation.

322.7 PERSONNEL WORKING PART TIME

Qualified regular department personnel, when authorized, may also serve as part-time officers. However, this department shall not utilize the services of part-time officers in such a way that it would violate employment laws or labor agreements (e.g., a detention officer working as a part-time officer for reduced pay or no pay). Therefore, the Human Resources Department should be consulted prior to allowing regular department personnel to serve in a part-time officer capacity (29 CFR 553.30).

322.8 COMPLIANCE

Part-time officers shall be required to adhere to all department policies and procedures. Access to the policies and procedures will be made available to each part-time officer upon appointment. The officers shall become thoroughly familiar with these policies.

Whenever a rule, regulation, or guideline in this Policy Manual refers to a regular full-time officer, it shall also apply to a part-time officer, unless by its nature it is inapplicable.

Part-time officers are required by this department to meet department-approved training requirements.

All part-time officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the assigned supervisor.

322.9 TRAINING

All part-time officers shall complete the same department-specified field training as regular full-time officers, as described in the Training Policy.

322.10 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Volunteers and Student Internships

323.1 PURPOSE AND SCOPE

This policy establishes guidelines for using Riverside County Probation Department volunteers, including student interns, to supplement and assist department personnel in their duties. Trained volunteers and/or student interns are members who can augment department personnel and help complete various tasks.

323.1.1 DEFINITIONS

Definitions related to this policy include:

Student intern - A college, university, or graduate student gaining practical experience in the intern's field while under supervision.

Volunteer - An individual who performs a service for the Department without promise, expectation, or receipt of compensation for services rendered. This may include unpaid chaplains and student interns.

323.2 POLICY

The Riverside County Probation Department shall ensure that volunteers and student interns are properly appointed, trained, and supervised to carry out specified tasks and duties in order to create an efficient department and improve services to the community. Refer to Riverside County [Ordinance 440](#), for additional information.

323.3 ELIGIBILITY

Requirements for participation as a volunteer or student intern for the Department may include but are not limited to:

- (a) Being an enrolled student in a college, university, or other approved educational entity.
- (b) Being at least 18 years of age.
- (c) Possession of a valid driver's license if the position requires operating a vehicle.
- (d) Possession of liability insurance for any personally owned equipment, vehicles, or animals utilized during volunteer or student intern work.
- (e) No conviction of a felony, any crime of a sexual nature or against children, any crime related to assault or violence, any crime related to dishonesty, or any crime related to impersonating a law enforcement officer.
- (f) No mental illness or chemical dependency condition that may adversely affect the person's ability to serve in the position.
- (g) Ability to meet physical requirements reasonably appropriate to the assignment.
- (h) A personal background and character suitable for a person representing the Department, as validated by a background investigation.
- (i) Provide appropriate certification(s), and endorsements as applicable.

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The Chief Probation Officer may allow exceptions to these eligibility requirements based on organizational needs and the qualifications of the individual.

323.4 RECRUITMENT, SELECTION, AND APPOINTMENT

The Riverside County Probation Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral, and professional standards set forth by this department.

323.4.1 RECRUITMENT

Volunteers and student interns should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity and nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public.

Requests for volunteers and student interns should be submitted in writing by interested department members to the volunteer coordinator or student intern coordinator through the requester's immediate supervisor. A complete description of the duties and a requested time frame should be included in the request. All department members should understand that the recruitment of volunteers and student interns is enhanced by creative and interesting assignments. The volunteer coordinator or student intern coordinator may withhold assignment of any volunteers or student interns until the requester is prepared to make effective use of them.

323.4.2 SELECTION

Volunteer and student intern candidates shall successfully complete the following process before appointment:

- (a) Submit the appropriate written application.
- (b) Interview with the volunteer coordinator or student intern coordinator.
- (c) Successfully complete an appropriate-level background investigation.

323.4.3 APPOINTMENT

Service as a volunteer or student intern with the Department shall begin with an official notice of acceptance or appointment by the Chief Probation Officer or the authorized designee. Notice may only be given by an authorized representative of the Department, who will normally be the volunteer coordinator or student intern coordinator.

No volunteer or student intern should begin any assignment until the individual has been officially accepted for that position and has completed all required screening and paperwork.

At the time of final acceptance, each volunteer and student intern should complete all required enrollment paperwork and will receive a copy of the position description and agreement of service with the Department.

All volunteers and student interns shall receive a copy of the orientation materials and shall be required to sign a volunteer or student intern agreement. Volunteers and student interns should

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be placed only in assignments or programs that are consistent with their knowledge, skills, and abilities and the needs of the Department.

Volunteers and student interns serve at the discretion of the Chief Probation Officer.

323.5 IDENTIFICATION

As representatives of the Department, volunteers and student interns are responsible for presenting a professional image to the community. Volunteers and student interns shall dress appropriately for the conditions and performance of their duties. Necessary safety equipment will be provided. Identification symbols worn by volunteers and student interns shall be different and distinct from those worn by officers or other members of this department.

Volunteers and student interns will be issued Riverside County Probation Department identification cards, which must be carried at all times while working. The identification cards will be the standard Riverside County Probation Department identification cards, except that "Volunteer" or "Student Intern" will be indicated on the cards.

323.6 PERSONNEL WORKING AS VOLUNTEERS

Qualified regular department personnel, when authorized, may also serve as volunteers. However, this department shall not utilize the services of volunteers in such a way that it would violate employment laws or collective bargaining agreements or memorandums of understanding (e.g., a detention an officer participating as a volunteer or a student intern for reduced or no pay). Therefore, the program coordinator or authorized designee should consult with the Riverside County Human Resources Department before allowing regular department personnel to serve in a volunteer capacity (29 CFR 553.30).

323.7 PROGRAM COORDINATOR FOR VOLUNTEERS AND STUDENT INTERNS

The program coordinator for volunteers and/or student interns shall be appointed by and directly responsible to the Professional Standards Bureau Manager or the authorized designee.

The function of the program coordinator is to provide a central coordinating point for effective volunteer and/or student intern management within the Department, and to direct and assist efforts to jointly provide more productive volunteer and student intern services. Under the general direction of the Chief Probation Officer or the authorized designee, volunteers and student interns shall report to the program coordinator and/or Manager.

The program coordinator may appoint a senior volunteer or student intern or other designee to help coordinate volunteers or student interns and their activities.

The responsibilities of the program coordinator or the authorized designee include but are not limited to:

- (a) Recruiting, selecting, and training qualified volunteers and student interns.
- (b) Conducting volunteer and student intern meetings.
- (c) Establishing and maintaining a volunteer and student intern callout roster.

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- (d) Maintaining records for each volunteer and student intern.
- (e) Tracking and evaluating the contribution of volunteers and student interns.
- (f) Maintaining a record of volunteer and student intern schedules and work hours.
- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Maintaining a liaison with other community programs that use volunteers and student interns and assisting in community-wide efforts to recognize and promote volunteering and student internships.
- (j) Maintaining volunteer and student intern orientation and training materials and outlining expectations, policies, and responsibilities for all volunteers and student interns.

An evaluation of the overall use of volunteers and student interns will be conducted annually by the program coordinator.

323.8 DUTIES AND RESPONSIBILITIES

Volunteers and student interns assist department personnel as needed. Assignments will usually be to augment the Division, but volunteers and student interns may be assigned to other areas within the Department as needed. Volunteers and student interns should be placed only in assignments or programs consistent with their knowledge, skills, and abilities, and the needs of the Department.

All volunteers and student interns will be assigned to duties by the program coordinator or the authorized designee.

323.8.1 COMPLIANCE

Volunteers and student interns shall be required to adhere to all department policies and procedures. A copy of the policies and procedures will be made available to each volunteer and student intern upon appointment.

Volunteers and student interns shall become thoroughly familiar with applicable policies and procedures.

Whenever a rule, regulation, or guideline in this Policy Manual refers to regular department personnel, it shall also apply to volunteers and student interns, unless by its nature it is inapplicable.

Volunteers and student interns are required by this department to meet department-approved training requirements as applicable to their assignments.

323.8.2 VOLUNTEER AND STUDENT INTERN MEETINGS

All volunteers and student interns are required to attend scheduled meetings. Any absences must be satisfactorily explained to the volunteer program coordinator or authorized designee.

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323.9 TASK-SPECIFIC TRAINING

Task-specific training is intended to provide the required instruction and practice for volunteers and student interns to properly and safely perform their assigned duties. The training should correspond to the assignment as determined by the program coordinator or authorized designee.

Volunteers and student interns will be provided with an orientation program to acquaint them with the policies of the Department and probation procedures applicable to their assignments.

Volunteers and student interns should receive position-specific training to ensure they have adequate knowledge and skills to complete the required tasks. They also should receive ongoing training as deemed appropriate by their supervisors or the volunteer or student intern coordinator.

Training should reinforce to volunteers and student interns that they shall not intentionally represent themselves as, or by omission give the impression that they are, officers or other full-time members of the Department. They shall always represent themselves as volunteers or student interns.

All volunteers and student interns shall comply with the standards of conduct and with all applicable orders and directives, whether oral or written, issued by the Department.

323.9.1 VOLUNTEER AND STUDENT INTERN TRAINING MATERIALS

All new volunteers and student interns will be provided essential training and associated materials. The training and materials will outline the subject matter and skills necessary to properly function as a volunteer or student intern with the Riverside County Probation Department. Volunteers and student interns shall become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.

323.10 SUPERVISION

Each volunteer or student intern must have a clearly identified supervisor who is responsible for the volunteer or student intern's direct management. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer or student intern and should be available for consultation and assistance.

Functional supervision of volunteers and student interns is the responsibility of the supervisor in charge of their assigned duties. The following are some considerations that supervisors should keep in mind while supervising volunteers and student interns:

- (a) Take the time to introduce volunteers and student interns to members on all levels.
- (b) Ensure volunteers and student interns have workspace and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give volunteers and student interns assignments or tasks that will utilize these valuable resources.

A volunteer or student intern may be assigned as a supervisor of other volunteers or student interns, provided that the supervisor is under the direct supervision of a member of the Riverside County Probation Department.

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323.10.1 FITNESS FOR DUTY

No volunteers or student interns shall report for work or be at work when their judgment or physical condition has been impaired due to illness or injury, or by alcohol or drugs, whether legal or illegal.

Volunteers and student interns shall report to their supervisors any change in status that may affect their ability to fulfill their duties. This includes but is not limited to:

- (a) Driver's license.
- (b) Medical condition.
- (c) Arrests.
- (d) Criminal investigations.
- (e) All law enforcement contacts.

323.10.2 COUNTY INSURANCE

Such liability insurance as the County may carry shall be excess insurance over any other valid and collectible insurance, including that provided by the volunteer worker. Volunteer workers are not covered by workers compensation insurance or by County self-insurance for injury or accident arising out of volunteer service.

323.11 INFORMATION ACCESS

With appropriate security clearance, a volunteer or student intern may have access to or be in the vicinity of criminal histories, investigative files, or information portals. Unless otherwise directed by a supervisor, the duties of the position, or department policy, all such information shall be considered confidential. Only that information specifically identified and approved by authorized members shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by department policy and supervisory personnel.

A volunteer or student intern whose assignment requires the use of, or access to, confidential information will be required to be fingerprinted and have the fingerprints submitted to the California Department of Justice to obtain clearance. Volunteers or student interns working this type of assignment will receive training in data practices and be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any confidential information verbally, in writing, or by any other means by the volunteer or student intern is grounds for immediate dismissal and possible criminal prosecution.

Volunteers and student interns shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to newspapers or other periodicals, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel. Student interns shall receive training on the type of information or material allowed in reports or articles prepared for their educational program.

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323.11.1 RADIO AND MOBILE DIGITAL TERMINAL USAGE

Volunteers and student interns shall successfully complete state and federal database access training and radio procedures training before using probation radios or databases and shall comply with all related provisions. The program coordinator or authorized designee should ensure that radio and database access training is provided for them whenever necessary.

323.12 EQUIPMENT

Any property or equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer or student intern shall remain the property of the Department and shall be returned at the termination of service.

323.12.1 VEHICLE USE

Any volunteer or student intern who operates any vehicle while acting in the capacity of a volunteer or student intern shall receive training in safe driving. Refer to Riverside County Board of Supervisor [Policy D-2](#) and Riverside County [Standard Safety Operations Manual](#), for additional information.

323.13 DISCIPLINARY PROCEDURES/TERMINATION

If volunteers or student interns have a personnel complaint made against them or become involved in an internal investigation, the matter shall be investigated in compliance with the Personnel Complaints Policy. If a student intern is the subject of or is involved in an internal investigation, the coordinator of the educational program that sponsors the intern should be notified.

Volunteers and student interns are considered at-will and may be removed from service at the discretion of the Chief Probation Officer, with or without cause. Volunteers and student interns shall have no property interest in their continued appointments.

Volunteers and student interns may resign from service with the Department at any time. It is requested that a volunteer or student intern who intends to resign provide advance notice and a reason for the decision.

323.13.1 EXIT INTERVIEWS

The program coordinator or authorized designee should conduct exit interviews when possible. These interviews should ascertain why the volunteer or student intern is leaving the position and should solicit their suggestions on improving the position. When appropriate, an exit interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

323.14 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	02/05/2013
Attachments	None

Community Relations

324.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Suspicious Activity Reporting Policy.

324.2 POLICY

It is the policy of the Riverside County Probation Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making available relevant policy and operations information to the community in a transparent manner.

324.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

- (a) Make casual and consensual contacts with community members to promote positive community relationships.
- (b) Become reasonably familiar with the schools, businesses, community treatment programs, service providers, and faith-based organizations in their supervision areas.
- (c) Work with community members and the department community relations coordinator to identify issues and solve problems related to community relations and public safety.
- (d) Conduct periodic field contacts to facilitate interaction with community members. Officers carrying out field contacts should notify an appropriate supervisor or authorized designee of their status (i.e., on field supervision) and location before beginning and upon completion of field supervision.

324.4 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Chapter 4 - Intake, Orientation, and Supervision

Initial Intake to Probation Services

400.1 PURPOSE AND SCOPE

This policy establishes guidelines for the Riverside County Probation Department's initial intake.

400.2 POLICY

The Riverside County Probation Department will engage in an initial process in an effort to facilitate fair and appropriate recommendations and/or supervision of clients.

400.3 ADULT INTAKE TO SUPERVISION

The Chief Probation Officer or the authorized designee should develop and maintain a standard intake program with appropriate forms and checklists to assist officers in their supervision of assigned clients.

The intake process should include but is not limited to:

- (a) Performing an intake interview or interviews:
 - 1. The intake interview should be completed at an initial appointment, or as required by a court order, after the client's release from custody or initial report to the Riverside County Probation Department.
- (b) Documenting relevant information about the client, such as:
 - 1. Personal information including name, address, and contact information
 - 2. Current employment and relevant employment history
 - 3. Family information
 - 4. Criminal history
 - 5. Any substance abuse, mental health, and treatment information
 - 6. Potential safety issues for officers and staff (e.g., weapons, dangerous animals within the home, family members who may present a threat)
- (c) Completing any appropriate and/or mandated risk and needs assessment(s) and scheduling appropriate review with the client as set forth in the Risk and Needs Assessments Policy.
- (d) Providing the client with an overview of what to expect while being supervised and any of the following as applicable:
 - 1. A copy of court-ordered conditions of supervision
 - 2. Applicable resources regarding any court-ordered programs, community referrals, or other resources pertaining to the conditions of probation
 - 3. Explanations of any financial obligations (e.g., court-ordered restitution, fines, fees)

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4. Applicable registration requirements (e.g., gang (Penal Code § 186.31), arson (Penal Code § 457.1), sex offenders (Penal Code § 290.017; Penal Code § 290.85))
5. Documenting client receipt of appointment and referral instructions

400.4 JUVENILE INTAKE TO SERVICES

400.4.1 JUVENILE INTAKE OFFICERS

The Chief Probation Officer should designate officers to act as juvenile intake officers. These officers should be trained in established juvenile intake procedures and should serve as first-line staff for juvenile intake to services.

400.4.2 JUVENILE INTAKE

The Chief Probation Officer or the authorized designee should develop and maintain a standard intake process with appropriate forms and training materials to assist juvenile intake officers with the intake for services of juveniles who are booked into custody or are cited for a law violation and are referred to Probation.

The intake process should include but is not limited to:

- (a) Performing an intake interview, including an interview with the juvenile and parent(s) to determine next steps. This intake process should include intake procedures for juveniles who are out of custody, along with investigation, and release or placement procedures (Welfare and Institutions Code § 628; Welfare and Institutions Code § 727; Welfare and Institutions Code § 727.05). In addition to considering the intake process as described in Out-of-Custody Juvenile Intake, officers assessing the status of a juvenile who has been booked into custody should:
 1. Review booking information.
 2. Review pertinent reports from law enforcement.
 3. Consider custodial status and whether custody is appropriate, including whether the juvenile is a dependent minor.
 4. Consider whether filing with the prosecuting attorney is appropriate.
 5. Inquire as to the status of a minor as an Indian child within the meaning of Welfare and Institutions Code § 224.3 and provide notice as required by Welfare and Institution Code § 224.2.
- (b) Documenting relevant information about the juvenile including but not limited to:
 1. Verifying personal information including name, address, and contact information
 2. Current employment and relevant employment history, if applicable
 3. Family information, including siblings and parental custody situation
 4. Delinquent history information
 5. Child welfare history, including any allegations of abuse or neglect and outcomes of these allegations

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6. School information, including grades and attendance
 7. Any substance abuse, mental health, and treatment information
 8. Potential safety issues for officers and staff (e.g., weapons, dangerous animals within the home, family members who may present a threat)
 9. Completing any appropriate and/or mandated risk and needs assessment(s) as set forth in the Risk and Needs Assessments Policy
 10. Reasonable efforts made to prevent the juvenile's removal from the home
 11. Any other information that is deemed necessary to ensure an understanding of each juvenile's individual needs
 12. Relevant victim information, criminal protective orders, or restraining orders
- (c) Providing the juvenile with the following as applicable:
1. Applicable resources, including community referrals

400.5 REFERENCE

Date Last Reviewed	7/01/2024
Date(s) Revised	07/01/2024; 08/28/2020; 06/18/2018; 04/21/011; 05/08/1996; 03/01/1996; 01/10/1996; 11/09/1995; and 08/08/1995
Date Created	08/19/1994
Attachments	None

Risk and Needs Assessments

401.1 PURPOSE AND SCOPE

The purpose of this policy is to provide general guidelines for the selection and administration of risk and needs assessment tools (RNAs) and the use of resulting information.

