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Total Policies Per Section 21

Grand Total Policies 53
I. AUTHORITY
This policy is issued under authority granted to the Chief Probation Officer.

II. PURPOSE
The Probation Department maintains referral lists of private treatment providers who desire to work with probationers who are in need of therapeutic services. The placement of the treatment provider's name on a referral list maintained by the Department, requires due diligence in confirming that the treatment provider is appropriately licensed and in good standing within their professional community.

III. APPLICABILITY
This policy applies to the Chief Deputy and/or his/her designee who is responsible for the evaluation and qualification verification of potential treatment providers wishing to enter into a contractual relationship, and/or be placed on a departmentally authorized referral list.

IV. BACKGROUND
When a member of the Department enters into a contractual relationship with a treatment provider, or simply adds a treatment provider's name to a referral list, the Department has made a defacto endorsement of the provider, and the implied message is that the provider is qualified and suitable to provide their respective service. This policy provides direction for the vetting of providers who are interested in providing therapeutic services to individuals under the jurisdiction of the Probation Department.

V. GENERAL POLICY
While the Probation Department does not endorse or recommend specific treatment providers, we are responsible for maintaining a referral list of competent and licensed treatment providers, which will be maintained and reviewed annually by the Chief Probation Officer's designee. In addition, this process shall also be utilized prior to finalizing fiduciary contracts with treatment providers.
The Probation Department shall verify that the treatment provider is adequately licensed and in good standing prior to contracting for their services or placing them on a referral list. This verification shall include:

a) A check with the appropriate State licensing authority to confirm that the individual’s license is active and current.

b) A check with the appropriate State licensing authority to determine the existence and nature of any complaints, ethical violations, investigations, etc.

c) At least two letters of reference, both from non-familial parties who can speak specifically to the treatment provider’s professional qualifications, efficacy as a practitioner, and their reputation as a professional of high ethical standards;

d) Confirmation of appropriate insurance.

e) The check-list, letters of reference, and insurance and license confirmation shall be retained by the executive assistant to the Chief Probation Officer.

VI. EXCLUSIVITY

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
MISSION STATEMENT

The Probation Department improves community safety across the justice system by using proven practices to hold offenders accountable and facilitate positive change.

VISION STATEMENT

To be a leader in community corrections in the State of California, by improving community safety through evidence-based practices.
SECTION II
ADMINISTRATION
I. **AUTHORITY:**
This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**
The purpose of this policy is to provide guidelines for the investigation and disposition of complaints in a prompt, just and open manner regarding the conduct of staff of the Probation Department consistent with state law.

III. **APPLICABILITY:**
This policy applies to all Probation Department staff.

IV. **BACKGROUND:**
A relation of trust and confidence between staff of the Probation Department and the citizens of the County is essential to effective community corrections. Probation Department staff must be free to exercise their best judgment in discharging their duties in a reasonable, lawful and impartial manner, without fear of reprisal. The Probation Department acknowledges its responsibility to establish a system of complaint and disciplinary procedure pursuant to Penal Code Section 832.5 which hold staff accountable for improper conduct, but also will protect them from unwarranted criticism when they discharge their duties properly.

V. **GENERAL POLICY:**
A. Complaints against Department staff shall be thoroughly and accurately investigated.

B. The Citizen Complaint form and description of the complaint process shall be posted on the Probation Department website and be available at all Probation Department offices.
C. Citizen Complaints against the Chief Probation Officer, Assistant Chief Probation Officer or Chief Deputies will be referred to the County Administrative Office.

D. Complaints may be received:

1. In person,
2. By telephone; or
3. In writing.

E. Complaint forms may be received by anyone but shall be immediately forwarded to the Chief's Administrative Assistant who will assign the complaint a tracking number and provide a copy of the complaint to the Chief Probation Officer.

F. The complaint form will be referred to the appropriate Chief Deputy, who will inquire and make a recommendation to the Assistant Chief Probation Officer on what level the complaint shall be handled. The assigned Chief Deputy will communicate results via email of the preliminary inquiry within 30 calendar days of the logging of the complaint to the Chief Probation Officer/Assistant Chief Probation Officer

1. Unfounded - inquiry clearly establishes the allegation is not true

2. Not sustained- inquiry could not disclose sufficient evidence to clearly prove or disprove the allegation in the complaint.

3. Exonerated- inquiry establishes that the actions of the personnel that formed the basis of the complaint are not a violation of law or policy.

4. Sustained- inquiry supports allegations in the complaint.

G. The Chief Probation Officer/Assistant Chief Probation Officer may direct the Professional Standards SDPO/Chief Deputy to investigate any complaint.

H. Follow-up contact with the complainant shall be made by the end of the next business day to confirm the Department's receipt of the complaint.

I. Should an internal investigation be conducted to determine the validity of the complaint, the Chief Deputy who has conducted the initial inquiry shall make a written request for such investigation. The internal investigation will proceed in accordance with the Probation Department's Internal Investigation Policy.

J. The assigned Chief Deputy shall ensure that within 30 days of the final disposition of the complaint, the complainant is provided written notification of the disposition.
K. Complaints and related documentation shall be retained for five (5) years for records where there was not a sustained finding of misconduct.

L. Complaints and related documentation shall be retained for fifteen (15) years where there was a sustained finding of misconduct.

M. Complaints and related documentation shall not be destroyed while a request related to that record is being processed or any process or litigation to determine whether the record is subject to release is ongoing.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**
This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**
The purpose of this policy is to establish a custodian of records.

III. **APPLICABILITY:**
The policy applies to all probation case files.

IV. **BACKGROUND:**
N/A

V. **GENERAL POLICY:**
The Assistant Chief Probation Officer is designated as the Custodian of Records. All requests for records must go through the Assistant Chief Probation Officer.

VI. **EXCLUSIVITY:**
This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer and in accordance with Penal Code Section 290.45, Penal Code Section 1203.05, Penal Code Section 1203.10, Penal Code Section 13202, Welfare and Institutions Code 827 et seq., Welfare and Institutions Code 831 and the California Constitution Article 1, Section 28, Marsy's Law.

II. **PURPOSE:**

This policy sets forth the limitations pursuant to state law, court order and policy on the release of probation records, files, or other criminal record information available to Department employees.

III. **APPLICABILITY:**

This policy shall be applicable to all Department employees.

IV. **BACKGROUND:**

Probation records, files and other criminal record information are confidential and shall only be inspected, reviewed, or released by those persons who have the right and the need to know. Access and release of any probation record or file shall only be done in compliance with a court order or state/case law.

V. **GENERAL POLICY:**

A. **Definitions.**

1. **Connor Hearings** – A hearing to give a probationer a chance to object to the disclosure of “personal” information contained in probation reports, based on a limited level of privacy afforded in Penal Code section 1203.05. “Connor Hearings” are also required for disclosure of information from the probation file as a whole pursuant to Penal Code section 1203.10.
2. **Marsy’s Law** Hearings – A Marsy’s Law hearing requires notice to victims if disclosure of information pertaining to them is contemplated. A Marsy’s Law hearing is required to address victims’ rights and victim information in a probation report.

B. **Notification.** All requests for Probation reports and files shall be forwarded to the Custodian of Records upon receipt of the request.

C. **Release of Adult Probation Reports Pursuant to Court Order.** The Probation Department is authorized to disclose adult probation reports and records pursuant to Superior Court standing order (July 23, 2012) to the following:

1. Peace officers of the State of California defined in Penal Code Sections 830.1, 830.2(a) and (d), 830.3(e), and 830.5(a) and (b); and

2. Peace officer as equivalently defined by applicable laws of the United States or other states, territories, or possessions of the United States; and

3. Judges and other judicial officers of all United States federal courts and all courts of states, territories, or possessions of the United States.

4. Disclosure shall be pursuant to the following terms and conditions:
   a. The request for disclosure is received on the requesting agency’s letterhead, specifying that the report or record is needed for conducting criminal, pre- or post-sentence, or pre-trial investigations.
   b. The Department shall not disclose medical, mental health, or drug and alcohol treatment information, except to the extent the information is contained the charges, probation reports, or terms and conditions of probation.
   c. The Department shall remove or redact all identifying information concerning any person except the subject of the report or record and/or any public official named therein.

D. **Access to Adult Probation Reports (Pen. Code, § 1203.05).** Section 1203.05 provides unlimited public access to probation reports for a limited time, unlimited access to limited persons (including the probationer) thereafter, and access pursuant to court order for others.

1. Specifically, access is allowed as follows:
   a. By any person, from the date judgment is pronounced or probation is granted or, in the case of a report arising out of a previous arrest, from the date the subsequent accusatory pleading is filed, to and including 60 days from the date judgment is pronounced or probation is granted whichever is earlier.
   b. By any person, at any time, by order of the court, upon filing a petition therefore by the person.
c. By the public, if the court upon its own motion orders that a report or reports shall be open or that the contents of the report or reports shall be disclosed.

d. By any person authorized or required by law to inspect or receive copies of the report, by the district attorney of the county at any time, or by the subject of the report at any time.

2. For probationers seeking their own probation reports, the reports may be provided if the probationer agrees to accept the reports with victim information redacted.

3. Where probation reports are sought by “non-specified” persons pursuant to a petition filed under section 1203.05, subdivision (b), the petitioner must include notice to the probationer who is the subject of the report.

E. Access to Adult Probation Files (Pen. Code § 1203.10). Except for authorized persons and agencies (and as noted below in subsection 3), section 1203.10 requires a court order to obtain access to records other than probation reports, which are governed by Penal Code section 1203.05. Authorized persons and agencies include the court, persons appointed by or allowed access by order of the court, chiefs of police (including county sheriffs) and other probation departments.

1. Under Section 1203.10, probation records are deemed to be court records.

2. Probationers seeking access to their own probation file may only do so by court order under section 1203.10, but no Connor hearing is required because the personal information is that of the probationer. In addition, no Marsy's Law hearing is required if the probationer agrees to a stipulated order providing for redaction of victim information.

a. For persons other than the probationer or those persons or agencies expressly allowed access under 1203.10 who are seeking adult probation reports or files through Public Records Act requests or state or federal subpoenas, such methods of seeking access are subject to objection because the records may only be disclosed via a court order.

b. Where a proper petition has been filed by someone other than the probationer or a person or entity expressly entitled to access under section 1203.10, any disclosure made to the court for consideration in camera of probation records should emphasize the Department's desire, in accordance with law, that the court consider the probationer's rights under Connor, victims’ rights under Marsy's Law and confidential material.

3. Special Access to probation records is allowable to state licensing boards pursuant to Business and Professions Code section 144.5, which specifically allows certain state licensing boards to obtain certified copies of probation records needed to complete an applicant or licensee investigation. (For a complete list of those boards authorized with access, see Bus. & Prof. Code, § 144.)
F. Access to Juvenile Probation Records and Files (Welf. & Inst., § Code 827). Section 827 provides a list of agencies and personnel who are authorized to inspect juvenile case files. Absent explicit authorization or court order, juvenile records and files shall remain confidential.

1. A petition must be filed on form JV-570 to obtain a court order authorizing the inspection of a juvenile file or copies of records that are confidential.

2. Welfare and Institutions Code Section 827(a)(5) also authorizes certain individuals to receive copies of juvenile records without a court order or hearing.

3. No records or reports, or any portion thereof, or information relating to the contents of those records or reports shall be made attachments to other documents without prior authorization of the juvenile court, unless connected with and during a criminal investigation or a proceeding to declare a person a ward of the juvenile court.

4. Juvenile records may be disclosed to armed forces recruiters pursuant to a currently valid standing order if any specific requirements in the standing order are met.

G. Subpoenas. A subpoena for records (subpoena duces tecum) served on an officer or other Department employee shall be forwarded to the Custodian of Records for the Department. Officers shall retain a copy of the subpoena in the case file.

