

Arrest of Probationers

613.1 PURPOSE AND SCOPE

To set forth the guidelines and procedures for the arrest of a client by a sworn staff.

613.2 AUTHORITY AND REFERENCES

- California Penal Code Sections 825; 830.5; 832; 1170(h); 1203.2(a); and 3451;
- Welfare and Institutions Code Sections 625 and 627;
- Field Services Use of Force Policy.

613.3 POLICY

The arrest of an adult client may be accomplished when circumstances for a violation of probation necessitate such action. The arrest of a juvenile ward may be accomplished when said ward has violated an order of juvenile court, is a danger to others, or has escaped from any court ordered placement. All sworn staff must have completed 832 PC training requirements to exercise powers of arrest.

613.4 PROCEDURE

Upon determining that the arrest of a client may be necessary, the sworn staff shall:

- (a) Review the circumstances with the unit supervisor. In juvenile cases, approval for detention at juvenile hall shall be obtained from the unit supervisor. If an arrest is approved, procure necessary restraints and enlist the assistance of another sworn staff or request law enforcement assistance.
- (b) Sworn staff shall exercise all department approved arrest techniques when necessary and in accordance with Use of Force policy, and officer safety is to be given priority.
- (c) When arresting the client, secure with handcuffs and search for weapons or contraband. Searches of a client should be by a member of the same sex whenever practical.
- (d) Read and explain the client's rights per department issued Miranda card and advise the client of the basis for the arrest. In the case of a juvenile arrest, the parent or guardian must be notified by the arresting sworn staff, pursuant to Section 627 of the Welfare and Institutions Code.
- (e) Obtain an "okay to book" in cases where the client recently used an illegal substance, has an injury, and/or a communicable disease.
- (f) Transport, or have transported, the client to the appropriate booking facility or detention facility.
- (g) At the detention facility, provide the prescribed booking form and statement of probable cause and/or application for petition.

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- (h) After an adult booking/juvenile detention, immediately prepare a violation of probation memorandum for the client's arraignment/detention hearing, which must occur within two court days.
- (i) Debrief with the unit supervisor and record in the case notes all of the circumstances of the arrest.

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