401.2 POLICY

It is the policy of the Department to use RNAs fairly, properly, and consistently to assist in making informed decisions regarding client levels of risk, intervention strategies, treatment, and supervision.

401.3 AGENCY RNA SELECTION

The Chief Probation Officer or the authorized designee is responsible for:

- (a) Identifying and approving any RNA to be used by officers considering state or other jurisdictional requirements.
 - 1. Any/All State-Authorized Risk Assessment Tools used for the evaluation of Sex Offenders (SARATSO) (Penal Code § 290.04 and § 290.06).
 - 2. All other RNAs to be used by Department officers.
- (b) Creating and maintaining procedures for the administration of RNAs, including but not limited to:
 - 1. Procedures to collect initial and updated information.
 - 2. Reassessments based on client life changes or other dynamic risk factors.
- (c) Periodically reviewing assessments and results to identify any training or RNA adjustments or improvements.
- (d) Working with other agencies and entities, including courts, prosecutors, treatment providers, and other providers, to facilitate coordination and implementation of department-approved RNAs and related procedures.

401.4 OFFICER RESPONSIBILITIES

Officers should not administer or score an RNA before completing department-approved training.

Only department-approved RNAs should be used.

Officers should supplement information collected during the administration of the RNA with information from an official records check, such as a criminal history records check.

Officers who reasonably believe the results of the RNA may be inaccurate or incomplete should consult with a supervisor to determine whether presentation to the court or other resolution is appropriate.

401.4.1 STATE REQUIREMENTS

Officers should submit SARATSO results to the Department of Justice as provided in Penal Code § 290.09.

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401.5 TRAINING

Officers using RNAs should receive periodic training on the use of approved RNAs. The training should include, as applicable and as resources allow:

- (a) The purpose of the RNA, including the types of offenders for which the RNA was developed.
- (b) Information required for administration of the RNA.
- (c) How to administer the RNA.
- (d) Limitations of the RNA.
- (e) The types of decisions that may be made based on data produced by the RNA.
- (f) How the RNA calculates risk and needs and what, if any, other assessment information may be provided by the tool (e.g., strengths, responsivity factors).

401.5.1 SEX OFFENDER RISK ASSESSMENT TRAINING REQUIREMENTS

Only officers trained as required by Penal Code § 290.05 may administer a SARATSO.

401.6 REFERENCE

Date Last Reviewed	07/01/2004
Date(s) Revised	07/01/2024; 08/03/2017; 07/20/2011; 12/01/2005; 09/19/1994; 03/11/1992; 08/01/1991; and 11/01/1988
Date Created	01/15/1988
Attachments	None

Supervision of Clients

402.1 PURPOSE AND SCOPE

This policy establishes guidelines for the supervision of clients by assigning clients to an appropriate level of supervision and developing an appropriate case plan for each client, when appropriate.

This policy does not address compliance monitoring, modifications and violations of release conditions, risk and needs assessments, and intake, which are addressed in other policies.

402.2 POLICY

It is the policy of the Riverside County Probation Department to use case management practices to facilitate effective and safe supervision of clients in accordance with federal and state law and department procedure.

402.3 RESPONSIBILITIES

The Chief Probation Officer or the authorized designee should:

- (a) Establish and maintain procedures to assign clients to approved levels of supervision.
- (b) Establish and maintain procedures for the development and implementation of case plans.
- (c) Establish and maintain procedures to ensure that clients are provided with guidance identifying appropriate community-based resources required or recommended for the client, and with assistance accessing those resources.
 - 1. This should include maintaining a list of resources and services available and approval of necessary additions or substitutions.
- (d) Review and approve the level of supervision to which each client is assigned.
 - 1. This should include the initial assignment and periodic reviews to determine if adjustments in the level of supervision are appropriate.
- (e) Conduct periodic reviews of case plans to assess the need to adjust a plan for reasons including the client's compliance with conditions of supervision, life changes, or other risk factors.
- (f) Establish a procedure to ensure that every 10 days updates are made to any supervised release file available to this department on the California Law Enforcement Telecommunications System (CLETS) by entering any client placed on post-conviction supervision who is within the jurisdiction and authority of the Riverside County Probation Department. This includes persons on probation, mandatory supervision, and post-release community supervision (Penal Code § 14216).

402.4 LEVELS OF SUPERVISION

Each client should be assigned a level and type of supervision (Penal Code § 1202.8).

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Supervision of Clients

402.4.1 ASSIGNMENT TO A LEVEL OF SUPERVISION

Officers shall follow department procedures when assigning each client to a level of supervision.

The assignment of each client to a level and type of supervision should be based on but not limited to the following:

- (a) Court-ordered directives related to supervision (Penal Code § 1202.8)
- (b) Results and findings of the risk and needs assessment administered pursuant to the Risk and Needs Assessments Policy
- (c) Results and findings of other relevant evaluations, including but not limited to mental and physical health evaluations and substance abuse evaluations
- (d) Information collected at intake pursuant to the Initial Intake to Probation Services Policy
- (e) Nature and severity of the offense requiring supervision
- (f) Past criminal history and past performance on probation/parole supervision
- (g) Other information relevant to a level and type of supervision determination criminogenic needs case types (e.g., Interstate Compact, sex offender, etc.)

402.4.2 LEVELS OF SUPERVISION FOR SEX OFFENDERS

Adult sex offenders who are determined by a risk and needs assessment to pose a high risk to the public of committing a sex crime shall be assigned to intensive and specialized supervision as required by Penal Code § 1203f.

Juvenile sex offenders who pose a high risk of committing a sex crime should be considered for assignment to intensive and specialized supervision.

402.5 ESTABLISHMENT OF A CASE PLAN

A case plan should be established for supervised clients according to department procedures. Prior to developing a case management plan, officers should review with the client the results of any risk and needs assessment, the pre-sentence investigation, if applicable, and the information collected during intake.

Case plans should outline supervision needs and referrals to appropriate programming such as treatment, education, and training programs.

Officers should review the materials used to develop the case plan with the client, as appropriate.

Additions and modifications to court-ordered conditions shall be consistent with the Modification of Conditions of Supervision Policy.

402.5.1 JUVENILE CASE PLAN

When establishing a case plan with a juvenile, a parent or guardian should be present. Documentation should identify all persons present during the review.

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402.5.2 REVISIONS TO CASE PLAN

Officers should conduct routine reviews of the case plan and adjust when it reasonably appears appropriate.

402.6 POST-RELEASE COMMUNITY SUPERVISION FOR ADULTS

Persons subject to post-release community supervision pursuant to Penal Code § 3451 shall be supervised in accordance with this policy and state law. The individual under supervision shall be required to comply with the following terms of post-release community supervision (Penal Code § 3453):

- (a) Obey all laws.
- (b) Report to the probation agency within two working days of release from custody.
- (c) Follow the directives and instructions of the assigned officer.
- (d) Report to the assigned officer as directed.
- (e) Be subject, along with the individual's residence, to search at any time of day or night, with or without a warrant by an officer or a peace officer (Penal Code § 3465).

Any additional post-release supervision conditions shall be reasonably related to the offense for which the individual was incarcerated, the individual's risk of recidivism, and the individual's criminal history (Penal Code § 3454).

402.7 MANDATORY SUPERVISION FOR ADULTS

Individuals on mandatory supervision pursuant to Penal Code § 1170(h)(5)(B) shall be supervised in accordance with this policy and Penal Code § 1170.

402.8 NOTICE TO PROBATIONER

Officers should review and discuss any instructions or requirements with the client and provide written notification to the client (Penal Code § 1203.7; Penal Code § 1203.12; Penal Code § 3453).

Officers should also provide clients with an overview of what the client can expect while under the supervision of the Riverside County Probation Department, including:

- (a) Reporting and other requirements.
- (b) Applicable rules.

Updates to any instructions or requirements should be reviewed with the client.

Officers should obtain a written acknowledgement from the client that the individual has received a copy of the supervision conditions and requirements.

402.8.1 NOTICE TO SEX OFFENDERS OF PROOF OF REGISTRATION DEADLINE

An officer who supervises an individual who is required to register as a sex offender pursuant to Section 290 shall inform that individual of their duties under that section. Notification shall be made at least six days prior to the deadline. Officers supervising clients who are required to register as sex offenders under state law shall inform the client that the individual is required to provide

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proof of the individual's registration as a sex offender within six working days of release, and any change to the registration within six working days of the change (Penal Code § 290.85).

402.8.2 NOTICE TO PARTICIPANTS IN HOME DETENTION PROGRAM

Officers shall provide written notice of the rules governing the home detention program to clients subject to mandatory home detention (Penal Code § 1203.016; Penal Code § 1203.017).

402.8.3 NOTICE OF VOTING RIGHTS

Officers should notify clients that a printed version of information regarding voting rights for persons with a criminal history is available upon request. When requested, officers shall provide the information (Elections Code § 2105.6).

402.9 OFFICER ADULT CASE RECORD

Officers shall keep a complete and accurate record of the history of each adult client assigned to their supervision. The record shall include (Penal Code § 1203.7; Penal Code § 1203.10):

- (a) The history of the client's case in court.
- (b) The name of the assigned officer.
- (c) The acts taken by the officer in connection with the case.
- (d) The age, sex, nativity, residence, education, habits of temperance, marital status, conduct, employment, occupation, parents' occupation, and the condition of the client during the term of probation.
- (e) The result of probation.

402.9.1 OFFICER JUVENILE CASE RECORD

Officers should keep a complete and accurate record for each juvenile client assigned to their supervision pursuant to established department procedures.

402.9.2 SUPERVISION CASELOAD AUDITS

Supervisors shall conduct case audits of randomly selected cases from each caseload to monitor compliance with individualized caseload mandates.

402.10 TRAINING

Officers should receive training on assigning of levels of supervision and developing and implementing case plans before supervising clients.

402.11 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 08/20/2021; 04/09/2019; 09/21/2016; 06/26/2013; 03/02/2010; 07/28/1998; and 09/19/1994
Date Created	11/15/1987

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Attachments	<div>1. Adult Case Transfers Checklist</div> <div>2. Juvenile Case Transfer Checklist</div> <div>3. Third Party Residence Verification Form</div> <div>4. Dual Status Case Checklist</div> <div>5. EFC Case Transfer Checklist</div> <div>6. Changes of School District Notifications</div>

Compliance Monitoring

403.1 PURPOSE AND SCOPE

This policy provides guidelines for monitoring clients.

This policy applies to all officers within the Riverside County Probation Department who monitor clients.

Drug and/or alcohol testing, search and seizure issues, and task force operations are addressed in the Drug and Alcohol Testing, Search and Seizure, and Task Force policies, respectively.

403.1.1 DEFINITIONS

Definitions related to this policy include:

Monitoring - Compliance monitoring includes observation and/or surveillance of clients through available means, including visual, audio, or digital. Monitoring includes but is not limited to conducting field observation, home contacts, office contacts, employment contacts, route checks, telephone checks, field contacts to referral services and programs, location monitoring, social media reviews, or any other type of visual or digital tracking of clients.

403.2 POLICY

It is the policy of this department to fairly and objectively monitor clients in accordance with federal and state law, applicable court orders as well as department policies and procedures.

403.3 MONITORING PLAN

403.3.1 ADULT SEX OFFENDER REQUIREMENTS

The monitoring of adult clients assessed with the State Authorized Risk Assessment Tool for Sex Offenders who have a risk level of high shall include continued electronic monitoring, unless the client's court, judicial officer, or releasing authority order specifically provides that such monitoring is not needed, and intensive, specialized probation supervision that includes frequent reporting to the assigned officer (Penal Code § 1202.8; Penal Code § 1203f).

403.3.2 ADULT HOME DETENTION REQUIREMENTS

The monitoring of adult clients in a home detention program shall be consistent with any requirements of the home detention program and Penal Code § 1203.016 or Penal Code § 1203.017, as applicable.

403.3.3 ADULT POST-RELEASE COMMUNITY SUPERVISION ACT

The monitoring of persons subject to post-release community supervision should be developed in accordance with this policy and any review process established by the County (Penal Code § 3454).

403.4 OFFICER RESPONSIBILITIES

Officers should not conduct monitoring with the intent to harass, intimidate, or embarrass.

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Compliance Monitoring

Officers should document all monitoring conducted and observations made as a result.

An Officer who needs assistance with monitoring an assigned client should notify a supervisor as soon as reasonably practicable and should request additional resources or an appropriate adjustment to the monitoring.

Changes to a monitoring require supervisor approval. Officers should seek supervisory approval for any changes to the monitoring, including adjustments based on changes to the case plan, information learned from on-going monitoring, and alleged or observed client behavior.

403.5 DEPARTMENT RESPONSIBILITIES

The Chief Probation Officer or the authorized designee is responsible for:

- (a) Reallocating resources and/or approving modifications to monitoring as appropriate.
 - 1. If available resources are insufficient to meet statutory or court-ordered monitoring duties, the Chief Probation Officer shall provide written notice to the presiding judge of the superior court and the appropriate local government as provided in Penal Code § 1203.74.
- (b) Identifying approved monitoring techniques and establishing and maintaining procedures for the use of the techniques. Procedures should include:
 - 1. Identification of when the use of a technique is required or prohibited.
 - 2. Any required safety measures.
 - 3. When a warrant or modification to a court order may be required.
- (c) Identifying approved technology, such as digital or video recorders, Global Positioning System (GPS) devices, voice verification/call verification systems, and radio frequency technology. Procedures for approved technology should include:
 - 1. Access control.
 - 2. Oversight.
 - 3. Compliance verification.
 - 4. System audits.

403.6 TECHNOLOGY SYSTEMS

Officers should only use technological tools that have been approved by the department and for which they have received training.

Officers should test the technology before using in the field. If the tool malfunctions in the field, a supervisor should be notified and the malfunction documented.

When investigating a possible violation of conditions, an officer should document any reasonably discovered information that may corroborate or dispute evidence obtained using the technology, including any malfunctions.

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Compliance Monitoring

403.6.1 ADULT ELECTRONIC MONITORING

If used to monitor adult clients, electronic monitoring shall be implemented in accordance with Penal Code § 1210.7 et seq. The Chief Probation Officer shall develop written guidelines to identify clients who will be subject to continuous electronic monitoring (Penal Code § 1210.12).

Electronic monitoring may include the use of a GPS with the minimum time intervals between transmission established based on an evaluation of the available department resources, the criminal history of the client, and the safety of the victim of the client (Penal Code § 1210.10).

Any device used for continuous electronic monitoring shall (Penal Code § 1210.8):

- (a) Be designed to be worn by a person.
- (b) Emit a signal as a person is moving or stationary that can be received and tracked across large urban or rural areas, inside or outside of structures, vehicles, or other objects to the greatest degree possible given limitations, size, and cost.
- (c) Function 24 hours a day.
- (d) Be resistant to unintentional or willful damage.

Electronic monitoring, as defined by Penal Code 1210.8, devices shall not be used to record or listen to any conversation, except for a conversation between the client and the officer used solely for voice identification (Penal Code § 1210.11).

403.6.2 JUVENILE ELECTRONIC MONITORING

If used to monitor juvenile clients, the monitoring should be conducted pursuant to the provisions outlined above for adult electronic monitoring.

403.7 SOCIAL MEDIA MONITORING

Using social media or any other internet source to access information for the purpose of monitoring clients shall comply with applicable laws and policies regarding privacy, civil rights, and civil liberties. Information gathered via the internet should only be accessed by members for purposes consistent with the case plan.

Members monitoring social media of clients should use only department-approved equipment while on-duty unless they are specifically authorized to do otherwise by a supervisor. If a member encounters information relevant to the monitoring of clients while off-duty or while using the member's own equipment, the member should note the dates, times, and locations related to the information and report the discovery to a supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release Policy).

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Compliance Monitoring

403.7.1 ACCESS RESTRICTIONS

Information that can be accessed from any department computer, without the need of an account, password, email address, alias, or other identifier (unrestricted websites), may be accessed and used for legitimate monitoring purposes consistent with the monitoring plan for the client.

Accessing information from any internet source that requires the use or creation of an account, password, email address, alias, or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the client's case file.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the client's case file.

Information gathered from any internet source should be evaluated for its validity, authenticity, accuracy, and reliability. Corroborative evidence should be sought and documented in the client's case file.