1. Civil subpoenas – Both a civil subpoena for records and a subpoena for the personal appearance of Department officers or employees should include a check for processing of the records or witness fees, although the amounts are different. (See e.g., Evid. Code, 1563 and Gov. Code 68090.) If a check is not included with the subpoena, the officer shall notify the process server that witness fees are being demanded. Checks for witness fees shall be routed to the Finance Unit for processing.

2. Criminal subpoenas – Criminal subpoenas for personal appearances shall not require witness fees. Personal appearances in criminal cases are part of the normal duties of Department peace officers and collection officers.

H. Consultation with Legal Counsel. The Custodian of Records or a Chief Deputy designee, upon receipt of a subpoena for records or Public Records Act request, shall consult with County Counsel regarding disclosure and appropriate response to a subpoena.

I. Disclosure of Case File Information to Protect Public Safety. In certain situations, probation officers have a legal duty to disclose information about probationers who pose a credible threat of death or harm to others.

1. Legal Duty to Warn – If any person under probation supervision threatens to injure or kill an identifiable person or persons and such threat is communicated to a Probation Officer, that officer has a legal duty to warn the victim of the threat.
2. Pursuant to Penal Code Section 290.45 - Probation officers may provide information to the public about a person required to register as a sex offender, when necessary to ensure public safety based upon information available concerning the specific person's risk of sexual or violent re-offense.

a. Any disclosure shall include a statement that the purpose of the release of information is made to allow the public to protect themselves and children from sex offenders.

b. Information that may be provided includes, but is not limited to, the offender's name, known aliases, gender, race, physical description, photograph, date of birth, address, which shall be verified prior to publication, description and license plate number of the offender's vehicles or vehicles the offender is known to drive, type of victim targeted by the offender, relevant parole or probation conditions, crimes resulting in classification under this section, and date of release from confinement, but excluding information that would identify the victim. Disclosure shall not include any internet identifier(s) except to release internet identifiers to another law enforcement agency for the purpose of investigating a sex-related crime, a kidnapping, human trafficking, or in obedience to a court order.

3. Special Relationships - Individual(s) who have an established special relationship, e.g., (foster parents who rely on officers for information and guidance in their relationships) with any person under probation supervision may be informed by a probation officer if the probationer poses a known or predictable danger.

J. Disclosure of Case File Information Pursuant to a Valid Release of Information. Information may be released to identified parties as part of a fully executed Release of Information Form signed by the probationer when the information to be disclosed is described on the form and not otherwise prohibited by law.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY**
This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE**
Policies are essential in running an effective and well managed organization. It is the responsibility of all employees to know and understand departmental policy. It is the responsibility of management to develop policies which are clear and current and aligned with the vision and mission of the agency.

III. **APPLICABILITY**
This policy applies to all Probation Department employees.

IV. **BACKGROUND**
This policy was developed to ensure the Probation Department will have current policies which govern the operation of the agency, that Probation Department employees read and understand the policies applicable to them and that these policies are accessible to all staff.

V. **GENERAL POLICY**
A. All policies will be reviewed by the Probation Department management team annually. Records of the annual review will be maintained by the Chief Probation Officer.
B. Policies that need to be revised or developed will be done so by the Probation Department management team as close to the review date as possible.

C. Drafts of new policies or existing policies with major revisions will be sent by the Chief Probation Officer to the Executive Board of the San Luis Obispo County Probation Peace Officers Association (SLOCPPOA) for comment.

D. The Executive Board of the SLOCPPOA will be provided 21 calendar days of receiving new policies or existing policies to return feedback to the Chief Probation Officer.

E. New policies or existing policies with major revisions that impact SLOCEA members of the Department will be sent by the Chief Probation Officer for comment. Members will have 21 calendar days to return feedback to the Chief Probation Officer.

F. All Probation Department policies will be available on the County's Probation Department intranet and internet sites. All Probation Department employees will have access to the policies through the intranet.

G. All Probation Department employees will be responsible for understanding and abiding by all Probation Department policies.

VI. EXCLUSIVITY

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**
This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**
The purpose of this policy is to establish a procedure by which allegations of employee misconduct can be investigated internally in a manner which is consistent with applicable federal and state laws.

III. **APPLICABILITY:**
The investigative process described herein applies to all employees of this Department.

IV. **BACKGROUND:**
As a public safety agency, it is paramount that the integrity and professional standards of this Department be maintained with county government, the law enforcement community and the general public. Therefore, it shall be the stated policy of this Department that allegations of employee misconduct will be addressed by the Department in a fair and legal manner.

V. **GENERAL POLICY:**
A. **The Investigator:**

   The Chief Probation Officer and/or his/her designee shall be solely responsible for the appointment of an investigator.

   In the event the selected investigator or the subject employee determines that a conflict of interest may exist, he/she shall articulate the apparent conflict in writing to the Chief Probation Officer. In the event the Chief Probation Officer then deems a conflict of interest to exist, another investigator shall be assigned.
Any investigation involving the Chief Probation Officer, Assistant Chief Probation Officer, Probation Business Manager or a Chief Deputy Probation Officer as the subject of said investigation shall be referred to County Human Resources.

When the investigator receives an allegation of employee misconduct, he/she must verify that the alleged misconduct, if true, may constitute a specific violation of federal or state law, or Departmental or County policy.

In the event the investigator determines that the alleged misconduct may amount to a violation of criminal law, the investigator shall immediately notify the Chief Probation Officer. If the Chief Probation Officer agrees with the investigator, all further investigation will be turned over to the law enforcement agency having lawful jurisdiction. Upon the conclusion of criminal proceedings, the Chief Probation Officer shall take appropriate action pursuant to the Department’s employee conduct policy, based upon any/all pertinent information, which may include the law enforcement agency’s investigation.

The investigator will not render any opinions or comments as to the appropriate disciplinary action for founded allegations unless opinions or comments are requested by the Chief Probation Officer.

B. Conduct of Investigation:

Internal investigations will be conducted in accordance with applicable federal and state law, and particularly follow those guidelines contained in the Peace Officers Bill of Rights, Government Code Sections 3301, et seq. for Department peace officers.

Specifically, pursuant to Government Code Section 3303, the internal investigation shall be conducted as follows:

1. The investigator will inform the employee as soon as possible that an investigation is being conducted. The investigator will also inform the employee of the specific nature of the allegations made against him/her.

2. If there is video of the subject incident, it will be provided to the subject employee prior to the interview.

3. Prior to any questioning of the employee by the investigator, the investigator will advise the employee verbally of his/her employee rights and if the employee is a sworn officer, supply the employee with a copy of the Peace Officer Bill of Rights and/or applicable Civil Service Codes.

4. At the point the public safety officer employee has been informed that he/she is under investigation for allegations of misconduct which may (if founded) result in disciplinary action, as described in Section 3303 of the Government Code: “Any action which may lead to dismissal, demotion, suspension, reduction in salary,
written reprimand, or transfer for purposes of punishment.", the employee may request to halt any further questioning until they can procure a representative of his/her choice to represent them at all times during any questioning.

5. If the employee being investigated is a non-sworn officer, they have the right to union representation or legal representation prior to answering any questions by the investigator.

An employee may invoke his/her right not to answer any questions from the investigator. However, a sworn peace officer can be ordered by a superior to answer questions or face insubordination. Any questions answered by an officer ordered to do so by a superior cannot be used in any subsequent criminal proceedings.

Internal investigations shall be concluded within thirty (30) calendar days unless extenuating circumstances exist. The employee being investigated shall, when possible, be given a reasonable expectation as to the conclusion of the investigation portion by the investigator.

C. Findings:

Upon concluding the investigation, the investigator will submit his/her report of investigation to the Chief Probation Officer or his/her designee. The Chief Probation Officer and/or his/her designee shall then make one of the following findings based upon the investigation and report:

1. Unfounded: allegation is false, not factual.
2. Exonerated: incident occurred, but was lawful and proper.
3. Not sustained: could not be proved or disproved.
4. Founded: employee misconduct occurred and was a violation of a code section or Departmental or County policy.

If the allegations are founded, the Chief or his/her designee shall cite the specific section of law or policy violated.

All disciplinary actions resulting from proven employee misconduct will be decided by the Chief Probation Officer in consultation with the employee's Supervisor and Chief Deputy Probation Officer.

Upon concluding the investigation, the Chief Probation Officer or his/her designee shall put the findings in writing and serve a copy to the subject employee and/or his designee/legal representative. This letter shall be signed and dated by the employee and the original placed in the internal investigation file.
D. Employee’s Rights to Review and Respond to Investigative Report:

Once the investigation has been completed and the report submitted to the Chief Probation Officer and a finding made, the employee shall have the right to review all information and discovery gathered during the investigation with the exception of information deemed confidential by the Chief Probation Officer or designee. Any information deemed confidential by the Chief Probation Officer or designee, must be removed from the report and cannot be maintained in the employee’s personnel file as defined by Section 832.8 of the Penal Code.

E. Internal Investigation Files

All internal investigation files will be maintained securely by the Chief Probation Officer or his/her designee. All internal investigation files will be maintained for five (5) years pursuant to Penal Code 832.5 and the opinion of the California State Attorney No. 99-1111.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer. This policy is issued after meeting and conferring with all organizations representing employees affected by this policy. This policy conforms to the statutory mandates as presented in Penal Code Section 1203.10, Welfare and Institutions Code Section 826(a) and the AOC Record Retention Policy.

II. **PURPOSE:**

The purpose of this policy is to provide direction in the regular and lawful destruction of probation case files including Probation Collection / Finance case files.

III. **APPLICABILITY:**

This policy applies to all Probation Department employees.

IV. **BACKGROUND:**

Storage capacity dictates the need for the regular destruction of records. However, records must be destroyed in a systematic manner taking into consideration the need to ensure that files with active court ordered debt collections and/or warrants are retained. Further, probation case files are subject to statutory retention periods which must be followed.

V. **GENERAL POLICY:**

A. **Retention**

Adult case files shall be retained for no less than five (5) years after termination of probation. Juvenile case files shall be destroyed five years from the date on which the jurisdiction of the Juvenile Court over a minor is terminated. Adult Collection / Finance case files shall be destroyed five years from the date the case is closed. Juvenile Collection / Finance case files shall be destroyed five years from the date the case is closed or at the specific date after the Juvenile Court orders a minor’s Juvenile records to be sealed.
B. Confirming Adult Cases are no Longer Active
The following steps shall be taken prior to the destruction of any Adult case file.

1. Confirm with the Revenue Recovery Unit that there are no active Court-ordered debt collections cases associated with the case file. Cases with active collections cases shall be forwarded to the Revenue Recovery Unit for review and scanning of pertinent collections information into their system; then the case file is to be returned to general clerical for destruction. A notation shall be made in Monitor that the case was forwarded to the Revenue Recovery Unit and then purged.

2. Confirm that there are no active warrants. Cases with active warrants shall be retained until the Probation Department is notified by the Courts that the warrants have been purged.

C. Destruction of case files.
Destruction of any case file after the retention period may only be accomplished after confirming that the case is no longer active.

VI. EXCLUSIVITY:
This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**
This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**
The purpose of this policy is to define the organization of the Probation Department and the hierarchy of authority. Nothing in this policy is intended to inhibit communication but rather, the policy is to serve as a structure to define and strengthen orderly dialog.

III. **APPLICABILITY:**
This applies to all the employees of the Probation Department.

IV. **BACKGROUND:**
The San Luis Obispo County Probation Department exists to improve community safety across the justice system by using proven practices to hold offenders accountable and facilitate positive change. It employs both peace officers and administrative staff to accomplish this purpose. In order to accomplish this purpose, the Probation Department is organized into divisions with a vertical line of authority.

V. **GENERAL POLICY:**
A. The Department is divided into working divisions each with a Chief Deputy Probation Officer who oversees the operation of their assigned division.
   1. Adult Division
   2. Juvenile Services Division
   3. Support and Adult Services Division
   4. Juvenile Custody Division
B. The Chief Deputy Probation Officer reports to the Assistant Chief Probation Officer
C. The Assistant Chief Probation Officer and the Business Manager report directly to the Chief Probation Officer.

D. Chain of Command.
   1. The Chief Probation Officer is responsible for enforcing the chain of command.
   2. In the absence of the Chief, his/her duties shall be designated to the Assistant Chief Probation Officer
   3. Each Division shall have one or more subordinates (Supervising Deputy Probation Officer, Administrative Services Officer, or Accountant) designated to act in the absence of the Chief Deputy Probation Officer.

E. The Chief Probation Officer shall hold authority to manage and direct all phases of the operation of the Probation Department.

F. In keeping with the chain of command, all matters related to unit and/or Division activities or responsibilities shall first be fully reviewed by the immediate Supervisor of the line staff prior to requesting decisions at the next level of the chain of command.

G. Nothing in this policy shall be construed to prohibit work related discussions between staff of different rank.

VI. **EXCLUSIVITY:**
This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose is to establish a policy for management of Automation Services and acquisition and proper use of hardware and software equipment in the Probation Department.

III. **APPLICABILITY:**

This policy applies to all Probation staff that use hardware/software and handheld equipment.

IV. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing and can be reviewed as needed.

V. **SPECIFIC POLICY:**

A. **COUNTY INFORMATION TECHNOLOGY (IT) SECURITY POLICIES**

The Countywide Information Security Program (ISP) applies to all County Departments. Probation employees must read and sign the Acceptable Use Policy once a year; also Probation employees must read all other County Security Policies available through the County Intranet site: http://myslo.intra/ITD/IT_Governance/Security/infosecuritypolicies.htm

B. **AUTOMATION SERVICE REQUEST**

Probation employees are to email PR_DAS@co.slo.ca.us when requesting the following services:

- Hardware/Software purchases, installations, upgrades
- Software problem solving for the systems listed on Appendix A-1
• Password set-up and reset of the systems stated on Appendix A-1
• Database development and maintenance
• Files and Folders security changes
• Internet and Intranet web site content addition, maintenance and deletion
• For Word Template creation, modification and deletions (see Appendix A-2)

**Emergency Requests:**
**Emergency:** is defined as not being able to use your computer and as a result hinders the ability to perform your job duties. The DAS will be notified by the employee in person or by phone of the emergency. The DAS will work to correct the problem as quickly as possible.

**C. AUTOMATION SERVICE CALL RESPONSE TIME**
The response time could be up to 5 days from the date of request unless the service request is classified as an emergency.

**D. MOVEMENT OF COMPUTER EQUIPMENT**
When an employee changes positions within the agency, they shall notify the DAS at least 7 days in advance via email to PR_DAS@co.slo.ca.us with exception due to an emergency. The employee shall take his/her computer, local printer and local scanner with the new position unless this workstation is shared by more than one user.

**E. INSTALLATION OF NEW SOFTWARE**
Due to the security threat to computers and the possible adverse effects to the Probation Department and the County at large, the downloading and installation of software outside of the standard applications used by the Probation Department are not permitted without prior authorization from the DAS via CAWR e-form or email to PR_DAS@co.slo.ca.us or telephoning 781-1066.

**F. CHANGING SOFTWARE SETTINGS**
Probation employees are not allowed to change default software settings without prior written authorization of the DAS via CAWR request e-form or email to PR_DAS@co.slo.ca.us.

**G. NOTIFICATION TO EMPLOYEES OF AUTOMATION SERVICES COMPLETED**
The DAS will notify the employee of services completed, via email or written notice, if the employee is not available at his/her desk.

**H. RE-SCHEDULING OF AUTOMATION SERVICES**
It is the responsibility of the employee to reschedule service of their computer equipment if for any reason they do not have the time to allow the DAS to service it.

**I. SAVE ALL PROBATION DATA FILES ON THE NETWORK**
All data files are to be saved on a network drive for easy backup restore. No files should be saved on the computer local drive C: unless network access is unavailable.
The files saved on the local drive C: temporarily have to be moved to the network drive when the network is available.

J. **NEW EMPLOYEE COMPUTER TRAINING**
The employee supervisor is responsible for contacting the DAS via CAWR e-form, to schedule basic computer training for a new employee. The basic training program may include the following subjects:
- How to access email through the browser
- Overview of server file structure
- System security

K. **NEW IT PROJECTS & SOFTWARE DEVELOPMENT INCLUDING DATABASES**
If a Probation employee needs a new system/software development and the employee’s Manager has approved such need, the employee must e-mail their request to the DAS via CAWR e-form or email to PR_DAS@co.slo.ca.us. The DAS will analyze the system requirements and see if the information requested can be obtained from one of our current Probation systems.

If not, then the DAS will create the new system/software or will request the assistance of ITD to work on this new project. The DAS shall be involved in every project regarding IT to be able to provide service and maintenance when required.

L. **PERSONAL COMPUTER EQUIPMENT & ACCESSORIES**
Probation employees are not authorized to connect their personal laptops, desktops, smartphones or printers to the County network without prior written authorization from the Chief Probation Officer.

M. **PROCUREMENT AND PURCHASE OF COMPUTER EQUIPMENT AND PERIPHERALS**
1. Computer equipment procurement and purchase is the responsibility of the Probation DAS. Probation employees need to coordinate their new computer equipment and peripheral requests through the DAS.

N. **MOVEMENT OF COMPUTER EQUIPMENT**
1. When there is a need to move multiple pieces of computer equipment in one day, except due to emergencies, it will be necessary for the users to label their computer equipment (monitor, CPU, keyboard, mouse) with their name for easier and faster movement and reconnection.
2. The users are allowed to move their own equipment if necessary but must notify the DAS via CAWR e-form or email to PR_DAS@co.slo.ca.us so the DAS can keep track of the Inventory.
O. INSTALLATION OF UNAUTHORIZED SOFTWARE

If the DAS notices unauthorized software installed on a computer when responding for a service call, during PC maintenance or based on the IT Inventory software scanned data, the following steps will be taken:

1. Print screen of non-County software files
2. Notify the employee’s Chief Deputy Probation Officer or designee
3. Delete software

P. MS WORD TEMPLATES

Contact PR_DAS@co.slo.ca.us for Word Template creation, modification or deletion that are not in Monitor.net

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**
This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**
The purpose of this policy is to limit and identify the people who handle administrative financial transactions.

III. **APPLICABILITY:**
This applies to administrative financial transactions.

IV. **BACKGROUND:**
Financial transactions are conducted through the Auditor-Controller. There is need to assure that such matters are handled properly and by those with proper authorization. The Auditor-Controller maintains a record of Department staff authorized to conduct various kinds of administrative financial transactions.

V. **GENERAL POLICY:**

A. **Purchase Requisitions and Purchase Claims**
   1. Persons authorized to sign purchase requisitions include the following:
      a. Chief Probation Officer
      b. Assistant Chief Probation Officer
      c. Chief Deputy Probation Officers
      d. Department Administrator
      e. Administrative Services Officer
2. In addition, the Chief, Assistant Chief the Department Administrator (or designee) or a Chief Deputy Probation Officer must initial all requisitions until rescinded in writing by the Chief Probation Officer.

B. Authorization to pick up Warrants, Travel Advances/Reimbursements, Claims, Payroll, etc.

1. Persons authorized to pick up the payroll, vendor warrants, warrants made out to any employee, travel advances, or travel reimbursements include the following:
   
   a. Chief Probation Officer
   b. Assistant Chief Probation Officer
   c. Chief Deputy Probation Officers
   d. Supervising Administrative Clerk II
   e. Department Administrator
   f. Supervising Administrative Clerk I
   g. Administrative Services Officer
   h. Finance Senior Account Clerk

2. Persons authorized to draw warrants for extraordinary circumstances where a County credit card or normal purchasing procedure can not be utilized are limited to:
   
   a. Chief Probation Officer
   b. Assistant Chief Probation Officer
   c. Chief Deputy Probation Officers

C. Miscellaneous

1. Persons authorized to sign requests for issuance of County Master Cards are limited to:
   
   a. Chief Probation Officer
   b. Assistant Chief Probation Officer
   c. Chief Deputy Probation Officers
   d. Department Administrator

2. Persons authorized to sign travel reimbursement claims, journal entries and maintenance work orders include:
   
   a. Chief Probation Officer
   b. Assistant Chief Probation Officer
c. Chief Deputy Probation Officers  
d. Department Administrator  
e. Administrative Services Officer

3. Persons authorized to sign Budget Adjustment documents are limited to:
   a. Chief Probation Officer  
   b. Assistant Chief Probation Officer  
   c. Chief Deputy Probation Officers

D. **D. Auditor’s Authorization Signature Form:**

The Auditor’s Authorized Signature form listing the people who are authorized to sign on behalf of the Department for financial transactions will be maintained by the Supervising Administrative Clerk II who reports directly to the Chief Probation Officer. The completed form shall be approved and signed by the Chief Probation Officer. Once approved the original form will be sent to the Auditor’s Office with copies distributed to each division and the Fiscal Unit.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superceded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. AUTHORITY
This policy is issued under authority granted to the Chief Probation Officer.

II. PURPOSE
The Probation Department maintains referral lists of private treatment providers who desire to work with probationers who are in need of therapeutic services. The placement of the treatment provider’s name on a referral list maintained by the Department, requires due diligence in confirming that the treatment provider is appropriately licensed and in good standing within their professional community.

III. APPLICABILITY
This policy applies to the Chief Deputy and/or his/her designee who is responsible for the evaluation and qualification verification of potential treatment providers wishing to enter into a contractual relationship, and/or be placed on a departmentally authorized referral list.

IV. BACKGROUND
When a member of the Department enters into a contractual relationship with a treatment provider, or simply adds a treatment provider’s name to a referral list, the Department has made a de facto endorsement of the provider, and the implied message is that the provider is qualified and suitable to provide their respective service. This policy provides direction for the vetting of providers who are interested in providing therapeutic services to individuals under the jurisdiction of the Probation Department.

V. GENERAL POLICY
While the Probation Department does not endorse or recommend specific treatment providers, we are responsible for maintaining a referral list of competent and licensed treatment providers, which will be maintained and reviewed annually by the Chief Probation Officer’s designee. In addition, this process shall also be utilized prior to finalizing fiduciary contracts with treatment providers.
The Probation Department shall verify that the treatment provider is adequately licensed and in good standing prior to contracting for their services or placing them on a referral list. This verification shall include:

a) A check with the appropriate State licensing authority to confirm that the individual's license is active and current.

b) A check with the appropriate State licensing authority to determine the existence and nature of any complaints, ethical violations, investigations, etc.

c) At least two letters of reference, both from non-familial parties who can speak specifically to the treatment provider's professional qualifications, efficacy as a practitioner, and their reputation as a professional of high ethical standards;

d) Confirmation of appropriate insurance.

e) The check-list, letters of reference, and insurance and license confirmation shall be retained by the executive assistant to the Chief Probation Officer.

VI. EXCLUSIVITY

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
SECTION III
EMERGENCY PROCEDURES
I. **AUTHORITY:**
This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**
The purpose of this policy is to establish guidelines to recognize, and a procedure to respond to an emergency situation that may arise in the Probation Department's Casa Loma facility.

III. **APPLICABILITY:**
This policy procedure applies to all Probation staff.

IV. **BACKGROUND:**
On occasion, individuals seeking information from the front desk or collections windows staff become agitated to the extent of posing a potential safety risk for those around them. In addition, officers may at times make arrests in and around the front entrance area.

Further, the need may arise to quickly evacuate the building during times of natural events (fire, earthquake, flooding), as well as a non-natural event (bomb threat, armed intruder, etc). Thus, this policy is provided to effectively and safely respond to emergency situations in and around the Casa Loma building that may arise at any time with little or no notice.

V. **GENERAL POLICY:**
A. The safety of all Probation staff is the priority of this Department. If any non-sworn staff is presented with a situation where he/she believes his/her personal safety is at risk, it is the Department's expectation that they remove themselves immediately from the situation to a safe place and not return until instructed to do so by the Incident Commander.
B. Any sworn staff placed in a situation where he/she believes his/her personal safety is at risk may take appropriate action based upon his/her level of training, experience, ability, and applicable policies.