Any information collected in furtherance of compliance monitoring through an internet source should be documented in the client's case file. Documentation should include the source of information, the dates and times that the information was gathered, and screenshots if available.

403.8 ACCESS RESTRICTIONS

Recordings or other evidence created or received while conducting monitoring should be processed as provided in the Property Policy.

403.9 TRAINING

The department should provide training to officers on this policy and related procedures. Training, subject to available resources, should include:

- (a) Use of approved methods of monitoring.
- (b) How and when to use approved technology for monitoring.
- (c) Constitutional issues that may arise during monitoring, including any warrant or court order requirements and privacy issues.
- (d) When coordination with local law enforcement or other agencies is appropriate.

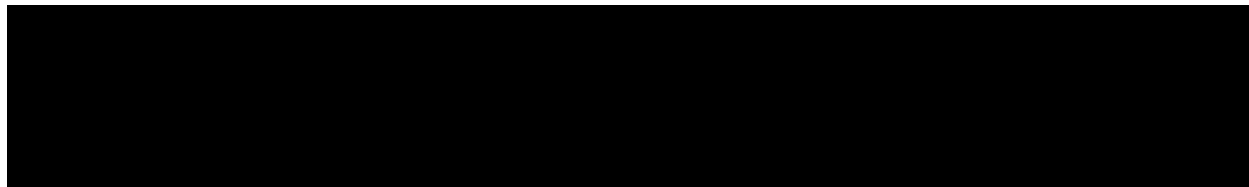
403.10 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 08/20/2021; 03/07/2019; 08/03/2017; 12/01/2005; 06/06/2001; and 12/08/1993
Date Created	07/01/1986
Attachments	None

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Compliance Monitoring



Drug and Alcohol Testing

404.1 PURPOSE AND SCOPE

This purpose of this policy is to establish guidelines regarding drug and alcohol testing of clients under department supervision.

404.1.1 DEFINITIONS

Definitions related to this policy include:

Adulterated specimen - A specimen containing a substance that is not a normal constituent or containing an endogenous substance at a concentration that is not a normal physiological concentration.

Diluted specimen - A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Specimen - Urine or other body fluid or substance used for analysis.

404.2 POLICY

It is the policy of the Riverside County Probation Department to conduct drug and alcohol testing of clients to determine compliance with any conditions of supervision concerning drug and alcohol use, and when pursuant to other judicial order or with the consent of the client if no such conditions exist and reasonable cause is determined there has been use of controlled substance/alcohol. Non-clients can be drug tested if court ordered.

404.3 RESPONSIBILITIES

The Chief Probation Officer or the authorized designee should develop and maintain procedures for the administration of drug and alcohol tests.

404.3.1 THIRD-PARTY TESTING

The Chief Probation Officer or the authorized designee should work with community-based service providers (e.g., drug and/or alcohol treatment facilities) to develop procedures for notifying the supervising officer when a client submits a positive, adulterated, or diluted specimen, or refuses to submit a specimen to the community provider.

The Chief Probation Officer should establish any other required minimum data elements that are to be included in drug treatment progress reports from the community-based service providers.

404.3.2 NOTIFICATIONS

The supervising officer shall notify the drug treatment facility of a court order requiring drug testing within seven days of receiving the order (Penal Code § 1210.1). A copy of the client's treatment progress reports, received from the drug treatment facility, should be provided to the court every 90 days, or as the court directs (Penal Code § 1210.1).

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Drug and Alcohol Testing

404.4 COLLECTION AND TESTING GENERALLY

Members who have been trained in department procedures for collecting specimens may collect specimens consistent with the client's case plan, a court order, the random screening protocol, or as otherwise specified in department procedure.

404.4.1 RESPONSIVE ACTION

When a client admits to the use of an unauthorized substance, refuses to submit a specimen when required, tests positive for an unauthorized substance, or provides an adulterated or diluted specimen, the supervising officer should consider whether:

- (a) Confirmation testing is appropriate.
- (b) The failure or refusal may be a violation of the conditions of supervision and take further action pursuant to the Violations Policy.
- (c) With supervisor approval, modification to the conditions of supervision, including referral for further assessment to determine the need for outpatient or inpatient drug treatment services, would be appropriate and proceed pursuant to the Modification of Conditions of Supervision Policy.
- (d) A reassessment would be appropriate as provided in the Risk and Needs Assessments Policy.
- (e) Officers may choose to handle a violation of conditions of supervision in an informal manner, in consideration of each client's individual needs, as long as the action complies with court mandates.

If a client tests positive, admits use, or refuses to provide a sample and the officer reasonably suspects the client arrived at the testing location or intends to leave the testing location by operation of a motor vehicle while impaired, the officer should proceed according to the Violations Policy.

404.4.2 CONFIRMATION TESTS

Supervising officers may perform testing of a client despite an admission of use.

When a specimen tests positive or is adulterated or diluted, regardless of any admission of use, reasonable efforts should be made to confirm whether the result occurred during the use of an authorized or prescribed medication or is the result of the use of a prohibited substance. This may include:

- (a) Administration of additional on-site screening.
- (b) Verification of medical prescriptions or medical marijuana identification card if use is approved by the court or conditions of the client's supervision. Refer to California Department of Public Health, [Medical Marijuana Identification Card](#) website, for additional information.
- (c) Submission of an appropriate specimen, following the established chain of custody, to an approved toxicology laboratory for confirmation testing.

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Drug and Alcohol Testing

404.5 TRAINING

Officers should receive training on this policy and related procedures.

404.6 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 12/29/2021; 04/21/2011; 12/01/1998; and 12/08/1993
Date Created	07/01/1986
Attachments	1. Drug and Alcohol Use Form

Modification of Conditions of Supervision

405.1 PURPOSE AND SCOPE

The purpose of this policy is to provide general guidance for the modification of conditions of supervision.

405.2 POLICY

It is the policy of this department that officers will communicate with the courts and the client to modify conditions of supervision.

405.3 APPROVALS

Officers should not modify conditions of supervision without court approval unless the court has expressly delegated the authority to do so to the officer or Riverside County Probation Department. Refer to [County of Riverside Superior Court](#) or [California Courts Forms](#), for additional information.

If court approval is not required and the modification would decrease the intensity of supervision, officers should obtain supervisor approval prior to the modification.

405.4 MODIFICATIONS

When an officer determines modification of a client's conditions of supervision may be appropriate, the officer should within a reasonable time:

- Identify the proposed modification and document the reason(s) for the proposed modification.
- Notify the client of the proposed modification and ask whether the client will agree to the modification.
- If the client is a minor, proceed with the Modification Hearing subsection (even if the client agrees to the modification).

An agreement by the client to the modification should be in writing and witnessed by a supervisor and a third-party officer or staff member.

405.4.1 MODIFICATION WITHOUT HEARING

If the client agrees to the modification and the court has expressly authorized modifications without a hearing, the officer should (Penal Code §1203.2; Penal Code § 3455):

- (a) Obtain a written waiver of the hearing from the client.
- (b) Submit to the court a copy of the modification along with the rationale for the modification and the client's agreement and waiver of hearing.

Prior to submission of court documents, the officer shall notify the client of the right to an attorney, and if indigent, the right to a court-appointed attorney (Penal Code § 1203.2). If a client waives the right to an attorney, the officer should obtain a signature from the individual on the written waiver. If the client consults with an attorney and thereafter agrees to the modification and waiver

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of personal appearance at the hearing, the officer should obtain a signature from the attorney as to the agreement (Penal Code § 1203.2; Penal Code § 3455).

405.4.2 MODIFICATION HEARING

If the client does not waive a court hearing or a hearing is required under the circumstances, the officer should:

- (a) Arrange to have a court date set.
- (b) Prepare or assist in preparing any documents required by the court (Penal Code § 1203.2; Penal Code § 3455; Welfare and Institutions Code § 778).
- (c) Notify the client of the hearing date.
 1. Notice should be in writing signed by the client and the method of notice, or reason why notice was not given, should be documented.
 2. Officers filing a petition to juvenile court to modify or set aside a condition of probation should serve a copy of the petition on the District Attorney, the minor's attorney of record, or, if there is no counsel of record, to minor and the parents or guardians (Welfare and Institutions Code § 778; Welfare and Institutions Code § 776).

405.5 CASE PLAN

Officers should review any resulting modifications with the client.

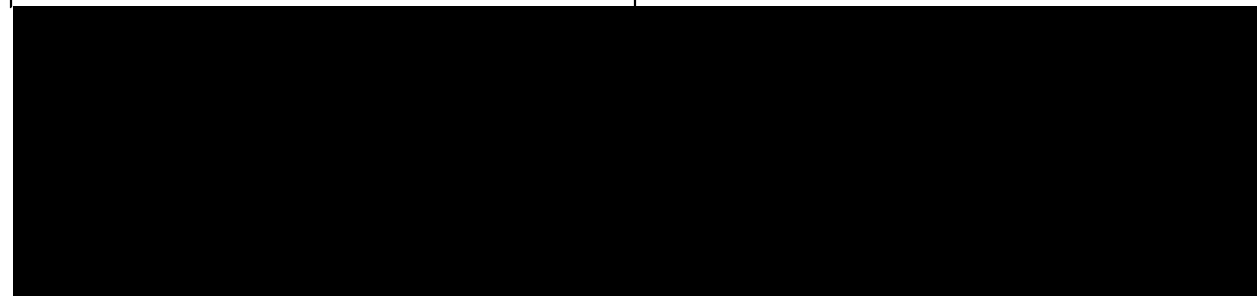
The case plan should be modified as appropriate. See the Supervision of Clients Policy.

405.6 DOCUMENTATION

Documents associated with modifications of conditions of supervision, including any waivers and approvals, should be filed in the client's case file and retained in accordance with the Records Maintenance and Release Policy.

405.7 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 08/03/2017; 10/08/2010; 05/14/2001; and 12/08/1993
Date Created	07/01/1986
Attachments	None



Violations

406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for responding to and reporting violations of conditions of supervision.

406.2 POLICY

It is the policy of this department to respond to potential violation behavior with due diligence.

406.3 INVESTIGATIONS

Officers should begin an investigation into reported or suspected violation behavior within a reasonable time. Investigations into possible violations involving behavior reasonably believed to implicate a specific threat to public safety or to the safety of the client or another person should be given priority.

Suspected violations that may constitute additional criminal behavior should be documented sufficiently for presentation to outside agencies, such as local law enforcement for follow-up or the District Attorney for filing of additional charges. See the Report Preparation Policy.

All investigations should be documented, including whether the case was submitted to the court and/or the District Attorney and any reasons it was not.

406.4 PROCESSING VIOLATIONS

If as a result of an investigation, the officer reasonably believes violation proceedings are appropriate, the officer should make reasonable efforts to bring the matter before the court as soon as reasonably practicable.

406.4.1 REQUIRED VIOLATION REPORTING

Officers shall report any violation or breach of conditions imposed by the court to both the court that appointed the officer and the court that released the client, if different (Penal Code § 1203.7; Penal Code § 1203.12).

Officers who receive written notification that a client has been imprisoned for another offense shall submit a report to the court that released the client not later than 30 days after receiving notification of the imprisonment. Officers who otherwise discover that a client is incarcerated on another offense should make reasonable efforts to notify the releasing court of the information discovered (Penal Code § 1203.2a).

406.4.2 DISCRETIONARY VIOLATION REPORTING

Officers should consult with a supervisor in cases where they reasonably believe that despite violation behavior compliance with conditions may be achieved without court intervention. If modification of conditions is appropriate, officers should proceed in accordance with the Modification of Conditions of Supervision Policy.

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Officers who determine that intermediate sanctions are not appropriate for an individual who violated conditions of supervision on post-release community supervision (PRCS) pursuant to Penal Code § 3450 et seq. should submit a petition to the court to revoke or terminate PRCS, if appropriate, or proceed with the Modifications of Conditions of Supervision Policy (Penal Code § 3455).

406.4.3 FLASH INCARCERATION

Officers shall obtain supervisor approval prior to the imposition of flash incarceration. Officers shall notify the court, sheriff's office, District Attorney, and public defender as soon as practicable once a decision has been made to impose flash incarceration on a client (Penal Code § 1203.35). With the exception of those on post-release community supervision, if a client does not agree to accept a recommended period of flash incarceration, the officer should report the violation to the court, if appropriate, or proceed with the Modification of Conditions of Supervision Policy, if applicable (Penal Code § 1203.35).

406.4.4 ADDITIONAL REQUIREMENTS FOR INDIVIDUALS ON POST-RELEASE COMMUNITY SUPERVISION

Officers should investigate suspected violation behavior of individuals on PRCS pursuant to Penal Code § 3450 et seq. and process violations per the Investigations and Processing Violations sections of this policy.

Officers who have a reasonable belief that an individual on PRCS has violated a condition of supervision should obtain supervisor approval prior to the implementation of flash incarceration (Penal Code § 3454).

If flash incarceration or another intermediate sanction is not appropriate, the officer should submit a petition to the court to revoke or terminate PRCS, if applicable, or proceed with the Modification of Conditions of Supervision Policy. The petition shall include a written report that contains the terms and conditions of PRCS, the circumstances of the violation, the history of the violator, and any recommendations (Penal Code § 3455). If a petition is submitted to the court, the officer should proceed with the Service of Documents, Notice to the District Attorney, Evidence Disclosure, and Notifications sections in this policy. If an arrest is appropriate, the officer should proceed with the Arrests section of this policy.

406.5 ARRESTS

Officers who reasonably believe that an arrest is appropriate based on violation behavior should take steps to initiate the arrest within the scope of their authority and without unreasonable delay (Penal Code § 1203.2; Penal Code § 3455; Welfare and Institutions Code § 625) (see the Probation Authority policy.)

If an officer has a reasonable belief that an immediate arrest is warranted (e.g., the violation behavior implicates a specific threat (such as an intoxicated client close to operating a vehicle), abscondence is likely, the arrest is required by state law), the officer should initiate a warrantless arrest if legally permitted under the circumstances.

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Violations

406.6 SERVICE OF DOCUMENTS

Regardless of whether an arrest is made, the officer shall serve a copy of any petition filed with the court on the client or the attorney for the client, if known (Penal Code § 1203.2). The officer should also serve a copy of the violation report on the client or the client's attorney, if known.

A copy of the petition to revoke probation and/or violation report should be served personally on the client. If personal service cannot reasonably be made, service should be made by first-class mail. Refer to [County of Riverside Superior Court](#) or [California Courts Forms](#), for additional information.

If an officer reasonably believes that service may pose an unreasonable risk, the officer should request local law enforcement assistance.

406.6.1 NOTICE TO THE DISTRICT ATTORNEY

Officers shall provide a copy of the petition to revoke probation to the District Attorney (Penal Code § 1203.2). The copy should be provided as soon as practicable after filing the petition. The method of notification (e.g., personally, by certified mail) and the date should be documented.

406.6.2 EVIDENCE DISCLOSURE

Evidence that the officer intends to be used at a violation hearing should be disclosed prior to the hearing to the District Attorney. Information that is confidential or protected may have disclosure limitations and should be approved by a supervisor and/or the court prior to disclosure.

406.6.3 SUPPLEMENTAL PETITIONS IN JUVENILE COURT

Officers filing a supplemental petition to juvenile court shall serve notice of the date, time, and place of a Welfare and Institutions Code § 777 hearing to the minor's parents, foster parents, guardians, or the relatives providing care to the minor in the manner required by Welfare and Institutions Code § 658 or Welfare and Institutions Code § 660, as applicable (Welfare and Institutions Code § 777).

406.7 NOTIFICATIONS

Officers who initiate violation proceedings against clients should consider whether notification should be made to a third party or the victim of the offense for which the client is on supervision. See the Victim and Witness Assistance Policy.

406.8 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 08/20/2021; 03/07/2019; 08/03/2017; 12/01/2005; 06/06/2001; and 12/08/1993
Date Created	07/01/1986
Attachments	1. Juvenile - J132 Forms

Subpoenas and Court Appearances

407.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Riverside County Probation Department to cover any related work absences and keep the Department informed about relevant legal matters.

407.2 POLICY

Riverside County Probation Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

407.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so. This may be accomplished by personal service to the officer or by delivery of two copies of the subpoena to the officer's supervisor or other authorized department agent (Government Code § 68097.1; Penal Code § 1328).

The party that issues a civil subpoena to a member to testify as a witness must tender the statutory fee of \$275 with the subpoena for each day that an appearance is required before service is accepted of the subpoena (Government Code § 68097.2).

An immediate supervisor or authorized individual may refuse to accept service for a criminal subpoena if (Penal Code § 1328):

- (a) The supervisor or authorized individual will be unable to deliver a copy of the subpoena to the named officer within sufficient time for the named officer to comply with the subpoena.
- (b) It is less than five working days prior to the date listed for an appearance and the supervisor or authorized individual is not reasonably certain that service can be completed.

If, after initially accepting service of a criminal subpoena, a supervisor or other authorized individual determines it is not possible to deliver a copy of the subpoena to the named officer within sufficient time for the named officer to comply with the subpoena, the supervisor or the subpoena clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328).

407.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify, or provides information on behalf or at the request of any party other than the County Counsel or the prosecutor shall notify the member's immediate supervisor without delay regarding:

- (a) Any civil case where the County or one of its members, as a result of their official capacity, is a party.
- (b) Any civil case where any other city, county, state, or federal unit of government or a member of any such unit of government, as a result of their official capacity, is a party.

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- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of their association with the Riverside County Probation Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Riverside County Probation Department.