C. Should an emergency situation arise within the building, non-sworn staff will respond using the procedures outlined in this policy.

D. The Probation Department recognizes two levels of emergencies and two levels of evacuation.

1. Level I Emergency

   A Level I Emergency is defined as any subject or subjects presenting an immediate threat of injury or death to someone in the building. This includes persons making verbal threats who are observed or believed to be carrying a weapon, or behaving in such a manner to lead to the reasonable belief that the subject is a threat to themselves or others.

   a. Level I Emergency Response for Front Desk Area

      i. Front desk or collections window staff shall request assistance by activating the emergency buttons adjacent to each respective work station.

      ii. A pre-recorded message will be broadcast over the loudspeakers, directing sworn officers to respond to the front desk area, and non-sworn personnel to remain at or return to their workstations.

      iii. Sworn officers will proceed to the front area and stage by the equipment room door.

      iv. Non-sworn personnel will remain at their workstations, or return to their workstations. Non-sworn front desk personnel will leave the area immediately.

      v. In the event there is no sworn supervisory or management present, the most senior/experienced Deputy Probation Officer shall assume the role of Incident Commander.

      vi. The Incident Commander will assess the situation based upon the information available to him/her at that time, and formulate an appropriate response, including the need to contact "911," to obtain special equipment necessary (i.e. AED) any officer safety issues present, or the number of officers required to safely resolve the situation.

      vii. Once the scene of the incident is clear, the Incident Commander shall announce to the staff via the public address system that the building is safe for normal operations.
2. Level II Emergency

A Level II Emergency is defined as anything less than a Level I Emergency, which could include an agitated client in the lobby, or any situation where staff feel uncomfortable with a client or believe the situation might escalate.

a. Level II Emergency Response for the Front Desk Area

i. The Front Desk staff member shall notify the Officer of the Day or a Supervisor and ask them to respond.

ii. The Officer of the Day or a Supervisor will assess the situation, call for assistance if needed, and take appropriate action.

iii. The Officer of the Day will advise staff when it is safe to return to normal operations

E. Advisement of Potentially Dangerous Persons

In the event that management personnel believe that a reasonable possibility exists that a person(s) may attempt to enter the building for the purpose of harming Probation staff and/or visitors, staff shall be notified by:

1. Posting a hard copy notice describing the nature of the threat, a photograph (if available) and the physical description of the person(s).

2. Sending an email message to all Probation staff advising them of the nature of the threat, a photograph (if available) and a physical description of the person(s).

F. Evacuation

1. The decision to evacuate the building may be made by: emergency services personnel; the Chief Probation Officer, Assistant Chief Probation Officer; a representative of the County Administrative Office; or by the senior Chief Deputy Probation Officer or Supervisor present in a Probation Department facility during the time of the emergency.

2. Unless the level of evacuation is made at the direction of those parties noted in Section F.1., the highest-ranking officer present shall assume the role of Incident Commander and be responsible for announcing either a Level I or a Level II evacuation.

3. An evacuation may be ordered for, but not limited to the following: fire, flood, earthquake, suspected or confirmed presence of an explosive device; chemical exposure. The Probation Department recognizes two levels of evacuations as follows.
Level I Evacuation

a. Level I evacuation shall be called when the possibility of death or serious bodily injury is imminent, and the only safe way to mitigate this response is for all individuals to immediately exit the building. In a Level I Evacuation, the following will apply:

i. The Incident Commander or his/her designee announces a Level I evacuation over the building public address system.

ii. All personnel and visitors will immediately exit the building and proceed to the evacuation staging area (the Bishop Street parking lot adjacent to the San Luis Obispo County Behavioral Health Campus).

iii. Upon arrival at the staging area, the most senior staff member present shall commence taking a count of all staff present.

iv. In the absence of emergency services personnel, the Incident Commander and/or his/her designee shall make a room to room search of the building to ensure that all staff and visitors have safely exited.

v. Upon confirming that all staff and visitors have exited the facility, the Incident Commander shall proceed to the parking area adjacent to the staging area.

vi. All staff shall remain at the staging area until given direction by the emergency services personnel, or until the area becomes too unsafe to remain.

Level II Evacuation

a. A Level II Evacuation shall be called when there is a presumed or actual threat to the safety of the staff, but time and circumstances allow for a more orderly evacuation than those in a Level I evacuation. In a Level II evacuation, the following will apply:

b. The Incident Commander or his/her designee will announce over the public address system that the building is being evacuated. Staff and visitors shall be directed to shut down their computers, secure safety equipment, cash and records of importance, and quickly exit the building.

c. All personnel and visitors will immediately exit the building and proceed to the evacuation staging area (the Bishop Street parking lot adjacent to the San Luis Obispo County Behavioral Health Campus).

d. Time and circumstances permitting, the Incident Commander will be directed staff to move County vehicles to a safe location at his/her discretion.
e. A staff member will be designated to maintain a roster of Probation Department personnel once they have arrived at the staging area.

f. Once the building is vacated, the Incident Commander will conduct a building to building search to ensure that all personnel and visitors have exited (including the collections module and classroom).

g. The building will then be secured, and the Incident Commander shall remain on site until Probation Department personnel are allowed to return, unless directed to leave the area by emergency services personnel, or until the area becomes too dangerous to safely remain.

h. The Chief Probation Officer shall assign a Chief Deputy Probation Officer the task of conducting quarterly Level I and II evacuation drills, as well as ensuring that an Emergency Document Kit ("crash box") including pertinent emergency documents is maintained and up to date.

G. High Risk Arrests

1. In the event an officer believes that the arrest of a potentially violent and/or resistive subject in a Probation Department facility is imminent, he/she shall:

   a. Notify a Supervisor or the Officer of the Day;

   b. Develop a plan by which the arrest may be made safely and with the least amount of risk to staff and visitors;

   c. Determine the need for the assistance of the police;

   d. Ensure that sufficient sworn staff are present to safely execute the arrest;

   e. Determine the safest location to affect the arrest;

   f. If necessary; advise non-involved staff to remain in their offices and/or cordon off the area of the building where the arrest is to be made.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**
This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**
The purpose of this policy is to establish guidelines to recognize, and a procedure to respond to any emergency situation that may arise at the Probation Department’s Juvenile Services Center.

III. **APPLICABILITY:**
This policy procedure applies to all Probation staff.

IV. **BACKGROUND:**
On occasion, individuals seeking information from the front desk staff become agitated to the extent of posing a potential safety risk for those around them. In addition, officers may at times make arrests in and around the Juvenile Services Center.

Further, the need may arise to quickly evacuate the building during times of natural events (fire, earthquake, flooding), as well as a non-natural event (bomb threat, armed intruder, etc). This policy is provided to effectively and safely respond to emergency situations in and around Juvenile Services Center, which may arise at any time, with little or no notice.

V. **GENERAL POLICY:**
A. The safety of all Probation staff is the priority of the Department. If any non-sworn staff is presented with a situation where he/she believes his/her personal safety is at risk, it is the Department’s expectation that they remove themselves immediately from the situation to a safe place and not return until instructed to do so by the Incident Commander.

B. Any sworn staff placed in a situation where he/she believes his/her personal safety is at risk may take appropriate action based upon his/her level of training, experience, ability, and applicable policies.
C. Should an emergency situation arise at the front desk areas, non-sworn staff will respond using the procedures outlined in this policy.

D. Probation recognizes two levels of emergencies, and two levels of evacuation.

1. Level I Emergency
   
   a. A Level I Emergency is defined as any subject or subjects presenting an immediate threat of injury or death to someone in the building. This includes persons making verbal threats observed or believed to be carrying a weapon or behaving in such a manner to lead to the reasonable belief that the subject is a threat to themselves or others.

2. Level I Emergency Response for Front Desk Area
   
   a. Front desk staff shall request assistance by announcing “Code 3 at the front desk”.

   b. Sworn staff will respond and stage in the employee break room.

   c. Non-sworn personnel will remain at their workstations or return to their workstations. Non-sworn front desk personnel will proceed to the employee break room and inform sworn staff what the emergency is.

   d. If no manager or supervisor is present, the most senior/experienced Deputy Probation Officer shall assume the role of Incident Commander.

   e. The Incident Commander shall assess the situation on the information available to him/her at that time and formulate an appropriate response, including the need to summon a supervisor/manager, contact 911, secure special equipment necessary (i.e. AED, safety equipment, etc.) determine any officer safety issues present, or gather the number of officers required to safely resolve the situation.

   f. Once the emergency is clear, the incident commander will announce on the PA system that all is clear.

3. Level II Emergency

   a. Level II Emergency is defined as anything less than a Level I Emergency, which could include an agitated client in the lobby, or any situation that staff feel uncomfortable with or believe might escalate.

4. Level II Emergency Response for the Front Desk Area

   a. Front desk staff shall request assistance by summoning a sworn
staff member to the front desk.

b. The sworn staff shall assess the situation, call for assistance if needed, and take appropriate action.

E. Advisement of Potentially Dangerous Persons

If management personnel believe that a reasonable possibility exists that a person(s) may attempt to enter the building for the purpose of harming Probation staff and/or visitors, staff shall be notified by the following:

1. Posting a hard copy notice describing the nature of the threat, a photograph (if available) and the physical description of the person(s).

2. Sending an email message to all Probation staff advising them of the nature of the threat, a photograph (if available) and a physical description of the person(s).

F. Evacuation

1. The decision to evacuate the building may be made by emergency services personnel, the Chief Probation Officer and/or his/her designee, a representative of the County Administrative Office, or by the senior manager or supervisor present in a Probation Department facility during the time of the emergency.

2. Unless the level of evacuation is made at the direction of those parties noted in Section F. (1.), the most senior sworn staff member present shall assume the role of Incident Commander and be responsible for announcing either a Level I or a Level II evacuation.

3. An evacuation may be ordered for, but not limited to the following: fire, flood, earthquake, suspected or confirmed presence of an explosive device; chemical exposure. The Probation Department recognizes two levels of evacuations as follows:

4. Level I Evacuation

a. Level I evacuation shall be called when the possibility of death or serious bodily injury is imminent, and the safest way to mitigate this risk is for all inhabitants to immediately exit the building. In a Level I Evacuation, the following will apply:

b. The Incident Commander or his/her designee will announce a Level I evacuation over the building public address system and notify the Juvenile Hall Control Desk.
c. All personnel and visitors will immediately exit the building and proceed to
the evacuation assembly area (the Juvenile Services Center parking lot is
primary assembly area and the Honor Farm parking lot is secondary in the
event the primary area is unsafe).

d. Upon arrival at the assembly area, the most senior staff member present shall
commence taking a count of all staff present.

e. In the absence of emergency services personnel, the Incident Commander
and/or his/her designee shall make a room to room search of the building to
ensure that all staff and visitors have safely exited.

f. Upon confirming that all staff and visitors have exited the facility, the Incident
Commander shall meet with the commander of the emergency services
personnel.

g. All staff shall remain at the assembly area until directed to return by the
Incident Commander.

5. Level II Evacuation

a. Level II Evacuation shall be called when there is a presumed or actual threat
to the safety of the staff, but time and circumstances allow for a more orderly
evacuation than those in a Level I evacuation. In a Level II evacuation, the
following will apply:

b. The Incident Commander or his/her designee will announce over the public
address system that the building is being evacuated and notify the Juvenile
Hall Control Desk. Staff and visitors shall be directed to shut down their
computers, secure safety equipment, cash and records of importance, and
quickly exit the building to the primary assembly area (Juvenile Services
Center parking lot).

c. Time and circumstances permitting, the Incident Commander will direct staff
to move County vehicles to a safe location at his/her discretion.

d. A staff member will be designated to maintain a roster of
Probation personnel once they have arrived at the assembly area.

e. Once the building is evacuated, the Incident Commander and/or his/her
designee shall make a room to room search of the building to ensure that all
staff and visitors have safely exited.

f. The building will then be secured, and the Incident Commander shall remain
on site until Probation personnel are allowed to return, unless directed to
leave the area by emergency services personnel, or until the area becomes too dangerous to safely remain.

G. High Risk Arrests

1. In the event an officer believes that the arrest of a high-risk subject in a Probation Department facility is imminent, he/she shall:

   a. notify a Supervisor or the Chief Deputy; and

   b. develop a plan by which the arrest may be made safely and with the least amount of risk to staff and visitors; and

   c. determine the need for the assistance of the police; and

   d. ensure that sufficient sworn staff are present to safely execute the arrest; and

   e. determine the safest location to effect the arrest; and

   f. if necessary, advise non-involved staff to remain in their offices; and/or cordon off the area of the building where the arrest is to be made.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
SECTION IV
EQUIPMENT AND PROPERTY
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy is to establish a system to ensure accountability for the use of San Luis Obispo County owned cell phones.

III. **APPLICABILITY:**

This policy applies to all Probation Department employees and volunteers.

IV. **BACKGROUND:**

This policy is in accordance with the San Luis Obispo County Policy on Cellular Telephones. Nothing in the policy shall conflict or supersede the San Luis Obispo County Policy on Cellular Telephones.

V. **GENERAL POLICY:**

A. Use of Mobile Communication Device While Driving

1. The use of mobile communication devices while driving can adversely affect safety, cause unnecessary distractions, and present a negative image to the public.

2. Sworn staff operating marked and/or caged Probation vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the device.
3. Except in an emergency, employees who are operating non-caged vehicles shall not use mobile communication devices while driving unless the device is specifically designed and configured to allow hands-free use (Vehicle Code Section 23123). Hands-free should be restricted to business-related calls or calls of an urgent nature.

B. A procedure for cellular phone oversight, usage logs and stipends is to be maintained and reviewed yearly.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**
This policy is issued under authority granted to the Chief Probation Officer under the California Penal Code.

II. **PURPOSE:**
The purpose of this policy is to provide a procedure to ensure full accountability for the issuance, retention and reporting of all assigned county-owned property which may be lost, misplaced, stolen or need to be replaced.

III. **APPLICABILITY:**
This policy applies to any Probation staff and others who are issued County / Probation Department owned property.

IV. **EXCLUSIVITY:**
This policy will remain in effect until superseded or suspended in writing and can be reviewed as needed.

V. **GENERAL POLICY:**
In order for designated probation staff to conduct their responsibilities, special county-owned equipment such as keys, identification cards, badges, safety equipment, radios and miscellaneous other items are issued and entrusted to designated employees. Probation staff will retain all issued equipment and be responsible for having knowledge of all policies and procedures involving the use and care of any county owned equipment.

A. Probation staff will check out or be issued county-owned equipment such as keys, identification cards, badges, safety equipment, radios, and laptops.

1. All badges will be issued by the Office of the Chief Probation Officer.

2. Department identification cards will be issued by one of the Department Personnel Technicians or the Professional Standards Unit SDPO.
3. The Probation Department automation unit will issue computers and computer equipment.
4. The Senior Range Master or designee will issue Department firearms and tasers. Firearms or tasers are to be returned to a Department Range Master or a Chief Deputy Probation Officer as directed.
5. The Department Training Coordinator and Professional Standards Unit SDPO are designated as the Safety Equipment Officers and will issue and track all safety equipment.
6. Following the issuance of Department owned safety equipment; it is the responsibility of the officer to maintain control and care of all issued equipment while in their possession.
7. It is the responsibility of the officer to adhere to scheduled maintenance requirements of all issued safety equipment and promptly notice the Department of any equipment damaged, deficient or in need of repair/service as it is discovered.
8. Requests for safety equipment shall be made through the officer’s assigned supervisor.
9. A Department “Safety Equipment Request Form” shall be completed by the requesting staff and submitted to his/her immediate supervisor for approval. Any request for special equipment or equipment previously not issued shall require the approval and signature of the officer’s Chief Deputy Probation Officer. Upon approval, the form shall be sent to the Safety Equipment Officer for processing.
10. The Safety Equipment Officers shall identify current reserves or produce a requisition for purchase of the approved safety equipment. Upon receipt, all newly purchased safety equipment shall be delivered directly to the Safety Equipment Officers for safekeeping and issuance.
11. The Safety Equipment Officers shall be the keeper of all surplus Department owned safety equipment once presented with an approved safety equipment request form by a requesting officer, one of the Safety Equipment Officers shall issue all approved safety equipment from current reserves.
12. Upon issuing Department owned safety equipment, the Safety Equipment Officers shall enter the property onto the officer’s individual “Department Issued Safety Equipment Tracking Form.” Every officer that is issued Department owned safety equipment shall have an associated tracking form. All forms are to be securely maintained by the Safety Equipment Officers during the officer’s employment with the Department.
13. All safety equipment returns shall be received by one of the Safety Equipment Officers and be documented on the officer’s “Department Issued Safety Equipment Tracking Form.” Following an officer’s separation from employment with the
Department, the officer shall turn in all Department issued safety equipment to one of the Safety Equipment Officers. After all equipment is accounted for, the separated officer's "Department Issued Safety Equipment Tracking Form/s." shall be added to and maintained in the officer's administrative file.

B. Probation staff that lose county owned and issued equipment must do the following:

1. Immediately notify their supervisor of the loss. If their supervisor is not available, they are to use the chain of command.
2. If the officer believes the equipment was stolen, contact the law enforcement agency of jurisdiction and initiate a police report.
3. The Chief Probation Officer will be notified via the chain of command of a lost/stolen firearm.
4. Send an email with the specific circumstances of the loss and a complete description of equipment to his/her supervisor, Chief Deputy Probation Officer and the Department Safety Equipment Officers. The email is to be sent by the end of the working day if the loss occurred during business hours or by the end of the next working day if the loss occurred outside of business hours. A copy of this email will be retained by the officer's supervisor.

C. The assigned supervisor and/or Chief Deputy Probation Officer will ensure any lost firearm or badge is entered into the CLETS system by the end of the next business day.

D. County-owned and issued equipment, i.e. badge, safety equipment, laptop computer shall be returned to the Probation Department in the event an employee is out on leave for ninety (90) days or more.

E. A probation employee placed on administrative leave shall have their department issued badge and/or identification card, keys and safety equipment collected at the time of notification of leave status.

F. During the first week of every December, the Department Safety Equipment Officers will start conducting an inventory of each officer to ensure that the equipment assigned to each person is correct and in good working condition.

VI. EXCLUSIVITY:
This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
# Safety Equipment Request Form

<table>
<thead>
<tr>
<th>Name:</th>
<th>Requesting Officer Signature:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Requested:</td>
<td></td>
</tr>
<tr>
<td>Wk Phone:</td>
<td>Senior Range Master Approval: Firearms and holsters</td>
</tr>
<tr>
<td>Email:</td>
<td>[ ] YES [ ] NO [ ] NOT APPLICABLE Signature:</td>
</tr>
</tbody>
</table>

## Requested Equipment Description
(Include size, color, hand, etc. when appropriate)

1. 

2. 

3. 

4. 

5. 

6. 

7. 

8. 

| Possible Sources | Cost (If Requesting New) |

## Approving Supervisor’s Signature: ____________________________ Date: ________ Approved: ________ Denied: ________

## Approving Chief Deputy’s Signature: ____________________________ Date: ________ Approved: ________ Denied: ________
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy is to clearly establish guidelines for the use of Mobile Digital Computers (MDC) in Probation Department vehicles.

III. **APPLICABILITY:**

This policy applies to all employees of the San Luis Obispo County Probation Department who use MDCs.

IV. **GENERAL POLICY:**

A. The MDC accesses confidential records from the State of California, Department of Justice, Department of Motor Vehicles and Probation Department case management systems. Employees shall comply with all appropriate federal, state, County of San Luis Obispo and Probation Department policies, procedures, rules and regulations.

B. The MDC shall be used for official Probation Department communications only.

1. Messages that are of a sexual, racist, offensive, or harassing nature are strictly prohibited.

2. Use of the MDC may be reviewed by Probation Department supervisors and management at any time.

3. All MDC messages are subject to discovery in court proceedings.

C. Use of the MDC by the vehicle driver should be limited to times when the vehicle is stopped.
3. Checking the status of subjects, vehicles or property should be made on the MDC.
4. Changes in Deputy Probation Officer status shall be verbally made over the radio to assist other officers, who may be responding to assist.

E. Deputy Probation Officers responding to assist another agency shall advise verbally over the radio.

F. Whenever possible, Deputy Probation Officers will not use vehicles without functioning MDCs during probation field activities. If Deputy Probation Officers must use a vehicle without an MDC, Sheriff’s Dispatch shall be notified.

G. Deputy Probation Officers shall not install or use any computer programs, software, hardware or other electronic devices with the MDC.

H. Deputy Probation Officers shall not access the Internet on MDCs unless it is related to Probation Department business.

I. Except for normal adjustments of mounting equipment, Deputy Probation Officers shall not modify or tamper with the MDC, its software, hardware, antennas, peripheral devices or other equipment. The MDC monitor should be adjusted so that it does not impair or block the vision of the driver.

V. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and will be reviewed as needed.
SECTION V
FACILITY AND BUILDING
I. **AUTHORITY:**
This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**
The purpose of this policy is to establish standards for what items and materials employees of the Probation Department may display in their offices.

III. **APPLICABILITY:**
This policy applies to all employees of the Probation Department.

IV. **BACKGROUND:**
The Probation Department and the County have an obligation to employees and members of the public who may visit a Department facility, to maintain a professional working and safe environment in the facility. The décor must be free of sexual, violent, political, offensive, and discriminatory material. It is expected that Department employees maintain a workplace that supports productivity and is non-disruptive to the completion of County business.

V. **GENERAL POLICY:**

A. Prohibited material/items.
The following material/items are prohibited from workspaces within any facility under the jurisdiction of the Probation Department:

1. Signs or stickers promoting a political party, political action committee, pending legislation or organization whose primary goal is to enact legislation and elect candidates.
2. Material/items which relate to or represent criminal organizations including street gangs, outlaw motorcycle gangs, and/or other organizations involved in criminal activities.
3. Material/items, including photographs, which are sexual in nature.
4. Material/items which include any form of profanity.
5. Photographs of individuals engaging in illegal activity, promoting illegal activity.
6. Material/items which promote the consumption of alcohol or use of illegal drugs.
7. Any item or material which contains or depicts graphic violence and would offend a person of reasonable and ordinary sensibility.
8. Burning candles.

B. Office door windows shall remain uncovered at all times unless for temporary reasons such as changing clothes, lactation needs, supervisors meeting with staff regarding job performance issues.

C. Plants
   1. Plants are allowable as long as they are maintained regularly, are of reasonable size, and do not agitate the allergies of other employees.

D. General Cleanliness
   1. Employees are responsible for the cleanliness of their respective workstations, either by requesting assistance from custodial staff or directly maintaining the cleanliness of their workspace themselves.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy is to govern the use of Department buildings.

III. **APPLICABILITY:**

This applies to all buildings assigned for use by the Department.

IV. **BACKGROUND:**

Facilities are provided for the operation of County Government. They are not provided for the personal monetary gain of employees or the general public.

V. **GENERAL POLICY:**

A. Conference rooms are available on a reservation basis only.

B. Employees acting as volunteers to non-County agencies, shall obtain approval from the Chief Probation Officer or designee for the use of Departmental facilities.

C. The Chief Probation Officer must approve the use of all Probation conference rooms by other County departments.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. AUTHORITY:

This policy is issued under authority granted to the Chief Probation Officer.

II. PURPOSE:

In order to maintain a safe working environment, no one is to be admitted into the secured areas at any Probation Department Facility without proper authorization.

III. APPLICABILITY:

This policy will apply to all Probation Department Facility Buildings and all Probation Department staff.