The supervisor will then notify the Chief Probation Officer or designee and the appropriate prosecuting attorney as may be indicated by the case. The Chief Probation Officer or designee should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

407.3.2 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current collective bargaining agreement or memorandum of understanding.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

407.3.3 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

407.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

407.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes location during the day, the member shall notify the designated department member of how the member can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

407.6 COURTROOM PROTOCOL

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.

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- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

407.6.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court. The member should also contact the prosecuting attorney regarding testimony and evidence that might be needed in court.

407.6.2 EVIDENCE

When a member is directed by a subpoena to appear in court with evidence or the prosecuting attorney requests evidence that is available to the member, that member should:

- (a) Notify the Division Manager(s) and Custodian of Records promptly after receiving the subpoena that the specified evidence is needed for court, and verify that the evidence is readily available.
- (b) Verify whether the evidence will be analyzed by the time of the court appearance, if applicable, and advise the prosecutor of any delay.
- (c) Check with the prosecuting attorney on a timely basis if in doubt about what items or materials to bring to court.
- (d) Notify the prosecuting attorney on a timely basis in the event that evidence has been lost, stolen, or misplaced, or if previously undisclosed information about the evidence has become available.
- (e) Comply with provisions of the Property Policy regarding checking out the evidence and transferring custody of the evidence to the prosecutor or the court, whichever is appropriate.

407.7 OVERTIME APPEARANCES

When a member appears in court on off-duty time, the member will be compensated in accordance with the current collective bargaining agreement or memorandum of understanding.

407.8 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 08/03/2017; 10/10/2014; and 09/17/1996
Date Created	07/01/1986
Attachments	None

Interstate Transfer of Supervision

408.1 PURPOSE AND SCOPE

The purpose of this policy is to guide the processing of cases related to the Interstate Compact for Adult Offender Supervision (ICAOS) and ensure the Riverside County Probation Department's compliance with ICAOS.

408.1.1 DEFINITIONS

Interstate Compact Coordinator - The individual in each compacting state responsible for the administration and management of the state's supervision and transfer of offenders, subject to the terms of ICAOS, the rules adopted by the Interstate Commission for Adult Offender Supervision, and policies adopted by the State Council.

Interstate Compact for Adult Offender Supervision (ICAOS) - A reciprocal agreement among the 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands for the controlled movement and transfer of probation supervision authority across state lines.

Interstate Compact Offender Tracking System (ICOTS) - A web-based system that facilitates the transfer of supervision for clients from one state to another. ICOTS includes mechanisms for notifications of departures, arrivals, progress, violations, and case closures.

408.2 POLICY

It is the policy of the Riverside County Probation Department to use ICOTS when planning for and organizing the movement and supervision of clients across state lines. All interstate transfer of supervision activities should comply with the uniform framework of ICAOS.

408.3 REQUEST FOR TRANSFER OF SUPERVISION BY A CLIENT

When a client requests a transfer of supervision to another state, the officer should:

- Discuss the client's request with the client, including the client's reasoning and the client's supervision plan for compliance in the potential receiving state.
- Review the client's supervision plan to ensure it meets criteria for transfer as specified in ICAOS rules, including any special criteria where applicable (e.g., mandatory transfer, sex offender transfer, emergency transfer).
- Review the client's supervision status, including the client's current compliance status with any past or present conditions of supervision.

408.4 TRANSFER, RETAKE, AND CLOSURE OF ICAOS CASES

The Riverside County Probation Department should follow the rules set forth by the Interstate Commission for Adult Offender Supervision and the State Council and should cooperate with the state Compact Administrator.

The Riverside County Probation Department should utilize ICOTS as necessary, including for notifications of departures, arrivals, progress, violations, and case closures.

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408.5 RECEIPT OF TRANSFERRED PROBATIONERS

Transferred clients received by the Riverside County Probation Department should be given an orientation consistent with the Initial Intake to Probation Services and Orientation Policy.

408.6 TRAINING

The Riverside County Probation Department should provide training to officers involved in ICAOS cases.

408.7 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 06/18/2018; 10/28/2010; and 12/01/2005
Date Created	03/27/1995
Attachments	None

Interstate Transfer of Supervision of Juveniles

409.1 PURPOSE AND SCOPE

The purpose of this policy is to guide processing of Compact cases and ensure the Riverside County Probation Department's compliance with the Interstate Compact for Juveniles (ICJ).

409.1.1 DEFINITIONS

Juvenile Compact Administrator Liaison - The individual in each compacting state responsible for the administration and management of the state's supervision and transfer of offenders, subject to the terms of the ICJ, the rules adopted by the Interstate Commission for Juveniles, and policies adopted by California's ICJ office.

Interstate Compact for Juveniles (ICJ) - A reciprocal agreement among the 50 states, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands for the controlled movement and transfer of probation supervision authority across state lines for juveniles (4 USC § 112).

Uniform Nationwide Interstate Tracking for Youth (UNITY) - A web-based system for tracking interstate juvenile movement.

409.2 POLICY

It is the policy of the Riverside County Probation Department to use UNITY when planning for and organizing the movement and supervision of clients across state lines. All interstate transfer of supervision activities will comply with the uniform framework of ICJ.

409.3 REQUEST FOR TRANSFER OF SUPERVISION BY A CLIENT

When a request for transfer of supervision to another state is made, the officer should:

- Confirm an appropriate legal guardian exists, or is anticipated to exist, in the receiving state.
- Discuss the request with the client and legal guardian(s), including the reasoning and the plan for compliance in the potential receiving state.
- Review the plan to ensure it meets criteria for transfer as specified in ICJ rules, including any special criteria where applicable (e.g., mandatory transfer, juvenile sex offender transfer, expedited transfer).
- Review the client's supervision status, including the client's current compliance status with any past or present conditions of supervision.
- Complete and submit applicable forms required by ICJ rules.

409.4 TRANSFER, RETAKE, AND CLOSURE OF ICJ CASES

The Riverside County Probation Department should follow the ICJ rules, and will cooperate with the state Compact Administrator.

The Riverside County Probation Department, or designee, should utilize UNITY as necessary, including for notifications of departures, arrivals, progress, violations, and case closures.

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409.5 RECEIPT OF TRANSFERRED CLIENTS

Transferred clients received by the Riverside County Probation Department should be given an orientation consistent with the Initial Intake to Probation Services Policy.

409.6 TRAINING

The Riverside County Probation Department should provide training to officers involved in ICJ cases.

409.7 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Prison Rape Elimination Act

410.1 PURPOSE AND SCOPE

This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect, and respond to sexual abuse and sexual harassment in Riverside County Probation Department facilities (28 CFR 115.5 et seq.).

410.1.1 DEFINITIONS

Definitions related to this policy include:

Confined individual - A resident of a community confinement facility, or a detainee in a lockup, owned or operated by the Riverside County Probation Department (28 CFR 115.5).

Sexual abuse - Any of the following acts if the confined individual does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- (b) Contact between the mouth and the penis, vulva, or anus
- (c) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument
- (d) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

Sexual abuse also includes abuse by a member of the Department or a contractor, with or without consent of the confined individual, as follows:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Contact between the mouth and any body part where the department member or contractor has the intent to abuse, arouse, or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties, or where the department member or contractor has the intent to abuse, arouse, or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties, or where the member or contractor has the intent to abuse, arouse, or gratify sexual desire
- Any attempt, threat, or request by the department member or contractor to engage in the activities described above

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- Any display by the department member's or contractor's uncovered genitalia, buttocks, or breast in the presence of a confined individual
- Voyeurism by the department member or contractor

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one confined individual that are directed toward another; repeated verbal comments or gestures of a sexual nature to a confined individual by a member of the Department or contractor, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

410.2 POLICY

The Riverside County Probation Department has zero tolerance with regard to sexual abuse and sexual harassment in its facilities. This department will take appropriate affirmative measures to protect all confined individuals from sexual abuse and harassment, or retaliation against any person who reports sexual abuse or sexual harassment, or who cooperates with a sexual abuse or sexual harassment investigation, and will promptly, thoroughly, and objectively investigate all allegations of sexual abuse and sexual harassment (28 CFR 115.111; 28 CFR 115.211).

410.3 PREA COORDINATOR

The Chief Probation Officer shall delegate certain responsibilities to a PREA coordinator. The coordinator shall be an upper-level manager. The coordinator must have sufficient time and authority to develop, implement, and oversee department efforts to comply with PREA standards (28 CFR 115.111; 28 CFR 115.211).

The responsibilities of the PREA coordinator shall include developing and maintaining standards and procedures to comply with the PREA Rule.

410.3.1 CONTRACTS WITH OUTSIDE AGENCIES

The PREA coordinator shall ensure that any contract for the confinement or detention of confined individuals includes the requirement to adopt and comply with applicable provisions in PREA and the implementing regulations, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.287 (28 CFR 115.212).

The PREA coordinator shall implement agreements and/or memorandums of understanding for any outside investigation agencies responsible for sexual abuse investigations that include compliance with the appropriate protocol, appropriately trained investigators, evidence collection practices, forensic medical examination requirements, and an agreement to keep the Riverside County Probation Department apprised of the progress of sexual abuse investigations (28 CFR 115.221; 28 CFR 115.271).

410.4 PERSONNEL ISSUES

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410.4.1 DISQUALIFICATION DECISIONS

Every person who may have confined individual contact as a member or contractor shall, prior to service, undergo a thorough background investigation to verify personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Riverside County Probation Department.

The Riverside County Probation Department shall not hire, promote, assign, or transfer any member or contractor to a position that may allow contact with confined individuals if the member has (28 CFR 115.117; 28 CFR 115.217):

- (a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution as defined in 42 USC § 1997.
- (b) Been convicted of engaging in or attempting to engage in sexual activity that was facilitated by force, or overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.
- (c) Been civilly or administratively adjudicated to have engaged in the activity described in paragraph (b) of this subsection.

The department shall ask all candidates who may have contact with confined individuals to disclose any applicable misconduct during written applications or interviews. Material omissions regarding such misconduct, or the provision of materially false information, are grounds for termination.

410.4.2 PREA DISCLOSURE

Members have a continuing affirmative duty to notify the Chief Probation Officer in writing if they have (28 CFR 115.117; 28 CFR 115.217):

- (a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution as defined in 42 USC § 1997.
- (b) Been convicted for an offense involving engaging in or attempting to engage in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.
- (c) Been the subject of any civil or administrative adjudication finding that the member engaged in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

The department shall ask all employees who may have contact with confined individuals to disclose any applicable misconduct during written evaluations or reviews. Material omissions regarding such misconduct, or the provision of materially false information, are grounds for termination.

410.4.3 PRESERVATION OF ABILITY TO PROTECT PROBATIONERS

The Department shall not enter into or renew any memorandum of understanding, collective bargaining agreement, or other agreement that limits the department's ability to remove alleged

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staff sexual abusers from contact with any client pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted (28 CFR 115.266).

410.5 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Bias-Based Supervision

411.1 PURPOSE AND SCOPE

This policy provides guidance to Riverside County Probation Department members that affirms the County's commitment to supervision that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in probation activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, and partnerships).

411.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based supervision - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing supervision services or enforcement of court orders.

411.2 POLICY

The Riverside County Probation Department is committed to providing supervision services to the community with due regard for the racial, cultural, or other differences of those served. It is the policy of this department to provide probation services and to enforce the law and conditions set by the court equally, fairly, objectively, and without discrimination toward any individual or group.

411.3 BIAS-BASED SUPERVISION PROHIBITED

Bias-based supervision is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely, and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns, or specific schemes.

411.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform their duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based supervision to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

411.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report), the involved officer should include those facts giving rise to the contact.

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Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

411.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors may periodically review county owned Mobile Audio/Video (MAV) recordings, portable audio/video recordings, client management system data, and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings or data that capture a potential instance of bias-based supervision should be appropriately retained for administrative investigation purposes.
- (b) Supervisors shall notify their chain of command to initiate investigations of any actual or alleged violations of this policy.
- (c) If directed, Supervisors should discuss any issues with the involved officer and the officer's supervisor (if different) in a timely manner.
 - 1. Supervisors should document these discussions in the prescribed manner.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based supervision.

411.6 STATE REPORTING

The Professional Standards Bureau Manager shall ensure that all data required by the California Department of Justice (DOJ) regarding complaints of racial bias against officers is collected and stored according to retention records for required reporting to the DOJ (Penal Code § 13012; Penal Code § 13020).

411.7 TRAINING

Training on fair and objective supervision and review of this policy should be conducted as directed by the Training Manager.

411.8 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 08/03/2017
Date Created	01/20/2016
Attachments	None

Commercially Sexually Exploited Children (CSEC)

412.1 PURPOSE AND SCOPE

Riverside County Probation Department is committed to reducing the prevalence of commercially sexually exploited children by providing guidelines and establishing a process to ensure compliance with provisions enacted by the Preventing Sex Trafficking and Strengthening Families Act, Public Law (P.L.) 113-183, Senate Bill (SB) 794, as well as recent changes made by P.L. 114-22 to the federal Child Abuse Prevention and Treatment Act (CAPTA).

412.1.1 DEFINITIONS

Definitions related to this policy include:

Commercially Sexually Exploited Children (CSEC) - Federal law provides the definition of sex trafficking at 22 USC section 7102 (9) and (10). The term "sex trafficking" is defined as "the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act." "Severe forms of trafficking in persons" is defined as "sex trafficking in which the commercial sex act is induced by force, fraud, or coercion or in which the person induced to perform such act has not attained 18 years of age." This means that any child under age 18 who is induced to perform a commercial sex act is considered a sex trafficking victim regardless of whether force, fraud, or coercion is present. State law incorporates this federal definition in Penal Code (PC) section 236.1, and also includes the sex trafficking of a child within the definition of "CSE" set forth in PC section 11165.1(d). A commercial sex act is defined by federal law at 22 USC Section 7102 (4) as "any sex act on account of which anything of value is given to or received by any person." State law at PC section 11165.1(d)(2) clarifies that this includes the provision of food, shelter, or payment to a child in exchange for the performance of a sexual act.

Children Receiving Child Welfare Service / Foster Care Youth (applicability) –

- (a) Youth in foster care and under age 18 (or up to age 21 if they are receiving Title IV-E foster care assistance);
- (b) Youth who have not been removed from the home but for whom the agency has an open case file (including reasonable candidates for foster care);
- (c) Youth and non-minor dependents (NMD) who have run away from foster care, provided they have not reached the age at which the state ends Title IV-E assistance (21) (or have not been formally discharged from care); or
- (d) Non-minor dependents (NMD), up to age 21, who are receiving services under the Extended Foster Care.

At Risk of CSE - A child/youth shall be considered "at risk" of CSE if he/she/they:

Have a minimum of one of the following indicators:

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- Child/youth exhibits behaviors or otherwise indicates that she/he is being controlled or groomed by another person;
- Child/youth spends time with people known to be involved in commercial sex;
- Child/youth's use of internet, cell phone, or social media involves social or sexual behavior that is atypical or his/her age;

OR have a minimum of two of the following indicators:

- Child/youth has a history of chronically unstable housing, running away, and multiple foster care placements, or, child/youth has extended periods of homelessness associated with unstable housing and/or caregiver support;
- Child/youth has had prior involvement with law enforcement or the juvenile justice system;
- Child/youth is frequently and chronically truant, and the child/parent is unresponsive to interventions;
- Child/youth's relationships are not age-appropriate and unhealthy, placing him/her at risk or in danger of exploitation;
- Child/youth has a history of chronic substance abuse, specifically narcotics, opiates, crack/cocaine and amphetamines.

Assessment - A process used to determine if a youth is at risk, or a victim of, CSE that may use any combination of the following:

- (a) Formal screening tools identified for use in this population;
- (b) Direct conversation and observation of the child/youth that determines the safety and well-being of the child/youth;
- (c) Monitoring the child's physical, emotional, social, and educational development;
- (d) Talking to family and other collateral contacts;
- (e) Contacting other agencies that have worked with the youth/family;
- (f) Checking previous delinquency and child welfare history;
- (g) Gathering information about the child to identify needed services to be included in the case plan, and monitoring the effectiveness of those services provided to meet the child's needs.

412.2 POLICY

In accordance with the federal requirements under Title IV-E, and pursuant to WIC section 16501.35(a), officers are required to do all of the following:

- (a) Identify children receiving child welfare services, including dependents or wards in foster care, non-minor dependents (NMD), and youth receiving services pursuant to section 677 of Title 42 of the United States Code (USC), who are, or are at risk of becoming, victims of CSEC;

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- (b) Document individuals identified in the Client Management System and any other agency record as determined by the county;
- (c) Determine appropriate services for the child or youth identified; and
- (d) Receive relevant training in the identification, documentation, and determination of appropriate services for any child or youth identified.

412.3 MANDATED PROCEDURES

The following procedures provide direction regarding identification, documentation, staff training, and determination of appropriate services for any child/youth receiving child welfare services who is, or is at risk of becoming, a victim of commercial sexual exploitation.

412.3.1 IDENTIFICATION OF CHILDREN WHO ARE VICTIMS OR AT RISK OF CSE

Members may become aware that a youth is a suspected victim or at risk of CSE through various means to identify whether the youth is a victim or at risk of CSE. An officer shall complete an assessment, as appropriate.

412.3.2 REPORTING CSEC/YOUTH TO LAW ENFORCEMENT

Officers shall immediately, or in no case later than 24 hours from receipt of the information, report a youth who:

- (a) Is receiving child welfare services, AND;
- (b) Is reasonably believed to be the victim of CSE.