IV. BACKGROUND:

As public facilities, buildings under the jurisdiction of the Probation Department experience varying degrees of visitor activity and client access. There are times when individuals are arrested in and around one of the Department's facilities. Additionally, Department facilities are also used to store confidential documents, cash and safety equipment, including firearms. For these reasons, this policy is required in order to ensure a safe environment for staff, clients and visitors alike.

V. GENERAL POLICY:

A. No staff shall share the keypad combination with non-Probation Department Staff without prior authorization from the Chief Probation Officer or designee.

B. No staff shall give a Probation Department building key to non-Probation Department employees without written consent from the Chief Probation Officer or designee.

C. No security or exterior door shall be left open unless continually monitored by sworn staff member.
D. Probationers at Casa Loma shall be screened with the metal detector.

E. Visitor identification cards will be issued to all visitors by and returned to the staff assigned to the reception window.

F. Authorized Exceptions: All visitors may display their department/company issued identification or badge. This includes the following:
   1. Employees of other County Departments who are on official department business.
   2. Known outside Vendors or Service Personnel who regularly service equipment such as copiers, water, cola/snack machines or coffee.
   3. Staff members of collaborating agencies, with proper identification.
   4. Student Interns, Cal Works, College Work Study employees, and volunteers with proper ID.

G. Prohibited Admittance
   1. Probationers shall not be allowed access to non-public areas, staff offices or be escorted through the main staff/visitor secured entrance. Exceptions are as follows:
      - Probationers may have access to an interior drug testing bathroom, except for the Juvenile Services Center (JSC).
      - Probationers who due to documented medical reasons cannot be scanned with the metal detector
   2. Probationers must be escorted at all times and may not be left unattended.

VI. EXCLUSIVITY

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

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II. **PURPOSE:**

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C. No security or exterior door shall be left open unless continually monitored by sworn staff member.
D. Probationers at Casa Loma shall be screened with the metal detector.

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G. Prohibited Admittance

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   • Probationers may have access to an interior drug testing bathroom, except for the Juvenile Services Center (JSC).
   • Probationers who due to documented medical reasons cannot be scanned with the metal detector

2. Probationers must be escorted at all times and may not be left unattended.

VI. EXCLUSIVITY

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
SECTION VI

GENERAL OPERATIONS
I. **AUTHORITY:**
This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**
The purpose of this policy is to establish the position of Rangemaster/Armorer, Senior Rangemaster/Armorer and to delineate the duties of these positions, Rangemaster/Armorer(s) and Senior Rangemaster/Armorer.

III. **APPLICABILITY:**
This policy applies to the Rangemaster/Armorer(s), and the Senior Rangemaster/Armorer.

IV. **BACKGROUND:**
California law allows sworn officers of the Probation Department to carry firearms with the authorization of the Chief Probation Officer. Armed Officers of the Probation Department must be trained in the use of firearms, qualify on a regular basis and show proficiency with the firearm. The Rangemaster/Armormers of the Probation Department are responsible to provide ongoing training, conduct qualifications and evaluate the Armed Officers and are responsible for the maintenance and repairs of Department firearms.

V. **GENERAL POLICY:**
A. The Chief Probation Officer or his/her designee may appoint Rangemaster/Armormers and may limit the number of Rangemaster/Armormers. The Chief Probation Officer shall designate in writing one Rangemaster/Armorer as the Senior Rangemaster/Armorer.
B. The position of Rangemaster/Armorer, and Senior Rangemaster/Armorer is a voluntary assignment.
C. Each Rangemaster/Armorer is also assigned to a full-time position within the Department and as such, is expected to be able to effectively fulfill the requirements of both assignments within a standard 40-hour workweek.

D. Rangemaster/Armowers are expected to make a minimum of a five-year commitment to the assignment. While Range Master/Armowers are responsible for directing armed officers during training classes and qualifications, this is not a supervisory position.

E. The Senior Rangemaster/Armorer is a supervisory position.

F. Rangemaster/Armorer Minimum Qualifications

1. Has been authorized by the Chief Probation Officer and has carried a firearm for a minimum of two years as a peace officer in good standing.

2. The ability to understand and interpret the Use of Force and Arming Policies, as well as understand the Department's philosophy as it pertains to the role of an armed Probation Peace Officer's.

3. The ability to teach and coach in a patient and supportive style.

4. The ability and willingness to lift heavy objects (ammunition, target stands, etc.) weighing up to 50 pounds.

5. Must be willing to travel out-of-the-area for a Rangemaster/Armorer training courses and conferences.

6. Pass all range qualification courses administered as required.

G. Appointment of Rangemaster/Armowers

1. The Department Training Coordinator shall send an email to the armed Deputy Probation Officers announcing the recruitment of the position of Rangemaster/Armorer and soliciting a return email if interested. The recruitment email shall contain the minimum qualifications for Rangemaster/Armorer and a due date to submit an interest notice via email to the Training Coordinator.

2. The Training Coordinator shall verify with the Department Personnel Technician that each interested candidate has met the minimum arming time.

3. The Training Coordinator will provide the names of the interested officers to the Senior Rangemaster/Armorer.

4. The Senior Rangemaster/Armorer will forward the names of the interested officers to the Assistant Chief Probation Officer with an evaluation of each candidate's qualifications.
5. The Training Coordinator will then schedule the Rangemaster/Armorer candidates for a POST/STC approved Rangemaster School. The Rangemaster/Armorer candidates will not act as a Rangemaster/Armorer until they have attended, passed and provided a completion certificate of a POST/STC approved Rangemaster School. The Rangemaster/Armorsers must attend the prescribed number of trainings required to maintain their Armorer certification(s).

H. Appointment of Senior Rangemaster

1. The Chief Probation Officer shall appoint a Senior Rangemaster/Armorer.

I. Duties of Rangemaster/Armorsers

1. Plan, schedule and conduct firearms training activities including qualifications and weapons maintenance. All qualifications shall be coordinated and approved through the Senior Rangemaster/Armorer.

2. Enforce firing range safety rules and regulations and maintain total control over range activities.

3. Demonstrate and instruct in the use of a variety of firearms including their operation, safety and tactics.

4. Develop lessons plans and training sessions for all phases of firearms training.

5. Implement new training techniques and conduct training courses for shooters to improve proficiency.

6. Plans, conducts and documents remedial training.

7. Maintain proficiency and qualification in Department firearms

8. Inspect Department Firearms to ensure that they are being properly maintained by the officer that the firearm is assigned to.

9. Inspect Department Firearms for defects or mechanical issues.

10. Advise the Senior Rangemaster on any requested modifications or alterations.

11. Make any approved modifications, alterations or repairs to the Department firearms. If unable to make the approved modifications, alterations or repairs make the determination to send the firearm back to the factory for the approved work.
12. Train armed officers on the proper maintenance of firearms.

13. Other related duties as assigned

J. Duties of Senior Rangemaster/Armorer

1. Plan, schedule and conduct firearms training activities including qualifications and weapons maintenance.

2. Enforce firing range safety rules and regulations and maintain total control over range activities.

3. Demonstrates and instructs in the use of a variety of firearms including their operation, safety and tactics.

4. Develop lessons plans and training sessions for all phases of firearms training.

5. Implement new training techniques and conduct training courses for shooters to improve proficiency.

6. Plans, conducts and documents remedial training.

7. Oversee the operations of the Probation Department range program and range personnel.

8. Custodian of the Department's firearm inventory and ammunition.

9. Maintain records of firearm inventory and firearm assignments.

10. Approve holsters for Department use.

11. Approve any modifications or alterations to Department firearms.

12. Maintain proficiency and qualification in Department firearms.

13. Inspect Department Firearms to ensure that they are being properly maintained by the officer that the firearm is assigned to.

14. Inspect Department Firearms for defects or mechanical issues.

15. Make any approved modifications, alterations or repairs to the Department firearms. If unable to make the approved modifications, alterations or repairs make the determination to send the firearm back to the factory for the approved work.

16. Train armed officers on the proper maintenance of firearms.
17. Propose and recommend changes in firearms equipment and training.

18. Other related duties as assigned.

19. The Senior Rangemaster may delegate any of these duties to a Rangemaster/Armorer.

K. A Rangemaster/Armorer may inspect any Department firearm at any time.

1. Officers shall relinquish his or her firearms to the Rangemaster/Armorer immediately in response to such a request.

2. If a Rangemaster/Armorer finds the firearm is not in proper working order, has been improperly modified, abused or is in any other way not in good and approved condition, the Rangemaster/Armorer shall take the firearm into his/her possession and notify the Senior Range Master.

3. The Senior Range Master will immediately notify the officer’s SDPO and Chief Deputy.

4. The Chief Deputy shall notify the Assistant Chief Probation Officer.

5. The Chief Deputy shall determine and recommend, in consultation with the Senior Range Master, a course of action in response to an officer’s firearm removal to the Assistant Chief Probation Officer.

6. The Assistant Chief shall notify the Chief Probation Officer.

7. A certified Armorer will inspect all Department firearms for function and safety every two years.

8. Malfunctions or problems with a firearm shall be brought to the attention of a Rangemaster/Armorer before the firearm is used. In the event that a Rangemaster is not an Armorer for that particular firearm he/she shall notify the Senior Rangemaster/Armorer.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. AUTHORITY:

This policy is issued under authority granted to the Chief Probation Officer.

II. PURPOSE:

The purpose of this policy is to identify the role and responsibility of all sworn officers whose assistance is requested by another law enforcement agency or is self-initiated. Nothing in this policy requires an officer to respond to a request for assistance that requires a level of training, equipment and experience that the officer does not possess.

III. APPLICABILITY:

This policy applies to all sworn officers.

IV. BACKGROUND

In the course and scope of their duties, situations in the community arise which may require the assistance of sworn officers. This policy provides direction to officers whose assistance may be requested or is self-initiated.

V. GENERAL POLICY:

A. Emergency Response: Officers are authorized to respond to any request for assistance to eliminate or mitigate the imminent threat of death and/or bodily injury to a member of the public or a law enforcement officer. It is the officer’s responsibility to take action based upon the situation, and the officer’s level of training, skills and equipment.

B. Response to Request for Assistance: There may be times when a law enforcement or other public safety agency will request the assistance of a deputy probation officer. When this occurs, it is the responsibility of the officer to respond appropriately, based upon the officer’s level of training, skills, and available equipment.
C. **Self-Initiated Assistance:** When a deputy probation officer believes they can be of assistance to another law enforcement or public safety agency, they may offer assistance and, only if their offer is accepted, respond to provide support based upon the following:

1. the nature of the event;

2. the officer's level of training and experience, and the availability of necessary equipment.

**VI. EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

California law allows sworn officers of the Probation Department to carry firearms with the authorization of the Chief Probation Officer. The purpose of this policy is to clearly establish the procedure required for an officer to carry a firearm.

III. **APPLICABILITY:**

This policy applies to all deputy probation officers.

IV. **BACKGROUND:**

Section 830.5 of the California Penal Code allows probation officers to carry firearms while on duty if authorized by their employing agency. The Chief Probation Officer retains the sole authority to grant or deny requests to carry a firearm while on duty.

V. **GENERAL POLICY:**

A. The Chief Probation Officer has the sole discretion in authorizing an officer to carry a firearm while on duty.

B. The Chief Probation Officer may authorize an officer to carry a Department owned and issued firearm while that officer is off-duty.
C. Under ordinary circumstances, officers will be armed on a voluntary basis. The Chief Probation Officer may require arming as a condition of a specialized assignment.

D. All officers authorized to be armed will have completed the Departmental training requirements for firearms.

E. Psychological testing:
   1. All officers authorized to carry a firearm must first pass a psychological examination designed to evaluate the individual’s psychological suitability with regard to carrying a firearm.
   2. If an officer fails the psychological exam for arming, he or she shall have the right to a second opinion following the standard county appeal procedures, as set forth within the Civil Service Rules and Ordinances.

F. The authorization to carry a firearm may be revoked by the Chief Probation Officer at any time, with or without cause.

VI. TRAINING AND QUALIFICATION:

A. All training and other qualifications must be successfully completed to the satisfaction of the officer’s Chief Deputy Probation Officer prior to the approval by the Chief Probation Officer to carry a firearm.

B. Any officer authorized by the Department to carry a firearm must participate in all required training and must meet all requirements set forth in these policies or otherwise required by the Department.

C. It shall be the responsibility of the Training Coordinator to develop and ensure that a program of training, as approved by the training manager/administrator, is provided to officers authorized or applying for authorization to carry a firearm and to keep records.

   1. The Departmental Senior Range Master, in conjunction with the Training coordinator shall monitor legislative and policy changes relating to the use of firearms by peace officers and shall provide necessary updated training in a timely manner.

   2. The Training coordinator shall maintain records of qualifications, remedial training plans, and arming suspension notices of all Probation Officers authorized to carry firearms and shall notify the Chief Deputy Probation Officer in charge of training, and the Chief Probation Officer when any such officer is not in compliance with the Department's training requirements.
D. The Department training coordinator shall maintain a list of all officers currently qualified to carry a firearm.

1. Following the Chief Probation Officer's authorization for a particular officer to carry a firearm, the training officer must certify in writing that the Probation Officer has met and is current with all relevant training and qualification requirements for carrying a firearm.

2. The training coordinator shall maintain a list of all training course requirements and other qualifications necessary for an officer to carry a firearm. That list shall be available to any sworn member of the Department.

3. The training coordinator shall maintain an up-to-date record of the status of each officer with regard to every required training course or other qualification for carrying a firearm.

E. Range Qualification/Demonstration of Firearms Proficiency

1. The Rangemaster(s) with the approval of the Senior Rangemaster shall establish a firearms range qualification/demonstration of proficiency protocol and a minimum qualifying score. All qualifications shall be coordinated through the Senior Rangemaster and or designee.

2. Range qualification may only take place under the direction of a departmentally approved Rangemaster.

3. Each officer authorized to carry a firearm shall qualify and demonstrate proficiency in the safe and competent handling of their primary and secondary firearm on the range on a quarterly basis utilizing a holster approved by the Senior Rangemaster.

4. Officers are required to appear at the date and time of their scheduled qualification. Officers will be allowed two (2) attempts to achieve a qualifying score.

5. All requests for change in date and time of scheduled qualification must be approved in advance by the supervisor in order to notify the Department Training Coordinator.

6. Officers failing to appear for scheduled range qualification may have their arming privilege suspended.

7. Any officer who fails to meet a qualifying score at a scheduled quarterly qualification will be scheduled for a make-up session. Officers will be allowed two (2) attempts to achieve a qualifying score.
8. If the officer fails to pass, the make-up session the officer will be assigned a Rangemaster for remedial training.

9. Remedial plans will be approved by the by the Senior Rangemaster.

10. Any officer who fails to meet the qualifying score after completion of the remedial training plan will have his/her arming privilege suspended. Officers will be allowed two (2) attempts to achieve a qualifying score at the conclusion of their remedial training.

11. A Department Rangemaster is authorized to relieve any officer of a Department owned weapon when, the Rangemaster determines the officer's level of proficiency, safety or professionalism is below acceptable standards.

12. The Senior Rangemaster or in his/her absence, the Lead Rangemaster of the quarterly qualification shall notify the appropriate supervisor and Chief Deputy of any removal of an officer's firearm.

13. The Chief Deputy shall notify the Assistant Chief Probation Officer.

14. The Chief Deputy shall determine and recommend, in consultation with the Senior Range Master, a course of action in response to an officer's firearm removal to the Assistant Chief Probation Officer.

15. The Assistant Chief shall notify the Chief Probation Officer.

VI. EXCLUSIVITY

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy is to identify and establish the parameters when Deputy Probation Officers may write and submit crime reports for new criminal offenses discovered during the course of their authorized duties.

III. **APPLICABILITY:**

This policy applies to all Deputy Probation Officers.

IV. **BACKGROUND:**

California Penal Code Section 836 authorizes peace officers to make warrantless arrests under the following circumstances: the crime was committed in their presence; the person has committed a felony, although not in the officer’s presence; or the officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed.

V. **GENERAL POLICY:**

A. Deputy Probation Officers may arrest and submit crime reports on individuals for criminal offenses discovered during the course of their authorized duties for the following offenses:
   - Assault and/or battery on a peace officer
   - Resisting arrest
   - Providing false identification
   - Under the influence of a controlled substance
   - Possession of a controlled substance
   - Possession of prescription pills without a valid prescription
   - Possession of deadly weapons
- Possession of prohibited firearms
- Possession of firearms by prohibited person
- Violation of criminal protective orders
- Possession of drug paraphernalia
- Public Intoxication
- Vandalism
- Contributing to the delinquency of a minor
- Disturbance of the peace of school (Community School only)
- Bringing and/or possessing controlled substances or other contraband into a detention facility (Juvenile Hall only)
- Producing a false / tampered urine sample for chemical testing

Arrest and filing of crime reports that are not on this list require the authorization of a Chief Deputy.

B. Deputy Probation Officers are not authorized to arrest/submit crime reports on the following offenses:

1. Any criminal offense that requires forensic crime scene processing, forensic computer examination or forensic physical examination of a victim.
2. Any criminal offense that requires specialized investigation expertise, i.e. PC 186.22, narcotics sales/distribution, child/elder abuse, etc.
3. Any criminal offense determined to be beyond the training and expertise level of the officers.

These cases should be referred to the law enforcement agency of jurisdiction.

C. Towing of vehicles for evidentiary purposes shall require supervisor approval.

D. Officers assigned to the Narcotics and Gang Task Force positions or other assignments designated by the Chief Probation Officer are exempt from Section B of this policy.

E. Report Preparation: Officer's Responsibilities
   1. Officers are responsible for completing and submitting crime reports taken during their shift before going off-duty unless permission to hold the report has been approved by a supervisor.

F. Report Approval: Supervisor's Responsibilities
   1. Supervisors shall review crime reports to determine that specific facts have been articulated justifying the probable cause to arrest.

   2. If the supervisor determines probable cause does not exist and disapproves the crime report, the supervisors shall ensure the arrested person is released and notify the Chief Deputy regarding the details of the incident.

G. Training
1. Officers shall complete Department-approved crime report documentation training and have signed authorization of the Chief Deputy prior to completing and submitting crime reports.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

To provide guidance to probation officers who have knowledge that an individual(s) poses a potential threat to another individual(s), requiring the probation officer to notify the potential victim and the appropriate law enforcement agency.

III. **APPLICABILITY:**

This policy applies to all peace officers employed by the San Luis Obispo County Probation Department.

IV. **BACKGROUND:**

During the course of regular contacts, Probation Officers may become aware of the possibility that an individual may pose a serious threat to the health/safety of another. (See *Tarasoff v. the Regents of the University of California, 17 cal.3d*).

Whenever the Department has reliable information which reasonably indicates that an actual threat of harm exists, and the potential victim(s) can be identified; then the Department is obligated to take reasonable steps to issue a warning to the potential victim(s) and also advise the law enforcement agency having jurisdiction in the potential victim's community of residence.

V. **GENERAL POLICY**

A. The following factors shall be considered when determining that a duty to warn is appropriate.

1. A threat of harm exists to a specific individual(s), including former victims, and that individual is available to be contacted and notified.
2. The individual who made the threat has the ability to carry out the threat.

B. The duty to warn exists, regardless of whether the threat was heard directly by the Probation Officer or by a reliable third party who relays the information to the Probation Officer.

C. The initial notification to the potential victim(s) shall be done as soon as reasonably possible after the officer becomes aware of the potential threat, appropriate to the circumstances. Notification may be given personally, by telephone or in writing.

D. In all cases involving personal or telephonic notification, the warning shall be followed in writing. All written notification will be sent “Certified Mail-Return Receipt Requested” and the notification shall be clearly documented in the appropriate file.

E. If the potential victim is a minor, his/her parent(s) or legal guardian(s) shall also be notified.

F. If uncertain about the specificity of the threat, consult with the supervisor.

VI. EXCLUSIVITY

This policy is in effect as of the date of adoption and will remain in effect until revoked or superseded in writing. This policy supersedes all prior department polices covering the duty to warn. This policy will be reviewed as needed as determined by the Chief Probation Officer.
DUTY TO WARN
(In re: Tarasoff v. the Regents of the University of California)

[DATE]

[NAME/ADDRESS]

Date of threat: ________________________________________________

Name of perpetrator: ____________________________________________

Name of Victim: ________________________________________________

The above-named individual has made a threat to harm the above-named victim.

I believe the above-named individual has the ability to carry out this threat. This letter is to apprise you of this threat, so you may take appropriate safety precautions.

Signed: ________________________________

Deputy Probation Officer
I. **AUTHORITY:**
This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**
The purpose of this policy is to establish guidelines in the use of electronic monitoring devices.

III. **APPLICABILITY:**
This policy applies to all Probation Department Employees.

IV. **BACKGROUND:**
The Probation Department is authorized by section 1210.7 and 3454 of the California Penal Code to utilize electronic monitoring to electronically monitor the whereabouts of persons on probation, Post Release Community Supervision (PRCS) and mandatory supervision. This policy is required by section 1210.12 (b) of the California Penal Code.

V. **GENERAL POLICY:**
A. The use of electronic monitoring is authorized for the following:
   1. Offenders in violation that do not require secure detention.
   2. Enhanced supervision requiring 24-hour monitoring for public safety.
   3. Offenders court ordered to be subject to electronic monitoring.

B. Supervisor approval is required to maintain electronic monitoring beyond 30 days on an offender, unless there is a court order for the subject to be on longer.

C. Every person who has been assessed with the State Authorized Risk Assessment Tool for Sex Offenders (SARATSO) and has been determined to have a SARATSO risk level of high shall be continuously electronically monitored while on Probation. The court can determine that continuous electronic monitoring is unnecessary for a particular Probationer.
VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

Pursuant to state law a publicly owned vehicle operated by peace officers in the performance of their duties is defined as an authorized emergency vehicle (Vehicle Code Section 165). The purpose of this policy is to establish parameters for the safe operation of department emergency vehicles by Deputy Probation Officers.

III. **APPLICABILITY:**

This policy applies to all Deputy Probation Officers employed by the San Luis Obispo County Probation Department.

IV. **GENERAL POLICY**

A. **Definition:** Authorized emergency vehicles are defined as those vehicles used by Deputy Probation Officers to carry out their primary functions of their employment as set forth in Penal Code Section 830.5 (a)(1)-(5).

B. **Equipment:** Authorized emergency vehicles shall be equipped with the following:
   i. One steady burning red warning lamp visible from at least 1,000 feet and one flashing red warning lamp to the front of the vehicle.
   ii. Flashing red and amber warning lamps to the rear of the vehicle.
   iii. Siren

C. Emergency vehicle lights and siren may only be used in the following circumstances:

1. To enhance safety when the standard hazard lights are not sufficient to heightened visibility of the vehicle to traffic when:
i. Pulled off the side of a road;
ii. Blocking roadways while assisting agencies for evacuations or re-routing traffic due to emergencies; or
iii. Maintaining perimeter control when searching or attempting to apprehend subject

D. **Traffic Stops**: Deputy Probation Officers are prohibited from initiating traffic stops on moving vehicles.

E. **Vehicle Pursuits**: Deputy Probation Officers are prohibited from initiating or engaging in vehicle pursuits in response to an actual or suspected violator of the law.

F. **Emergency Response**: Deputy Probation Officers shall respond to emergencies in accordance with all traffic laws. Officers are prohibited from violating the rules of the road in their response to an emergency.

G. **Handheld Wireless Devices**: Deputy Probation Officers are authorized to use a handheld wireless telephone or an electronic wireless communication device when driving a probation vehicle when responding to a life-saving emergency or a situation requiring immediate response to prevent serious injury or death to another person.