When calling to report the child/youth missing to law enforcement, the officer should document in CMS which law enforcement agency was contacted and the corresponding missing person report number. The officer should also confirm with the law enforcement agency that the information will be entered into the Federal Bureau of Investigation's National Crime Information Center (NCIC) database.

The officer must attempt to locate the child/youth and document those attempts in the CMS. The officer must also confirm and document in CMS that the child's/youth's whereabouts are unknown once every 30 days from the date of the initial discovery that the child/ youth went missing or was abducted. (MPP section 31-320.711)

The officer shall further report the missing/abducted child/youth immediately or within 24 hours to the National Center for Missing and Exploited Children (NCMEC) by calling 1-800-843-5678. This call should further be documented in CMS.

When making a report to NCMEC, it is important to have the following information readily available in order to expedite the reporting process:

- Child's/Youth's full name;
- Child's/Youth's date of birth;
- Date and location the child/youth went missing (to the best of your knowledge);
- Name and contact of the investigating law enforcement agency;

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- Law enforcement report/case number;
- Guardian information (for dependent children/youth and NMDs this will be the SW; for all other children/youth, this will most likely be the parent/guardian,

Authorization to release photographs of the missing/abducted child/youth shall be obtained from the Chief Probation Officer or authorized designee, and will comply with all other applicable laws and policies.

The officer shall notify the law enforcement agency with jurisdiction over the case, the local child protective services agency, and the NCMEC within 24 hours of the child's return. These notifications shall be documented in CMS, and an end date of the child/youth's status entered into CMS.

412.3.3 DOCUMENTING CHILDREN/YOUTH WHO ARE VICTIMS OR AT RISK OF CSE

Officers shall document youth identified as victims or at risk of CSEC in CMS and any other agency record as determined by the county (WIC section 16501.35(a)(2)).

412.3.4 DETERMINING APPROPRIATE SERVICES

Officers shall determine appropriate services for youth identified as victims or at risk of CSEC (WIC section 16501.35(a)(3)).

When a youth has been identified as a victim or at risk of CSE, the officer shall determine appropriate services for the youth. In determining appropriate services for the youth, the officer shall:

- (a) Complete an assessment and determine appropriate case plan goals to address CSE concerns.
- (b) Assess the safety and well-being of the youth including the youth's risk for becoming a victim of CSE, and gather information about the youth to identify needed services to be included in the case plan at each visit with the youth.
- (c) Engage the youth and the caregiver in identifying supports and services and in the development of the case plan.
- (d) Convene a Child and Family Team (CFT), when applicable, and meet with the team to identify the supports and services needed to achieve positive outcomes for safety, permanency, and wellbeing (WIC section 16501.1(d)(2)(B) and section 706.6). If the county is currently using the multidisciplinary team (MDT) structure as identified in WIC section 16524.7(d)(2), the county may fulfill the MDT requirement through the use of the CFT and including the mandatory partners.
- (e) Document in the case plan the services provided to address the CSEC and in CMS (WIC section 16501.1(g)(19), 16501.35(a)(2)).

Types of services that a CSEC or youth may need include, but are not limited to:

- Specialized and safe housing;
- Specialized counseling;

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- Medical treatment;
- Reproductive health/healthy relationships education;
- Pregnancy / Parenting services;
- Survivor peer groups;
- Legal assistance;
- Services addressing substance abuse;
- Tattoo removal;
- Financial education training;
- Vocational, life skills, and other trainings; and/or
- Other trauma-informed rehabilitation services.

For youth who are identified as at risk of CSE, appropriate services may include CSE prevention education, as well as services that address the youth's specific circumstances or vulnerabilities that place them at risk of CSE, such as housing stability, employment assistance, or substance abuse. The purpose is to determine appropriate services that may prevent an at risk youth from later becoming a victim of trafficking.

412.3.5 ASSESSMENT & IDENTIFICATION UPON THE RETURN OF A MISSING OR RUNAWAY CHILD

When a youth returns to care after having been missing or having run away, an officer shall assess and determine whether the child/youth is a possible victim of CSEC (WIC section 16501.35(b)(2)(D)). A child or youth shall be considered missing/runaway/abducted if their whereabouts are unknown to the probation department.

412.4 TRAINING TO IDENTIFY, DOCUMENT AND DETERMINE APPROPRIATE SERVICES

Officers shall receive relevant training in the identification, documentation, and determination of appropriate services for any child or youth receiving child welfare services identified as a victim or at risk of CSE (WIC section 16501.35(a)(4)).

Supervisors shall ensure that proper training is arranged, provided, and documented for all officers working with youth.

412.5 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	12/13/2018
Attachments	1. Riverside Probation CSEC Protocol and Forms

Chapter 5 - Field and Special Operations

Field Contacts and Safety

500.1 PURPOSE AND SCOPE

The purpose of this policy is to set forth the guidelines and procedures for making field contacts for armed and unarmed members. This policy applies to all designated members.

500.2 POLICY

Field contacts shall be completed at the frequency prescribed by minimum caseload supervision guidelines. Whereas there are many reasons field contacts can be made, all members shall utilize the department's mission of serving courts, protecting our community and changing lives as their guide when engaging adults/youth in the field.

All members shall minimize personal risk and exercise caution in all situations. Members shall not hesitate to withdraw from a situation when safety becomes a matter of concern. Further, to ensure safety and to promote efficient and effective use of resources, members shall use advance planning in preparation for field work, except for emergency or incidental field contacts.

500.3 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 04/09/2019; 09/21/2016; and 05/08/2013
Date Created	06/08/2010
Attachments	1. Dispatch Field Supervision Agenda 2. Probation Base Field Supervision Agenda 3. PSEC Radio User Protocol

Field Transporting Persons in Custody

501.1 PURPOSE AND SCOPE

This policy provides guidelines for transporting persons who are in the custody of the Riverside County Probation Department.

Additional guidance can be found in the Medical Aid and Response Policy.

501.2 POLICY

It is the policy of the Riverside County Probation Department to make reasonable efforts to protect the safety of persons in custody while they are being transported. Nothing in this policy is intended to conflict with Institutional Policy Transportation of Youths Outside the Secure Facility.

501.3 AGENCYHEAD RESPONSIBILITIES

The Chief Probation Officer or authorized designee is responsible for reviewing the safety and restraint systems for all vehicles used to transport persons in custody. The review shall ensure the restraint systems comply with the law and shall determine whether they reasonably meet the needs of the Department. Safety systems should allow for transporting members to be in constant and reasonably clear audio contact with each person being transported.

The Chief Probation Officer or authorized designee should establish related procedures for safely transporting persons in custody who have their legs restrained.

501.4 TRANSPORTING MEMBER RESPONSIBILITIES

Members transporting a person in custody in a department vehicle should ensure:

- (a) All areas of the vehicle accessible to a person in custody are searched before and after each transport.
- (b) All persons in custody are searched prior to a transport.
- (c) All persons are properly restrained in the vehicle's safety restraint system in a seated position.
- (d) Any person behaving in a manner so violent or uncooperative that the person cannot or will not sit upright is considered as possibly being in need of medical aid, see the Medical Aid and Response Policy.
- (e) A verbal welfare check is made with a person in custody every 10 minutes or less.
- (f) Transport is accomplished in a direct and timely manner.
- (g) The same consideration is shown to a person in custody as would be reasonably shown to any other passenger during transport (e.g., avoiding loud or objectionable music, rough rides, excessive heat or cold).
- (h) Persons suspected of having a communicable disease are transported in compliance with the exposure control plan.

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- (i) Persons in custody are transported individually when practical, or within their own compartment of a multiple-compartment vehicle, unless supervisor approval is received based on unusual circumstances.
- (j) Persons in custody should not be transported in vehicles without safety barriers.
- (k) Dispatch is advised of:
 - 1. The time when a transport begins and the vehicle's mileage.
 - 2. The time, vehicle's mileage, and reason for any stops.
 - 3. The time of arrival at the destination and the vehicle's mileage.
- (l) Reasonable efforts are made to prevent inappropriate conversations between persons being transported (e.g., demeaning or insulting language) or conversations between a person being transported and someone outside the vehicle.
- (m) Sufficient visual observation and communication is maintained to determine whether a person is experiencing any stress or trauma during the transport of:
 - 1. Persons who were placed in any restraints beyond just handcuffs due to their violent or uncooperative behavior (see the Handcuffing and Restraints Policy).
 - 2. Persons wearing a spit hood.
 - 3. Persons who are a suspected suicide risk.
 - 4. Persons who are ill or injured.

501.5 PROHIBITIONS

Transporting members should not:

- (a) Transport juveniles with adults.
- (b) Transport females with males. When possible, transgender or intersex persons should be transported with persons of the gender they identify with if circumstances do not allow for single transport.
- (c) Transport persons with known hostilities toward each other together, such as mutual combatants or rival gang members.
- (d) Leave the vehicle unattended with a person in custody inside.
- (e) Leave a vehicle with its keys or an unsecured weapon inside with a person in custody in the vehicle.
- (f) Handcuff a person to any part of a vehicle.
- (g) Place a person in custody in an unreasonable risk of harm (e.g., engaging in a pursuit, responding to a high-risk incident).
- (h) Allow any person who is not in custody (i.e., friends, family) to have contact with or be in close proximity to the person in custody.
- (i) Allow any food, drink, or other consumables to be given to the person in custody by anyone other than department personnel or receiving agency personnel.

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- (j) Members should not transport alone or transport a probationer of the opposite sex alone.

501.6 SPECIFIC TRANSPORTATION ISSUES

501.6.1 TRANSPORTING PERSONS WITH DISABILITIES

When transporting a person with a disability, a transporting member should request assistance as necessary to transport the person in a reasonable and safe manner. The transporting member should ensure that any special equipment (e.g., canes, wheelchairs, prosthetics) is transported in such a manner that it not be damaged or pose a security threat.

501.6.2 TRANSPORTING ILL OR INJURED PERSONS

See the Medical Aid and Response Policy.

501.6.3 DELIVERING A PERSON IN CUSTODY TO A FACILITY

Members delivering persons to other facilities (e.g., hospital, other agency, court, jail) should:

- (a) Secure weapons in a manner mandated by the facility or in a manner that is appropriate for the facility.
- (b) Remove restraints in coordination with facility personnel.
- (c) Deliver the appropriate documentation concerning the person to facility personnel.
- (d) Notify the receiving facility of any known medical or safety issues, including whether restraints beyond handcuffs were applied due to the person's violent or uncooperative behavior.

501.6.4 LONG-DISTANCE TRANSPORTS

Absent exigent circumstances, members should only stop during long-distance transports for:

- Fuel
- Meals
- Restroom breaks

Where practicable, time-stamped receipts for purchases should be retained and all stops should be logged in a manner that includes the following:

- The time when a transport begins and the vehicle's mileage
- The time, vehicle's mileage, and reason for any stops
- The time of arrival at the destination and the vehicle's mileage

501.6.5 TRANSPORT VAN

A member trained on the safety and restraint systems of a transport van should be present during its use for transporting a person in custody. Training regarding the use of the van's safety and restraint systems shall be followed.

A member should assist persons getting into and out of the transport van to avoid falls.

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501.7 TRAINING

The Training Manager should ensure that members receive training on proper procedures for transporting persons in custody.

501.8 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 08/02/2022; 05/21/2012; 12/01/2005; and 05/14/1994
Date Created	12/08/1993
Attachments	None

Task Force

502.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when assigned to or participating in task force (TF) operations.

502.2 POLICY

It is the policy of the Riverside County Probation Department to improve public safety and reduce violent crime through proactive collaboration with law enforcement task forces.

502.3 AGENCY INVOLVEMENT

Participation in TF assignments and operations provides access to multi-jurisdictional resources for apprehending clients who have absconded from supervision or who have otherwise violated the law and/or supervision conditions.

Department participation in TF assignments and operations is subject to the approval of the Chief Probation Officer or the authorized designee.

502.3.1 REQUESTS FOR AGENCY INVOLVEMENT

Initial requests for participation in a TF or TF operation should be routed to the Chief Probation Officer or designee for approval. In some instances, a memorandum of understanding (MOU) or other established protocol may exist that eliminates the need for approval of individual requests.

502.3.2 OFFICER OPERATIONAL ACTIVITY

Officers involved in TF operations should conform all activities to the established MOU, protocol, or authorized participation while engaged in TF operational activities.

When engaged in TF operational activity or when rendering assistance pursuant to a TF agreement, officers must conform to applicable laws. Officers engaged in TF operations must also conform to the policies of this department unless previously approved by the Chief Probation Officer.

Requests for emergency assistance unrelated to TF assignments or operations and enforcement action taken outside the jurisdiction of the department unrelated to TF assignments or operations are governed by the Outside Agency Assistance and Probation Authority policies.

502.4 TEMPORARY DETENTION AND TRANSPORT

TF operation arrestees should be detained and/or transported by this department pursuant to the Transporting Persons in Custody Policy and/or as described in the applicable MOU.

502.5 REPORTING REQUIREMENTS

Original reports of investigations, evidence seized, and other materials generated or collected by the TF operation should be retained by the agency responsible for the case or pursuant to any applicable MOU. However, evidence may be turned over to other law enforcement agencies as appropriate pursuant to Department policy. Copies of investigative reports and other materials

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may be provided to other agencies in accordance with applicable laws, TF rules, and Department policy.

502.6 MANDATORY SHARING AND TRAINING

When equipment and/or supplies maintained by the department have been purchased with federal funds or grants and are subject to agency sharing requirements, the Chief Probation Officer or authorized designee should regularly document:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
 - 1. The use of the equipment and supplies.
 - 2. The members trained in the use of the equipment and supplies.
- (c) Any other requirements in the use of the equipment and supplies.

Copies of this documentation should be maintained by the Chief Probation Officer or authorized designee.

The Training Manager should maintain documentation that the appropriate members have received the required training.

502.7 NEWS MEDIA

Media inquiries should be referred to the Task Force Commander of the agency responsible for coordinating the activities of the TF pursuant to any applicable MOU.

502.8 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 04/04/2023
Date Created	04/04/2023
Attachments	None

Operations Planning

503.1 PURPOSE AND SCOPE

This policy provides guidelines for planning and execution of planned operations.

503.1.1 DEFINITIONS

Definitions related to this policy include:

Planned operations - Operations, including searches and service of arrest warrants. Operations that are likely to present higher risks including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

503.2 POLICY

It is the policy of the Riverside County Probation Department to properly plan and carry out operations in order to provide coordination and enhance the safety of members and the public.

503.3 OPERATIONS PLAN

The supervisor should ensure that a written operations plan is developed for all operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

- (a) Operation goals, objectives, and strategies.
- (b) Operation location and people:
 - 1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history).
 - 2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals, or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams, and other visual aids.
 - 3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
 - 4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties, and children.
- (c) Participants and their roles.
 - 1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate probation operation.

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2. How all participants will be identified as probation.
- (d) Identification of all communications channels and call-signs.
- (e) Use of force issues.
- (f) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (g) Plans for detaining people who are not under arrest.
- (h) Contingencies for handling children, dependent adults, animals, and other people who might be at the location in accordance with the Mandatory Reporting and Child and Dependent Adult Safety policies.
- (i) Communications plan.
- (j) Responsibilities for writing, collecting, reviewing, and approving reports.

503.3.1 OPERATIONS PLAN RETENTION

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established procedure.

503.4 OPERATIONS BRIEFING

A briefing should be held prior to the commencement of any operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities, and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not participate in the operation without specific supervisory approval.

- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
- (b) All participants should be provided a copy of the operations plan and warrant, if applicable. Participating personnel should be directed to read the warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.
- (c) All participants are visually identifiable as probation officers.
 1. Exceptions may be made pursuant to MOU, or authorized activity. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
 1. It is the responsibility of the operations lead to ensure that Dispatch is notified of the time and location of the operation, and to provide a copy of the operations plan prior to officers arriving at the location.
 2. If the radio channel needs to be monitored by Dispatch, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operations plan.

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3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

503.5 LAW ENFORCEMENT PARTICIPATION

If the supervisor determines that law enforcement (LE) participation is appropriate, the supervisor and the handling LE representative should work together to develop a written plan, including which agency has operational control. Should transfer of operational control occur during the operation, this should be communicated to the officers present.

503.6 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Chief Probation Officer or designee. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

503.7 OPERATIONS DEBRIEFING

Operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any LE debriefing.

503.8 TRAINING

The Training Manager should ensure officers who participate in operations subject to this policy receive periodic training, including but not limited to topics such as legal issues, operations planning concepts, and reporting requirements.

503.9 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	1. Riverside County Probation Department Operation Package

Medical Aid and Response

504.1 PURPOSE AND SCOPE

This policy recognizes that members may encounter persons in need of medical aid and establishes an appropriate response to such situations.

504.2 POLICY

It is the policy of the Riverside County Probation Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

504.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 - 1. Signs and symptoms as observed by the member.
 - 2. Changes in apparent condition.
 - 3. Number of patients, sex, and age, if known.
 - 4. Whether the person is conscious, breathing and alert, or is believed to have consumed drugs or alcohol.
 - 5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

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504.4 TRANSPORTING ILL AND INJURED PERSONS

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries, or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes, or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

504.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive medical care or be transported.

However, members may assist EMS personnel when EMS personnel determine the person lacks the mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a 72-hour treatment and evaluation commitment (5150 commitment) process in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, the officer should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

504.5.1 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, the arrestee should be medically cleared prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance.

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504.6 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices, and Conducted Energy Device policies.

504.7 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

A member may use an AED only after receiving appropriate training from an approved public safety first aid and CPR course (22 CCR 100014; 22 CCR 100017; 22 CCR 100018).

504.7.1 AED USER RESPONSIBILITY

Any AED that is not functioning properly will be taken out of service and given to the Division Safety Representative, or authorized designee who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED should, as soon as possible, request response by EMS.

504.7.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use.

504.7.3 AED TRAINING AND MAINTENANCE

The Training Manager should ensure appropriate training is provided to members authorized to use an AED. A list of authorized members and training records shall be made available for inspection by the local EMS agency or EMS authority upon request (22 CCR 100021; 22 CCR 100022; 22 CCR 100029).

The Division Safety Representative, or authorized designee is responsible for ensuring AED devices are appropriately maintained (22 CCR 100021).

504.8 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Members may administer opioid overdose medication in accordance with protocol specified by the licensed health care provider who prescribed the overdose medication for use by the member and (Civil Code § 1714.22; 22 CCR 100019):

- (a) When trained and tested to demonstrate competence following initial instruction.
- (b) When authorized by the medical director of the Local Emergency Management Service Agency.

504.8.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store, and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to a Staff Development Unit Supervisor.

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Any member who administers an opioid overdose medication should request response by EMS as soon as possible.

504.8.2 OPIOID OVERDOSE MEDICATION TRAINING

The Training Manager should ensure initial and refresher training is provided to members authorized to administer opioid overdose medication.

Training should comply with applicable standards.

504.9 ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS

The Chief Probation Officer may authorize the acquisition of epinephrine auto-injectors for use by members as provided by Health and Safety Code § 1797.197a. The Training Supervisor shall create and maintain an operations plan for the storage, maintenance, use, and disposal of epinephrine auto-injectors as required by Health and Safety Code § 1797.197a(f).

Trained members who possess valid certification may administer an epinephrine auto-injector for suspected anaphylaxis (Health and Safety Code § 1797.197a(b); 22 CCR 100019).

504.9.1 EPINEPHRINE USER RESPONSIBILITIES

Members should handle, store, and administer epinephrine auto-injectors consistent with their training and the department operations plan. Members should check the auto-injectors at the beginning of their shift to ensure the medication is not expired. Any expired medication should be removed from service in accordance with the Department Operations Plan.

Any member who administers an epinephrine auto-injector medication should request response by EMS as soon as possible (Health and Safety Code § 1797.197a(b)).

504.9.2 EPINEPHRINE AUTO-INJECTOR REPORTING

Any member who administers an epinephrine auto-injector should detail its use in an appropriate report.

The Training Manager should ensure that the Custodian of Records is provided enough information for required reporting to the EMS Authority within 30 days after each use (Health and Safety Code § 1797.197a(f)).

Records regarding the acquisition and disposition of epinephrine auto-injectors shall be maintained no less than three years (Business and Professions Code § 4119.4(d)).

504.9.3 EPINEPHRINE AUTO-INJECTOR TRAINING

The Training Supervisor should ensure that members authorized to administer epinephrine auto-injectors are provided with initial and refresher training that meets the requirements of Health and Safety Code § 1797.197a(c) and 22 CCR 100019.

504.10 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 12/29/2021

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Medical Aid and Response

Date Created	05/24/2019
Attachments	None

Crime Scene Integrity and Investigation

506.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the discovery of a crime or crime scene by department members and any corresponding investigation of a crime.

This policy is intended to address criminal investigations of new crimes or crime scenes, not specific violations of an offender's terms of probation. See the Violations Policy.

506.2 POLICY

It is the policy of this department to secure the safety of the public and the preservation of crime scenes, when reasonably practicable, until relieved by local law enforcement, a supervisor, or other designated person. It is also the policy of this department to cooperate with local law enforcement in the investigation of newly discovered crimes as set forth in this policy.

506.3 INITIAL CONSIDERATIONS

Officers who become aware of a crime or crime scene, including one that may involve clients under the supervision of the Department, may contact the appropriate local law enforcement agency, as soon as practicable,

and share relevant information with the responding local law enforcement agency.

An Officer who reasonably believes that an individual present during the commission of a crime or at a crime scene is under probation supervision by another officer or other department should take reasonable steps to notify the individual's supervising officer or the associated department.

506.3.1 RESPONSE

Officers who encounter or who are first to arrive at a crime scene should:

- (a) Contact local law enforcement.
- (b) Contact other local agencies (e.g., emergency medical services, fire) and request additional assistance and resources, if appropriate.
- (c) Notify a supervisor.
- (d) When reasonably practicable, provide for the general safety of those within the immediate area by mitigating, reducing, or eliminating threats or dangers.
- (e) Evacuate the location safely as required or appropriate.
- (f) Identify potential witnesses.

506.4 ARRESTS

An Officer at the location of a crime or crime scene should not initiate an arrest unless the officer has a reasonable belief that an immediate arrest is appropriate and warranted to prevent imminent harm to others and only if legally permitted under the circumstances. Additional guidance regarding officer arrest authority under California law is provided in the Probation Authority Policy.

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506.5 EVIDENCE

Officers should not conduct searches beyond the scope of their authority. Evidence discovered at a crime scene and that pertains to an officer's investigation of a probation violation should be documented and preserved as soon as practicable in accordance with the Search and Seizure Policy.

Officers who discover evidence that does not relate to a probation violation should defer to local law enforcement personnel for collection.

506.6 REPORTS

Reports should be sufficiently detailed for their purpose and reviewed and edited for errors prior to submission and approval. Members are responsible for completing and submitting all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be held.

All reports shall accurately reflect the identity of the persons involved; all pertinent information seen, heard, or assimilated by any other sense; and any actions taken. Members shall not intentionally suppress, conceal, or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such.

Officers should proceed with the Violations Policy when the investigation involves a violation of probation conditions.

506.7 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Hazardous Material Response

507.1 PURPOSE AND SCOPE

Exposure to hazardous materials presents potential harm to department members and the public. This policy outlines the factors that members should consider when they encounter hazardous material, including the reporting of exposures and supervisor responsibilities.

507.1.1 DEFINITIONS

Definitions related to this policy include:

Hazardous material - A substance that by its nature, containment, or reactivity has the capability of inflicting harm during exposure; is characterized as being toxic, corrosive, flammable, reactive, an irritant, or a strong sensitizer; and thereby poses a threat to health when improperly managed.

507.2 POLICY

It is the policy of the Riverside County Probation Department to immediately contact the appropriate local emergency services to respond to hazardous material emergencies in order to protect the safety of clients, the public, and those members who may be exposed to such incidents.

507.3 HAZARDOUS MATERIAL EXPOSURE

Members may encounter situations involving suspected hazardous materials, such as a chemical spill in the workplace or in the field. When members come into contact with a suspected hazardous material, they should take certain steps to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond to and mitigate most incidents involving hazardous materials and biohazards.

Members should not perform tasks or use equipment without proper training. Officers present at a hazardous material incident may require decontamination before they are allowed to leave the scene and should be evaluated by appropriate technicians and emergency medical services personnel for signs of exposure.

507.4 CONSIDERATIONS

These steps should be considered at any scene involving suspected hazardous materials:

- (a) Make the initial assessment of a potentially hazardous material from a safe distance.
- (b) Notify appropriate supervisors, the appropriate fire department and hazardous response units, and local law enforcement.
 1. Provide weather conditions, wind direction, a suggested safe approach route, and any other information pertinent to responder safety.
- (c) Wear personal protective equipment (PPE), as available and as trained, being cognizant that some hazardous material can be inhaled.
- (d) Remain upwind, uphill, and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.

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- (e) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars or spotting scopes) if they are available. Identification can be determined by:
 - 1. Placards or use of an [emergency response guidebook](#).
 - 2. Driver's statements or shipping documents from the person transporting the material.
 - 3. Information obtained from any involved person with knowledge regarding the hazardous material. Information should include:
 - (a) The type of material.
 - (b) How to secure and contain the material.
 - (c) Any other information to protect the safety of those present, the community, and the environment.
- (f) Provide first aid to injured parties if it can be done safely and without contamination.
- (g) Make reasonable efforts to secure the scene to prevent access from unauthorized individuals and to protect and identify any evidence.
- (h) Begin evacuation of the immediate and surrounding areas, dependent on the material. Voluntary evacuation should be considered; mandatory evacuation may be necessary and will depend on the type of material.
- (i) Establish a decontamination area when needed.

507.5 REPORTING EXPOSURE

Department members who believe they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an incident report that shall be forwarded via chain of command as soon as practicable. If the affected member is unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.

Injury or illness caused or believed to be caused by exposure to hazardous materials shall be reported the same as any other on-duty injury or illness, in addition to a crime report or incident report as applicable.

507.5.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that a member has been exposed to a hazardous material, the supervisor shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure or continued exposure.

To ensure the safety of members, PPE is to be available. PPE not maintained by this department may be available through the appropriate fire department or emergency response team.

507.6 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; and 05/24/2019

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Hazardous Material Response

Date Created	01/20/2016
Attachments	None

Hostage and Barricade Incidents

508.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain, or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

508.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is:

- Unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.
- Unlawfully held against the person's will under threat or actual use of force.

508.2 POLICY

It is the policy of the Riverside County Probation Department to address hostage and barricade situations by immediately contacting local law enforcement.

508.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. The focus of communication should be to stabilize the situation while awaiting local law enforcement.

508.4 CONSIDERATIONS

Officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

Officers should immediately contact local law enforcement when it is determined that a hostage or barricade situation exists.

Upon arrival, local law enforcement officers should be briefed of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

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508.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting local law enforcement, specialized personnel, and trained negotiators.

508.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of local law enforcement, specialized personnel, and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats.

508.5 RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately confirm that law enforcement has been contacted. The supervisor should notify chain of command, then respond to the scene and remain until properly relieved by local law enforcement.

508.6 REPORTING

Unless otherwise relieved by a supervisor, the handling officer at the scene is responsible for completion of an incident report.

508.7 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Response to Bomb Threat Calls

509.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Riverside County Probation Department in their initial response to incidents involving explosives or explosive devices, explosion/bombing incidents, or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

509.2 POLICY

It is the policy of the Riverside County Probation Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

509.3 RECEIPT OF BOMB THREAT

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement, and alleged detonation time of the device and should immediately contact the appropriate local law enforcement agency to convey the information.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

509.4 RIVERSIDE COUNTY PROBATION DEPARTMENT FACILITY

If the bomb threat is against a department facility, the member who received the threat should immediately contact the appropriate local law enforcement agency and notify the supervisor and manager as soon as practicable. The supervisor, in coordination with local law enforcement, will direct and assign officers as required for coordinating a general building search or evacuation of the department, as deemed appropriate.

509.5 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY

If the bomb threat is against a county or municipal facility within the jurisdiction of the County that is not the property of this department, assistance to the other entity may be provided as the supervisor deems appropriate once the appropriate local law enforcement agency has been notified of the threat.

509.6 FEDERAL BUILDING OR PROPERTY

If the bomb threat is against a federal building or property, local law enforcement and the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

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If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to local law enforcement and the military police or other military security responsible for the installation.

509.7 PRIVATE FACILITY OR PROPERTY

When a member of this department receives notification of a bomb threat at a location in the Riverside of County, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location of the facility.
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.
- (d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting law enforcement assistance at the facility.
- (f) Whether any internal facility procedures exist regarding bomb threats, such as:
 - 1. No evacuation of personnel and no search for a device.
 - 2. Search for a device without evacuation of personnel.
 - 3. Evacuation of personnel without a search for a device.
 - 4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that local law enforcement is notified. Also notify the department supervisor immediately so that the supervisor can communicate with the person in charge of the threatened facility as necessary.

509.8 ASSISTANCE

The Chief Probation Officer or the authorized designee should be notified when department assistance is requested. The Chief Probation Officer or authorized designee will make the decision whether the Department will render assistance to responding law enforcement and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including evacuation and giving officers control over the facility.

Should the Chief Probation Officer or authorized designee determine that the department will assist law enforcement with such an incident, the Chief Probation Officer or authorized designee will determine:

- (a) The appropriate level of assistance.
- (b) The plan for assistance in consultation with responding local law enforcement.
- (c) Whether to evacuate and/or search the facility.

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- (d) Whether to involve facility staff in the search or evacuation of the building.
 - 1. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
 - 1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request local law enforcement's assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

509.9 SUSPECTED DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all-inclusive, should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes:
 - 1. Two-way radios.
 - 2. Cell phones.
 - 3. Other personal communication devices.
- (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel.
- (f) A safe access route should be provided for support personnel and equipment.
- (g) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (h) Promptly relay available information to local law enforcement and the Chief Probation Officer or authorized designee including:
 - 1. The time of discovery.
 - 2. The exact location of the device.
 - 3. A full description of the device (e.g., size, shape, markings, construction).
 - 4. The areas to be evacuated or cleared.

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509.10 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, the supervisor may be confronted with a multitude of considerations. As in other catastrophic events, a rapid evacuation may help to minimize injury to victims, contamination of the scene, or any additional damage from fires or unstable structures.

509.10.1 CONSIDERATIONS

Officers present at the scene of an explosion, whether accidental or a criminal act, should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries, where safe and practicable.
- (b) Request through 9-1-1 additional personnel and resources, as appropriate.
- (c) Assist with first aid.
- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens, and hazardous materials, where safe and practicable.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices only if trained to do so or where necessary to establish an evacuation route for self and others.
- (g) Preserve evidence, where safe and practicable.
- (h) Establish an outer perimeter and evacuate, if necessary.
- (i) Identify witnesses.

509.10.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified, as appropriate:

- Local law enforcement
- Supervisor
- Fire department
- Additional department personnel, as necessary
- Other government agencies, as appropriate

509.11 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene and only at the direction of local law enforcement. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

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509.11 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. Pending the arrival of local law enforcement, the supervisor should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact evidence may be embedded in nearby structures or hanging in trees and bushes.

509.13 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Crisis Intervention Incidents

510.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

510.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage their behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; noncompliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive, or dangerous behavior that may be accompanied by impaired judgment.

510.2 POLICY

The Riverside County Probation Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

510.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation, or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality, or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness, or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, or lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility, or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these signs should not be treated as proof of the presence or absence of a mental health issue or crisis.

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510.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Chief Probation Officer should designate an appropriate Manager to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources to guide department interaction with those who may be in crisis and may also be used to develop case management plans for clients and other individuals under the supervision of the Department who may be suffering from mental illness.

510.5 CRISIS INTERVENTION RESPONSE

Safety is a priority during any crisis intervention incident. It is important to recognize that individuals under the influence of alcohol, drugs, or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises, and unusual behavior are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer interacting with a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request local law enforcement and/or available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights, or sirens.
- (d) Attempt to determine if weapons are present or available.
 - 1. Prior to making contact, and whenever possible and reasonable, conduct a search of the Department of Justice Automated Firearms System via the California Law Enforcement Telecommunications System (CLETS) to determine whether the person is the registered owner of a firearm (Penal Code § 11106.4).
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of their action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime and report the same to local law enforcement, if applicable.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.

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- (k) If circumstances reasonably permit, consider and employ alternatives to force.

510.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous, and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (i.e., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent, or suicidal.
- Argue, speak with a raised voice, or use threats to obtain compliance.

510.7 INCIDENT ORIENTATION

When encountering an incident that may involve mental illness or a mental health crisis, the officer should request critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication or may have failed to take their medication.
- (b) Whether there have been prior incidents or suicide threats/attempts, and whether there has been previous probation or other law enforcement response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

510.8 SUPERVISOR RESPONSIBILITIES

If possible, a supervisor should respond to the scene of any interaction with a person in crisis.

Responding supervisors should:

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- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Absent an imminent threat to the public, consider strategic disengagement. This may include removing or reducing department resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing.
- (f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

510.9 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise professionalism when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

510.10 EMPLOYEE INTERACTION WITH PEOPLE IN CRISIS

Members, including but not limited to clerical staff, may interact with persons in crisis in an administrative capacity, such as during records requests or phone calls, or when reporting to the Department.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If during an interaction, a member believes a person is in crisis, the member should proceed patiently and in a calm manner.
- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may self-harm or be harmful to others, an officer should be promptly summoned to provide assistance.

510.11 TRAINING

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

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This department will endeavor to provide Standards and Training for Corrections (STC)-approved advanced officer training on interaction with persons with mental disabilities, welfare checks, and crisis intervention (Penal Code § 11106.4; Penal Code § 13515.25; Penal Code § 13515.27; Penal Code § 13515.30).

510.12 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Immigration Violations

511.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Riverside County Probation Department relating to immigration and interacting with federal immigration officials.

511.1.1 DEFINITIONS

The following definition applies to this policy (Government Code § 7284.4):

Immigration enforcement – Any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, including any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry or reentry to, or employment in the United States.

511.2 POLICY

It is the policy of the Riverside County Probation Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

511.3 VICTIMS AND WITNESSES

To encourage cooperation, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of the Riverside County Probation Department will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or California constitutions.

511.4 IMMIGRATION STATUS AND DETENTIONS

Immigration status may be reported to the court as required. Any reasonably discovered change in the immigration status of any client or any discrepancy in the record about the person's immigration status should be documented and reported to the court.

No individual should be detained solely for the purpose of waiting for information from immigration officials (Government Code § 7284.6).

511.4.1 IMMIGRATION INQUIRIES PROHIBITED

Officers shall not inquire into an individual's immigration status for immigration enforcement purposes (Government Code § 7284.6).

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511.4.2 CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (CLETS)

Members shall not use information transmitted through CLETS for immigration enforcement purposes except for criminal history information and only when consistent with the California Values Act (Government Code § 15160).

Additionally, members shall not use the system to investigate immigration violations of 8 USC § 1325 (improper entry) if that violation is the only criminal history in an individual's record (Government Code § 15160).

511.4.3 CALIFORNIA DEPARTMENT OF MOTOR VEHICLES

Members shall not obtain, access, use, or disclose noncriminal history information maintained by the Department of Motor Vehicles for immigration enforcement (Vehicle Code § 1808.48).

511.5 FEDERAL REQUEST FOR ASSISTANCE

Requests by federal immigration officials for assistance from this department should be directed to the Custodian of Records. The Custodian of Records is responsible for determining whether the requested assistance would be permitted under the California Values Act (Government Code § 7284.2 et seq.).

511.6 INFORMATION SHARING

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

- (a) Sending information to or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity

Nothing in this policy restricts sharing information that is permissible under the California Values Act.

On occasion, in order to protect public safety, it may be necessary to notify federal immigration officials, when an individual is reasonably suspected of being in the United States unlawfully (Judicial Warrant), and/or whose lawful status may be subject to revocation due to an arrest, detention or supervision of said individual.

This notification shall only be permitted when the above individual meets one of the following conditions (Government Code § 7284.2 et seq.):

- (a) The individual has been arrested at anytime and had a judicial probable cause determination for a serious or violent felony identified in Penal Code § 667.5(c) or Penal Code § 1192.7(c).
- (b) The individual has been arrested anytime and had a judicial probable cause determination for a felony punishable by time in a state prison.

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- (c) The individual has been convicted at anytime of an offense as identified in Government Code § 7282.5(a).
- (d) The individual is a current registrant on the California Sex and Arson Registry.
- (e) The individual is identified by the U.S. Department of Homeland Security's Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.
- (f) The individual has been convicted of certain specified federal aggravated felonies as identified in the federal Immigration and Nationality Act (8 USC § 1101(a)(43)(A)-(P)).

511.6.1 INFORMATION SHARING DOCUMENTATION

All records relating to information provided by this department shall be public record for the purpose of the California Public Records Act (Government Code § 7920.000 et seq), including the exemptions provided, as permitted. The Custodian of Records approving such notification shall ensure that any communications with ICE are documented per the provisions of the California TRUTH Act (Government Code § 7283).

511.7 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the appropriate prosecutor or the appropriate law enforcement agency.

511.8 TRAINING

The Training Manager should ensure officers receive training on this policy. Training should include prohibitions contained in the California Values Act (Government Code § 7284 et seq.).

511.9 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	12/13/2018
Attachments	1. Immigration and Customs Enforcement Release Notification

Public Recording of Probation Officer Activity

512.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record probation officer actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

512.2 POLICY

The Riverside County Probation Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully by local law enforcement having jurisdiction.

Officers should exercise restraint and should not resort to seeking highly discretionary arrests for offenses such as interference, failure to comply, or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

512.3 RECORDING PROBATION OFFICER ACTIVITY

Members of the public who wish to record probation officer activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with probation officer activity. Examples of interference include but are not limited to:
 - 1. Tampering with a witness or suspect.
 - 2. Inciting others to violate the law.
 - 3. Being so close to the activity as to present a clear safety hazard to the officers.
 - 4. Being so close to the activity as to interfere with an officer's effective communication with a client or other individual.
- (c) The individual may not present an undue safety risk to self, to the officer, or to others.

512.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an

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individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing individuals to clear the area, an officer could advise individuals they may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with probation officer activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

512.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practicable, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure, or other actions are constitutional and consistent with this policy and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of department members, such as how and where to file a complaint.

512.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 - 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
 - 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
 - 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the evidence is to transmit a copy of the recording from a device to a department-owned device.

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Recording devices and media that are seized will be submitted within the guidelines of the Property Policy.

512.7 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Suspicious Activity Reporting

513.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

513.2 POLICY

The Riverside County Probation Department recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully report information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

513.3 REPORTING AND INVESTIGATION

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any employee member who receives such information should ensure that it is passed on to chain of command in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare an incident report as directed.

513.4 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Chapter 6 - Equipment

Department-Owned and Personal Property

600.1 PURPOSE AND SCOPE

This policy addresses the care of department-owned property and the role of the Department when personal property, the property of another person or entity, or department-owned property is damaged or lost.

600.2 POLICY

The Riverside County Probation Department will ensure that members are issued appropriate property and equipment necessary for the member's job function. The Department will take steps to minimize the cost associated with maintaining department property, including personal property authorized for use in the member's duties.

600.3 DEPARTMENT/AGENCY-ISSUED PROPERTY

The Chief Probation Officer or the authorized designees should document all property and equipment issued by the Department at the time of issuance. Receipt of issued items shall be acknowledged by the receiving member's signature, as required. Upon separation from the Department, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

600.3.1 MEMBER RESPONSIBILITIES

Members shall be responsible for the safekeeping, serviceable condition, proper care, proper use, and replacement of department property that has been assigned or entrusted to them.

- (a) Members shall promptly report, through their chain of command, any loss, damage to, or unserviceable condition of any department-issued property or equipment.
- (b) The use of damaged or unserviceable property should be discontinued as soon as practicable, and the item replaced with a comparable item as soon as available.
- (c) Except when otherwise directed by a supervisor or when exigent circumstances exist, department-issued property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department-issued property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without prior approval.
- (e) Members should obtain a supervisor's approval before any attempt to repair damaged or unserviceable property, unless the repair is of a minor or temporary nature.
- (f) Departmental property shall not be left overnight in a county or personal vehicle without prior approval of a supervisor.

600.4 PERSONAL PROPERTY

Carrying and/or using personal property or equipment on-duty, including weapons, requires prior written approval by the Chief Probation Officer or appropriate Manager. The member should submit a request that includes a description of the property and the reason and length of time it

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will be used. Personal property of the type routinely carried by persons who are not performing law enforcement duties is excluded from this requirement.

The Department will not replace or repair items (e.g., jewelry, expensive watches) that are not reasonably required as part of work.

600.5 DAMAGE TO PROPERTY OF ANOTHER PERSON OR ENTITY

A member who intentionally or unintentionally damages or causes to be damaged the real or personal property of another person or entity while performing any probation function shall promptly report the damage through the chain of command.

600.5.1 DAMAGE BY PERSONNEL OF ANOTHER AGENCY

Personnel from another agency may intentionally or unintentionally cause damage to the real or personal property of the Riverside County Probation Department or of another person while performing their duties within the jurisdiction of this department. The department member present or the member responsible for the property is responsible to report the damage as follows:

- (a) A verbal report shall be made to the member's immediate supervisor as soon as circumstances permit.
- (b) Documentation shall be submitted before the member goes off-duty or as otherwise directed by the supervisor.

600.6 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 05/24/2019; 05/22/2013; 01/13/2011; and 01/02/2002
Date Created	11/02/1988
Attachments	1. Lost or Damaged Equipment Report 2. Equipment Inventory Form 3. Reimbursement for Damaged Clothing or Property Form

Vehicle Use, Safety, and Maintenance

602.1 PURPOSE AND SCOPE

The Department uses department-owned motor vehicles for a variety of applications. To maintain a system of accountability and ensure that department-owned vehicles are used and maintained appropriately, regulations relating to the use and maintenance of these vehicles have been established. The term department-owned as used in this section also refers to any vehicle leased or rented by the Department.

602.2 POLICY

The Riverside County Probation Department provides vehicles for official business use based on its determination of operational efficiency, economic impact to the Department, tactical deployments, County policy, and other considerations. The department will provide service for department vehicles to ensure they remain operational and maintain their appearance, as resources allow. Refer to Riverside County Board of Supervisor [Policy D-2](#) and Riverside County [Standard Safety Operations Manual](#), for additional information.

602.3 USE OF DEPARTMENT VEHICLES

Only authorized members should operate department-owned vehicles. Members who operate department-owned vehicles must comply with all applicable County policies, state laws and must possess a valid driver's license endorsed for the type of vehicle operated.

Additionally, members are responsible for helping maintain department vehicles so they are properly equipped, maintained, refueled, and cleaned.

602.3.1 KEYS

Members approved to operate vehicles should access keys per department procedure. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of keys shall be promptly reported in writing through the member's chain of command.

Under no circumstances will clients be allowed to operate a vehicle or possess of any vehicle keys.

602.3.2 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than County personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Alongs Policy.

602.3.3 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not

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so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

602.3.4 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle. Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

602.3.5 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions, or removal of any equipment or accessories without written permission from the department designee.

602.4 VEHICLE SECURITY

Department vehicles will be locked, and the keys will be secured when not in use. No keys should be left in the vehicle except when it is necessary to keep the vehicle running (e.g., equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members will make every effort to ensure that department vehicles are parked in a secure location. Members shall ensure all weapons and control devices are secured while a vehicle is unattended.

602.4.1 REMOVAL OF WEAPONS

All firearms, weapons, and control devices shall be removed from a vehicle and properly secured in the department armory or designated storage area before releasing the vehicle for maintenance, service, or repair.

602.5 USE OF PERSONAL VEHICLES

The use of personal vehicles for official business must be approved by the Chief Probation Officer or the authorized designee. Any use of personal vehicles for official business shall comply with County Board Policy D-2 and Riverside County Standard Safety Operations Manual.

A copy of the insurance card shall be retained in the vehicle. All policies and procedures applicable to department vehicles shall apply to the personal vehicle while it is being used for official business.

602.6 VEHICLE MAINTENANCE

Members are responsible for ensuring the cleanliness (exterior and interior) and overall maintenance of department vehicles. Cleaning and maintenance should be accessed through County Fleet Services guidelines. Any additional needed cleaning supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall regularly inspect vehicles for service/maintenance requirements and damage.

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- (b) Members shall ensure vehicles are maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department member in charge of vehicle maintenance.
- (d) Members shall notify the Department of problems with vehicles and vehicles shall be taken to the appropriate service provider for any repairs..
- (e) When leaving the vehicle at the maintenance facility, the member will require documentation.
- (f) Division Managers shall ensure, at a minimum, monthly inspections of vehicles assigned to their division or as designated to ensure the vehicles are being maintained in accordance with this policy.

602.6.1 VEHICLE INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any client, the transporting member shall search all areas of the vehicle that are accessible by the client before and after that person is transported.

All department-owned vehicles are subject to inspection and/or search at any time by a supervisor. No member assigned to or operating such vehicle may have any expectation of privacy regarding the vehicle or any work-owned property.

602.6.2 VEHICLE SAFETY REPAIRS

Anyone authorized to drive department vehicles is responsible for inspecting the interior and exterior of any assigned vehicle before placing the vehicle into service and again at the conclusion of the shift. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

Vehicles that are deemed unsafe shall not be used until necessary repairs are made. The supervisor or the authorized designee shall monitor the maintenance requests and ensure that the necessary repairs are made before the vehicle is placed back into service.

All vehicles owned, leased, or used by this department shall be inspected annually pursuant to County Fleet Services requirements.

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602.7 TOLL ROAD USAGE

Probation vehicles are not routinely exempt from incurring toll road charges. Members responding to or returning from an emergency call on toll roads while on-duty are exempt from paying the toll if driving an authorized emergency vehicle as provided in Vehicle Code § 23301.5.

Commuting or returning to the Department after an emergency does not qualify for this exemption; members using department-owned vehicles are subject to the toll charge.

To avoid unnecessary toll road violation charges, members shall adhere to the following:

- (a) Members operating department-owned vehicles on toll roads for any reason other than responding to an emergency or urgent call shall pay the appropriate toll charge or use the appropriate tollway transponder. Members may seek reimbursement from the County for any toll fees incurred in the course of official business.

602.8 COLLISION, DAMAGE, ABUSE, AND MISUSE

When any department-owned vehicle is involved in a traffic collision, the involved member shall promptly notify a supervisor. The appropriate local law enforcement agency shall be summoned to conduct an investigation. A traffic accident report shall be filed with the agency having jurisdiction. The member shall complete the county's vehicle accident form, located with the Riverside County Human Resources Safety Division, in addition to a department incident report.

If the member is incapable of completing the vehicle accident form, a supervisor shall complete the form.

Any damage to a vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered. It shall be documented and forwarded to the appropriate Manager.

An administrative investigation may be conducted to determine if the member acted within policy. If it is determined that misuse or abuse was a result of negligent conduct or operation, appropriate disciplinary action may result.

602.9 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever a member is in public view or has contact with the public, the member's attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

602.10 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 12/13/2018; 01/20/2016; and 01/01/2002
Date Created	08/15/1987
Attachments	1. Monthly Vehicle Mileage Log

Personal Protective Equipment

603.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well as the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Disposable particulate mask - A class of disposable respirators approved by the Food and Drug Administration (FDA) and the National Institute for Occupational Safety and Health (NIOSH) as suitable for use where fluid or particulate resistance is a priority. Examples are N95 and N100 masks.

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical, or other workplace hazards.

Respiratory PPE - Any device worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

603.2 POLICY

The Riverside County Probation Department endeavors to protect members by supplying certain PPE as provided in this policy.

603.3 MEMBER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their equipment specific training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to use the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

603.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in 8 CCR 5098.

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603.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training, or during situations in which eye protection may be warranted (e.g., cleaning areas where bloodborne pathogens were spilled, urine sample collections with clients). Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in 8 CCR 3382.

603.6 RESPIRATORY PROTECTION

A class of disposable respirators approved by the California Division of Occupational Safety and Health Administration (Cal/OSHA) shall be utilized by members, in accordance with 8 CCR 5144. Information will be provided to each member on the fitting and wearing of the disposable mask. Riverside County Probation refers to the Riverside County [Standard Safety Operations Manual](#), for additional information.

603.7 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Military Equipment

605.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

605.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body - The elected or appointed body that oversees the Department.

Military equipment - Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers
- High-mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached
- Tracked armored vehicles that provide ballistic protection to their occupants
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units
- Weaponized aircraft, vessels, or vehicles of any kind
- Battering rams, slugs, and breaching apparatuses that are explosive in nature (does not include a handheld, one-person ram)
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms
- Any firearm or firearm accessory designed to launch explosive projectiles
- Noise-flash diversionary devices and explosive breaching tools
- Munitions containing tear gas or oleoresin capicum, excluding standard, service-issued handheld pepper spray
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs)
- Kinetic energy weapons and munitions
- Any other equipment as determined by a governing body or a state agency to require additional oversight

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605.2 POLICY

It is the policy of the Riverside County Probation Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

605.3 MILITARY EQUIPMENT COORDINATOR

The Chief Probation Officer should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Riverside County Probation Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief Probation Officer and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

605.4 MILITARY EQUIPMENT INVENTORY

The Department does not have any qualifying equipment.

605.5 APPROVAL

The Chief Probation Officer or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief Probation Officer or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body before engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a

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- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body
- (f) Soliciting or responding to a proposal for or entering into an agreement with any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment
- (g) Acquiring military equipment through any means not provided above

605.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

605.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief Probation Officer or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief Probation Officer or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

605.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

605.9 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024
Date Created	07/01/2024
Attachments	None

Chapter 7 - Support Services

Property

700.1 PURPOSE AND SCOPE

This policy provides guidelines for the proper processing, storage, security, and disposition of evidence, and other property.

700.1.1 DEFINITIONS

Definitions related to this policy include:

Property - All articles placed in secure storage within the Riverside County Probation Department, including evidence, and items taken for safekeeping.

700.2 POLICY

It is the policy of the Riverside County Probation Department to process, store, secure, and dispose of all property in a reasonable manner and to maintain documentation that tracks the location of property and its disposition.

700.3 RESPONSIBILITIES

If applicable, each Division Manager shall designate a property monitor responsible for the management of property held by the Riverside County Probation Department in their division offices.

The property monitor should:

- (a) Maintain procedures for the safety, security, and chain of custody for property received, including procedures for packaging, submitting, storing, transferring, releasing, and disposing of property.
- (b) Maintain procedures for facility security and access control, including access logs.
- (c) Maintain emergency procedures for property if the facility must be evacuated or moved (e.g., for hazardous spills, fires, floods), including protective equipment for personnel, lighting, and ventilation.
- (d) Develop and make available appropriate forms.
- (e) Maintain procedures for the use of property for investigative or training purposes.
- (f) Conduct inventories and participate in audits and inspections as provided in this policy and address identified issues as appropriate.

700.4 SECURITY

Only authorized members shall have access to property. Members authorized to access secure property storage areas should take reasonable steps to prevent access by unauthorized persons. This includes preventing others from accessing related keys, access codes, passwords, or access cards and reporting any possible breaches or security concerns as soon as practicable.

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700.5 PROPERTY HANDLING

The member who first comes into possession of property is generally responsible for the collection, care, custody, and control of the property until it is securely stored.

Receipts shall be provided to individuals when property is received or removed from them.

A supervisor shall be notified when a submitting member did not follow appropriate procedures.

Members should securely store property prior to going off-duty.

If an item or substance may constitute a new law violation, law enforcement (if present) may take charge of the item. If not present, law enforcement may be asked to respond to the location and take charge of the item.

700.6 SPECIAL CONSIDERATIONS

The following items require special handling and should be processed according to department procedures and as follows:

700.6.1 CONTROLLED SUBSTANCES

- (a) Controlled dangerous substances should only be handled using the appropriate type and level of personal protective equipment.
- (b) Controlled dangerous substances should only be tested, opened, or repackaged in authorized areas and only by trained members.
- (c) Controlled substances shall not be packaged with other property.
- (d) Appropriate weights should be obtained and documented.

700.6.2 MISCELLANEOUS

The following items require special consideration and should be handled in line with current department procedures, to include the following:

- (a) Cash should be counted in the presence of another member. The cash shall be placed in a secure location.
- (b) Digital evidence should be stored in a manner to prevent it from becoming demagnetized.
- (c) Fireworks, ammunition, and hazardous and flammable substances should be secured either off-site or on-site in containers appropriate for the contents. These items should be removed or destroyed as soon as it is practical and legal to do so. If a designated area for the storage or container of flammable materials does not exist in a booking location, such items shall be taken directly to the fire department by the employee in possession of the item.
- (d) Explosives will not be retained in the probation facility.
- (e) Firearms shall be unloaded and packaged separately from ammunition. Members submitting firearms should package them in such a way as to provide visual confirmation that the firearm is unloaded.

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- (f) Syringe tubes or other sharps containers should be used to package syringes, needles and other sharps.

700.7 RECORDING OF PROPERTY

Members should ensure that all documentation and tagging is completed when entering property and evidence. The property monitor receiving custody of property shall ensure a property control record for each item or group of items has been created.

The property monitor shall ensure that a unique property number is obtained for each item or group of items.

700.8 INSPECTION OF THE PROPERTY STORAGE AREA

The Division Managers shall ensure that periodic, unannounced inspections of the storage facilities are conducted to ensure adherence to appropriate policies and procedures. The Manager also shall ensure that an audit is conducted annually, or as directed by the Chief Probation Officer. Inspections and audits shall be conducted by a member of this department who is not routinely or directly connected with the property operations.

Whenever there is a change of assignment for any member with authorized access to the stored property, an inventory of all property shall be conducted by a person who is not associated with the stored property, or its function. This is to ensure that all property is accounted for and the records are correct.

700.9 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 05/22/2013; 12/01/2005; 05/08/1996; 08/08/1995; and 05/11/1995
Date Created	05/14/1994
Attachments	1. Evidence Log

Records Maintenance and Release

701.1 PURPOSE AND SCOPE

This policy establishes guidelines for the maintenance, release, and disposition of records maintained by the Department. The policy addresses responsibilities of the Custodian of Records for the management of file access, and requests for release of information and records.

701.2 POLICY

It is the policy of the Department to maintain client records and to provide for the access to and release of records consistent with department policies, administrative directives, and applicable state law. Refer to Riverside County Board of Supervisors [Policy A-43](#) and Riverside Superior Court - [Juvenile Blanket Orders](#), for additional information.

701.3 RECORDS CUSTODIAN RESPONSIBILITIES

The Chief Probation Officer shall designate the Custodians of Records. The responsibilities of the Custodian of Records include but are not limited to:

- (a) Maintaining and updating a records procedure manual.
- (b) Supervising the access, use, and release of protected information (see the Protected Information Policy).
- (c) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.
- (d) Maintaining and updating the department records retention schedule, including:
 - 1. Identifying the minimum length of time the Department must keep records.
 - 2. Identifying who has the responsibility for the original record.
- (e) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records (Government Code § 7922.525; Government Code § 7922.530).
- (f) Identifying records or portions of records that have release restrictions or are confidential under state or federal law and not open for inspection or copying.
- (g) Establishing procedures for sharing records as permitted by law with clients, their designees, and coordinating agencies, including law enforcement agencies, social service agencies, and medical and mental health providers.
- (h) Establishing rules regarding the processing of subpoenas for the production of records.
- (i) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of data.
- (j) Ensuring the availability of a current schedule of fees for public records as allowed by law (Government Code § 7922.530).
- (k) Determining how the department's website may be used to post public records in accordance with Government Code § 7922.545.

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- (l) Ensuring that public records posted on the department website meet the requirements of Government Code § 7922.680, including but not limited to posting in an open format where a record may be retrieved, downloaded, indexed, and searched by a commonly used internet search application.

701.4 PROCESSING REQUESTS FOR RECORDS

Any department member who receives a request for any records shall route the request to the Custodian of Records or authorized designee.

701.4.1 REQUESTS FOR PUBLIC RECORDS

The processing of requests for public records is subject to the following (Government Code § 7922.530):

- (a) The Department is not required to create records that do not exist.
- (b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
 - 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions.
 - 2. If the record is an audio or video recording, a copy of the redacted audio/video recording release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.
- (c) Either the requested record or the reason for nondisclosure will be provided promptly, but no later than 10 days from the date of request, unless unusual circumstances preclude doing so. If more time is needed, an extension of up to 14 additional days may be authorized by the Custodian of Records or the authorized designee. If an extension is authorized, the Department shall provide the requester written notice that includes the reason for the extension and the anticipated date of the response.
 - 1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request, including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information and technology and physical location in which the record exists (Government Code § 7922.600).
 - 2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.
- (d) Upon request, a record shall be provided in an electronic format utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 7922.570; Government Code § 7922.580).

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701.4.2 DENIALS

The denial of a request for public records is subject to the following:

- (a) If a record request is denied in whole or part, the requester shall be provided a written response that includes the statutory exemption for withholding the record or facts that the public interest served by nondisclosure outweighs the interest served by disclosure (Government Code § 7922.000; Government Code § 7922.540).
- (b) The written response to the denial shall include the names, titles, or positions of each person responsible for the denial (Government Code § 7922.540).

701.4.3 RELEASE RESTRICTIONS

Examples of release restrictions include (except where allowed by law or court order):

- (a) Client records, including client classification, disciplinary records, pre-sentence or disposition reports, supervision reports, and progress reports.
- (b) Probation reports filed with a court (Penal Code § 1203.03; Penal Code § 1203.05).
- (c) Records relating to juveniles (Welfare and Institutions Code § 827; Welfare and Institutions Code § 827.95; Welfare and Institutions Code § 831).
- (d) Client medical, mental health, and substance abuse records (Government Code § 7930.130; Government Code § 7930.170; 42 CFR 2.35).
- (e) Client education records (Family Education Rights and Privacy Act of 1974 (FERPA); Education Code § 49076).
- (f) Personnel records, medical records, or similar files that would involve an unwarranted invasion of personal privacy (Government Code § 7927.700; Penal Code § 832.8; Evidence Code § 1043 et seq.).
- (g) Home addresses, home telephone numbers, personal cellular telephone numbers, and birth dates of department members except as allowed by Government Code § 7928.300.
- (h) Criminal intelligence and criminal history information (Penal Code § 13102; Penal Code § 13300) (see also the Protected Information Policy).
- (i) A record of a complaint, or the investigations, findings, or dispositions of that complaint, if the complaint is frivolous, as defined by Code of Civil Procedure § 128.5, or if the complaint is unfounded (Penal Code § 832.7(b)(9)).

701.5 RELEASE OF AUDIO OR VIDEO RECORDINGS RELATED TO CRITICAL INCIDENTS

Video and audio recordings related to critical incidents shall be released pursuant to a proper public record request and subject to delayed release, redaction, and other release restrictions as provided by law (Government Code § 7923.625).

For purposes of this section, a video or audio recording relates to a critical incident if it depicts an incident involving the discharge of a firearm at a person by any officer, or depicts an incident in which the use of force by any officer against a person resulted in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) (Government Code § 7923.625).

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The Custodian of Records should work as appropriate with the Chief Probation Officer or the Professional Standards Bureau supervisor in determining what recordings may qualify for disclosure when a request for a recording is received and if the requested recording is subject to delay from disclosure, redaction, or other release restrictions.

701.5.1 DELAY OF RELEASE

Disclosure of critical incident recordings during active criminal or administrative investigations may be delayed if disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source. Disclosure may be delayed up to 45 days from the date the Department knew or reasonably should have known about the incident. After the initial 45 days and up to one year, delayed disclosure may continue if the Department demonstrates substantial interference with the investigation. Any delayed disclosure longer than one year must be supported by clear and convincing evidence (Government Code § 7923.625).

701.5.2 NOTICE OF DELAY OF RELEASE

When there is justification to delay disclosure of a recording, the Custodian of Records shall provide written notice to the requester as follows (Government Code § 7923.625):

- (a) During the initial 45 days, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination that disclosure would substantially interfere with the investigation. The notice shall also include the estimated date for the disclosure.
- (b) When delay is continued after the initial 45 days, the Custodian of Records shall promptly provide the requester with written notice of the specific basis for the determination that the interest in preventing interference with an active investigation outweighs the public interest in the disclosure, and the estimated date for the disclosure. The Custodian of Records should work with the Chief Probation Officer in reassessing the decision to continue withholding a recording and notify the requester every 30 days.

Recordings withheld shall be disclosed promptly when the specific basis for withholding the recording is resolved.

701.5.3 REDACTION

If the Custodian of Records, in consultation with the Chief Probation Officer or the authorized designee, determines that specific portions of the recording may violate the reasonable expectation of privacy of a person depicted in the recording, the Department should use redaction technology to redact portions of recordings made available for release. The redaction should not interfere with the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording, and the recording should not otherwise be edited or altered (Government Code § 7923.625).

If any portions of a recording are withheld to protect the reasonable expectation of privacy of a person depicted in the recording, the Custodian of Records shall provide in writing to the requester

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the specific basis for the expectation of privacy and the public interest served (Government Code § 7923.625).

701.5.4 RECORDINGS WITHHELD FROM PUBLIC DISCLOSURE

If the reasonable expectation of privacy of a person depicted in the recording cannot adequately be protected through redaction, and that interest outweighs the public interest in disclosure, the Department may withhold the recording from the public, except that the recording, either redacted or unredacted, shall be disclosed promptly, upon request, to any of the following (Government Code § 7923.625):

- (a) The person in the recording whose privacy is to be protected, or the authorized representative.
- (b) If the person is a minor, the parent or legal guardian of the person whose privacy is to be protected.
- (c) If the person whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased person whose privacy is to be protected.

If the Department determines that this disclosure would substantially interfere with an active criminal or administrative investigation, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination and the estimated date of disclosure (Government Code § 7923.625).

The Department may continue to delay release of the recording from the public for 45 days with extensions as provided in this policy (Government Code § 7923.625).

701.6 SUBPOENAS DUCES TECUM AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum (request for written documents) or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the appropriate prosecutor or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

701.7 SECURITY BREACHES

Members who become aware that any Riverside County Probation Department system containing personal information may have been breached should notify the Custodian of Records as soon as practicable.

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The Custodian of Records shall ensure notice is given anytime there is a reasonable belief an unauthorized person has acquired either unencrypted personal identifying information or encrypted personal information along with the encryption key or security credential stored in any department information system (Civil Code § 1798.29).

Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system (Civil Code § 1798.29).

If a single breach requires the Department to notify more than 500 California residents, the Department shall electronically submit a sample copy of the notification, excluding any personally identifiable information, to the California Attorney General (Civil Code § 1798.29).

For the purposes of the notice requirement, personal information includes (Civil Code § 1798.29):

- (a) An individual's first name or first initial and last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted:
 - 1. Social Security number
 - 2. Driver's license number, California identification card number, tax identification number, passport number, military identification number, or other unique identification number issued on a government document commonly used to verify the identity of a specific individual
 - 3. Full account number, credit or debit card number, or any required security code, access code, or password that would permit access to an individual's financial account
 - 4. Medical information
 - 5. Health insurance information
 - 6. Unique biometric data
 - 7. Genetic data
- (b) A username or email address, in combination with a password or security question and answer that would permit access to an online account.

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Custodian of Records should promptly notify the appropriate member designated to oversee the security of protected information (see the Protected Information Policy).

701.8 SEALED RECORD ORDERS

Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records, or authorized designee and, if appropriate, the member assigned to supervision of the client.

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The Custodian of Records, or authorized designee shall seal such records as ordered by the court. Once a record is sealed, members shall respond to any inquiry as though the record did not exist (Penal Code § 851.8; Welfare and Institutions Code § 781; Welfare and Institutions Code § 786; Welfare and Institutions Code § 786.5).

701.8.1 SEALED JUVENILE ARREST RECORDS

The Custodian of Records, or authorized designee shall seal the arrest and other records in department custody relating to a juvenile's arrest and referral and participation in a diversion or supervision program as provided by Welfare and Institutions Code § 786.5.

The Custodian of Records, or authorized designee should ensure that an arresting law enforcement agency is notified to seal any arrest records required by Welfare and Institutions Code § 786.5. Within 30 days of receipt of notification from the arresting law enforcement agency that the records have been sealed, the Custodian of Records, or authorized designee should ensure that the involved minor receives written notification that their records have been sealed. If the records are not sealed, written notice shall inform the minor of their ability to petition the court directly to seal their arrest and other related records (Welfare and Institutions Code § 786.5).

701.9 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 05/09/2022; and 02/08/2013
Date Created	08/04/2006
Attachments	1. County Probation Department Records Retention Schedule

Protected Information

702.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release, and security of protected information by members of the Riverside County Probation Department. This policy addresses the protected information used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

702.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data collected, stored, or accessed by members of the Riverside County Probation Department and that is subject to any access or release restrictions imposed by law, regulation, order, or use agreement. This includes all information in federal, state, or local law enforcement databases that is not accessible to the public.

702.2 POLICY

Members of the Riverside County Probation Department will adhere to all applicable laws, orders, regulations, use agreements, and training related to the access, use, dissemination, and release of protected information.

702.3 RESPONSIBILITIES

The Chief Probation Officer shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicles (DMV) records, and California Law Enforcement Telecommunications System (CLETS).
- (b) Developing, disseminating, and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating, and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release, and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.
- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

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702.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Riverside County Probation Department policy, or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

702.4.1 PENALTIES FOR MISUSE OF RECORDS

It is a misdemeanor to furnish, buy, receive, or possess Department of Justice criminal history information without authorization by law (Penal Code § 11143).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI (11 CCR 702).

702.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information shall be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Custodian of Records for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from law enforcement agencies who are assisting in an investigation or conducting a related investigation. Any such information should be released through the Custodian of Records to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

702.5.1 TRANSMISSION GUIDELINES

Protected information, such as restricted Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should not be transmitted via unencrypted radio. When circumstances reasonably indicate that the immediate safety of officers, other department members, or the public is at risk, only summary information may be transmitted.

In cases where the transmission of protected information, other than CJI and CHRI, is necessary to accomplish a legitimate law enforcement purpose, and utilization of an encrypted radio channel is infeasible, or department-issued cellular telephone should be utilized when practicable. If neither are available, unencrypted radio transmissions shall be subject to the following:

- Elements of protected information should be broken up into multiple transmissions, to minimally separate an individual's combined last name and any identifying number associated with the individual, from either first name or first initial.

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- Additional information regarding the individual, including date of birth, home address, or physical descriptors, should be relayed in separate transmissions.

Nothing in this policy is intended to prohibit broadcasting warrant information.

702.5.2 REVIEW OF CRIMINAL OFFENDER RECORD

Individuals requesting to review their own California criminal history information shall be referred to the Department of Justice (Penal Code § 11121).

Individuals shall be allowed to review their arrest or conviction record on file with the Department after complying with all legal requirements regarding authority and procedures in Penal Code § 11120 through Penal Code § 11127 (Penal Code § 13321).

702.6 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any program compiling data on individuals based on religious belief, practice, affiliation, national origin, or ethnicity (Government Code § 8310.3).

702.7 SECURITY OF PROTECTED INFORMATION

The Chief Probation Officer will select a member of the Department to oversee the security of protected information. Refer to Riverside County Board of Supervisors Policy A-58 for additional information.

The responsibilities of this position include but are not limited to:

- (a) Developing and maintaining security practices, procedures, and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents, including computer attacks.
- (d) Tracking, documenting, and reporting all breach of security incidents to the Chief Probation Officer and appropriate authorities.

702.7.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk, in or on an unattended vehicle, in an unlocked desk drawer or file cabinet, on an unattended computer terminal).

702.8 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to, or obtain information from a criminal intelligence system unless the Chief Probation Officer has approved the system for department use.

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Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated member will be responsible for supervising the use of any criminal intelligence system by members. The authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

702.8.1 SYSTEM ENTRIES

It is the designated members' responsibility to approve the entry of any information from a report, case notes, a photo, or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated member should ensure copies of those documents are retained by the Custodian of Records. Any supporting documentation for an entry shall be retained by the Custodian of Records in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated member should ensure that any documents retained by the Custodian of Records are appropriately marked as intelligence information. The Custodian of Records shall follow Riverside County Board of Supervisor Policy.

702.8.2 SHARED GANG DATABASE

Any shared gang database shall be accessed and maintained in accordance with state and federal law, guidelines, and regulations (Penal Code § 186.36).

702.9 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

702.10 REFERENCE

Date Last Reviewed	07/01/2024
Date(s) Revised	07/01/2024; 12/07/2017; 06/13/2016; 10/08/2010; 05/12/2009; and 06/01/1992
Date Created	11/09/1988

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Attachments	<div>1. Riverside County Probation Department CLETS/SmartJustice Security Incident Response Plan</div> <div>2. Release of Information from the California Law Enforcement Telecommunication System (CLETS)</div> <div>3. SmartJustice Security Incident Response</div> <div>4. SmartJustice Misuse Investigation Reporting</div>
<div></div>	