H. **Review of policy**: Each year Deputy Probation Officers will review the policies related to and complete any training required pursuant to Vehicle Code Section 17004.7. Deputy Probation Officers will sign the Department Pursuit Policy Training Attestation upon completion of policy review (Attachment #1).

V. **TASKFORCE DEPUTY PROBATION OFFICERS**

Officers assigned to a taskforce position at the San Luis Obispo Sheriff’s Office (SLOSO) are exempt from the General Policy sections B, C, D, E, and F under the following guidelines.

i. Officers must be engaged in activities directly related to their assignment in a taskforce position.

ii. Officers must adhere to the San Luis Obispo County Sheriff Vehicle Pursuits and Deputy Response to Calls policies.

iii. Officers must complete an initial POST certified EVOC course prior to operating an authorized emergency vehicle in any emergency capacity (Driving "code 3") pursuant to Penal Code Section 13519.8.

iv. Officers must complete an updated POST certified EVOC course every 2-years pursuant to Penal Code Section 13519.8.

VII. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
# Officer Identification

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## Training Specifications

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## Attestation

Pursuant to Vehicle Code §17004.7(b)(2), I have received, read, and understand my agency’s vehicle pursuit policy.

Signature

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I. **AUTHORITY:**

   This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

   The purpose of this policy is to outline field operation procedures intended to maximize the safety of officers working in the community.

III. **APPLICABILITY:**

   This policy applies to all peace officers employed by the San Luis Obispo County Probation Department.

IV. **BACKGROUND:**

   Based upon the nature of their roles and responsibilities, Probation Peace Officers, are at times exposed to a heightened risk of danger when contacting individuals in the community. This policy is intended to mitigate that risk by ensuring that officers in these situations follow minimum standards and procedures when conducting field-related activities.

V. **GENERAL POLICY:**

   A. **Minimum Staffing**

      1. Officers shall not make contact with a probationer at their residence unless accompanied by either another Probation Peace Officer or a member of an allied law enforcement agency, unless approved by their supervisor.

   B. **Non-Armed Officers Minimum Field Equipment Deployment**
1. Field officers shall carry the following equipment when working in the field:
   a. Carry O.C. spray.
   b. Carry handcuffs.
   c. Carry portable radio.
   d. Carry Department-approved baton, if certified.
   e. Wear on his or her belt or outer vest a Probation Department issued badge.
   f. Officers will also carry a Probation Department: identification card at all times while on duty.
   g. Officers are encouraged to wear body armor at all times when in the field.

C. Use of Two-Way Radios

1. Designated sworn probation staff may operate two-way law enforcement radios.

2. Unless an exigent situation exists, only those staff members who have completed the Department’s training in the use of two-way law enforcement radios can operate two-way law enforcement radios, unless otherwise authorized by a supervisor.

3. Probation staff shall utilize professional demeanor when using the two-way law enforcement radio, including “car-to-car” communication. Car-to-car use should generally be conducted on grey channel.

4. Officers shall log in and log off with Sheriff's Dispatch prior to going out in the field.

5. Officers shall use that city's radio frequency when working within a specific city except for the city of San Luis Obispo.

D. Compliance Operations

1. A Field Unit Supervising Deputy Probation Officer (SDPO) will be designated as the on-duty supervisor for compliance operations. Additional SDPOs will be assigned as needed.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

California law allows sworn officers of the Probation Department to carry firearms with the authorization of the Chief Probation Officer. The purpose of this policy is to clearly establish the requirements for an officer to carry a firearm.

III. **APPLICABILITY:**

This policy applies to all peace officers employed by the San Luis Obispo County Probation Department.

IV. **CARRYING A FIREARM:**

A. Officers who have been authorized to carry a firearm shall be armed at all times when on duty and bring all department firearms and related equipment to their assigned workplace unless otherwise approved by their supervisor or Chief Deputy.

B. Armed on duty begins at the start of an officer's work hours and is defined as having a department firearm carried on your person:

C. Department firearms will be carried with a magazine loaded to capacity and a round in the chamber when on duty.

D. Firearms will be carried in holsters issued by the Department.

E. Probation Officers assigned to the Sheriff's Gang Task Force and Narcotics Unit are authorized to deviate from the on-duty carrying requirements as needed for surveillance, undercover operations, and other duties related to their assignment.
F. Any officer authorized to carry a firearm is prohibited from consuming or being under the influence of any alcoholic beverage, marijuana or any controlled substance while on duty, including any meal period and any break periods.

G. It is the responsibility of the officer to inform his/her supervisor of any physical, mental, or emotional impairment that they may be suffering or prescribed medication that may cause physical, mental, or emotional impairment.

H. All officers authorized to be armed will maintain the Department training requirements for armed officers and show proficiency to carry a firearm.

I. Officers are responsible for maintaining a clean firearm, free of debris and in fully functional condition at all times.

J. When carrying a concealed firearm and conducting probation field activities, the officer is required to:

1. Conceal the firearm in a department issued holster.
2. Inside the waistband holsters are not authorized.
3. Carry O.C. spray in a concealed manner.
4. Carry handcuffs in a concealed manner.
5. Must have immediate access to a radio when in the field. A cell phone may be substituted for a radio in “non-contact” field duties such as scheduled court appearances.
6. Wear on his or her belt adjacent to the holstered firearm (or on his/her person when carrying a back-up firearm as described in section X.H), a Probation Department issued badge. Officers will also carry a Probation Department identification card at all times while on duty.
7. Officers are encouraged to wear body armor at all times while armed in normal field situations.

K. When carrying an exposed firearm while conducting probation field activities, the officer is required to:

1. Have a department issued weapon light attached to their firearm in fully functional condition
2. Carry at least two additional 17 round magazines
3. Wear body armor; and
4. Carry O.C. spray; and
5. Carry handcuffs; and
6. Carry a baton; and
7. Carry a Taser in an issued holster; and
8. Carry a Combat Application Tourniquet with access to a trauma medical kit; and

9. Carry a radio in the field; and

10. A Probation Department issued badge to be worn in one of the following ways on his or her belt: adjacent to the holstered firearm; or attached to the upper left side of a tactical-style vest. Officers will also carry Probation Department identification at all times while on duty; and

11. Concealable or inside the waist holsters and belts are not to be used while conducting probation field activities with an exposed firearm.

L. When carrying an exposed firearm in non-field activities, the officer is required to:

1. Wear a Probation Department issued badge that is visible; and
2. Inside the waist holsters are not authorized.

M. When carrying a concealed firearm in non-field activities, the officer is required to:

1. Carry a Department issued badge and identification.
2. Inside the waist holsters are authorized.

N. When carrying a firearm in Court, (under ordinary circumstances), the officer is required to:

1. Wear a Department issued badge; and
2. Conceal the firearm with appropriate Court attire.
3. Inside the waist holsters are authorized as long as it remains concealed.

O. When carrying a firearm on commercial flights for extraditions, the officer is required to:

1. Carry Department identification and badge
2. Conceal the firearm.
3. Inside the waist holsters are authorized with:
   a. A department approved holster, or
   b. A holster purchased by the officer, only used with prior approval from the Senior Range Master.

V. **BACK-UP FIREARMS:**

A. A Department issued back-up firearm as a secondary weapon is optional and can be carried only by officers authorized to carry a firearm.

B. Qualification with the back-up firearm will be conducted quarterly.
C. Back-up firearms may be carried by the officer in non-field activities or on extradition assignments in lieu of the primary firearm.

VI. **RESTRICTIONS ON CARRYING FIREARMS:**

Officers who have been authorized to carry a firearm on duty **may be prohibited from carrying or using firearms** under the following conditions:

A. While in a condition resulting from the use of alcohol, marijuana and/or medication where the probation officer’s motor skills, reflexes, vision, or judgment could potentially be adversely affected.

B. If, prior to duty, the officer has been injured or is in a physical condition likely to cause the inability to utilize a firearm properly, i.e., broken arm, eye injury causing impaired vision, being under the influence of drugs/alcohol, inability to effectively communicate, et cetera. The arming status will be suspended pending clearance from a physician, and a re-evaluation of the officer’s arming status by the Chief Probation Officer.

C. When ordered by the Chief Probation Officer or his/her designee not to carry a firearm.

D. When authorization to carry a firearm has been revoked or is no longer current.

E. When the officer’s firearms range qualification is no longer current, or is in any other way invalid.

F. Any officer who plans to be absent for 90 days or longer shall surrender his/her Department issued firearm to a range master for safekeeping until the officer returns to duty.

G. Any officer who requests a reissue of the firearm after being absent for a period of six (6) months or longer shall re-qualify on an approved range before any firearm shall be reissued. The returning officer shall also receive and review all firearms training material provided to other officers during the absence.

H. The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. Officers flying armed must abide by all TSA requirements (49 CFR 1544.217).

VII. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

To provide direction in the safe handling and storage of firearms.

III. **APPLICABILITY:**

This policy applies to all peace officers employed by the San Luis Obispo County Probation Department, who are authorized to carry firearms.

IV. **BACKGROUND:**

Departmentally owned firearms are issued to officers who have successfully completed the application, screening and training process as outlined in the Authorization to Qualify and Carry a Firearm Policy. The safe storage of firearms by officers on and off duty is of paramount concern. This policy details how, where and the manner with which firearms shall be safely stored.

V. **GENERAL POLICY:**

A. Officers authorized to carry firearms are responsible for the safe storage and handling of their department issued firearms, and could be subject to corrective action for failing to store, handle, clean or use the firearm in a safe manner.

B. Firearms shall not be carelessly handled at any time. Horseplay, practical jokes and other unprofessional uses of the firearms are expressly prohibited and will be treated as serious matters.
C. Officers are required to use a receptacle for loading, unloading, or inspecting a firearm while in a Probation Department building or on the grounds of a Probation Department facility.

D. Any unholstered firearm that is brought into any Probation Department facility shall be unloaded.

E. When the firearm is stored in an unoccupied vehicle, the firearm shall be concealed, and the vehicle securely locked.

F. Department firearms shall not be stored overnight in any vehicle.

G. Firearms shall not be kept in a probation facility overnight unless they are stored in a locked safe designed for storing firearms.

H. When the Departmentally owned firearm is at the officer’s residence, it is the responsibility of the officer to keep the firearm in a safe and secure place with the Department supplied trigger lock installed on the firearm or stored in a California approved locked gun safe/gun locker.

I. Personally owned firearms shall not be brought into nor stored at Department office sites unless authorized by the Chief Probation Officer.

VI. EXCLUSIVITY:

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This policy is issued under authority granted to the Chief Probation Officer.

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H. When the Departmentally owned firearm is at the officer’s residence, it is the responsibility of the officer to keep the firearm in a safe and secure place with the Department supplied trigger lock installed on the firearm or stored in a California approved locked gun safe/gun locker.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy to establish guidelines for release and dissemination of public information to news media agencies and/or their representatives.

III. **APPLICABILITY:**

All Probation Department employees.

IV. **BACKGROUND**

It is the policy of the Probation Department to cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to activities of the department, as long as these activities do not unduly interfere with departmental operation, infringe upon individual rights or violate the law.

V. **DEFINITIONS**

A. **Public Information:** Information that may be of interest to the general public regarding policy, procedures or events involving the department or other newsworthy information that is not legally protected, does not unduly interfere with the mission of the department, infringe upon the rights of a defendant or compromise the legitimate safety and privacy interests of officers, victims, witnesses or others.

B. **News Media Representatives:** Those individuals who are directly employed by agencies of the electronic or print media such as radio, television and newspapers. Freelance workers in this field are to be regarded as other members of the general public unless otherwise designated by the Chief Probation Officer.
VI. **GENERAL POLICY:**

A. All media inquiries should be directed to the Chief Probation Officer.

B. The Chief Probation Officer will coordinate any information release to news media representatives.

C. No employee shall identify him or herself as a member of the Probation Department in any communication, verbal or written, with any media outlet without prior approval of the Chief Probation Officer.

   1. Employees may speak with the media when participating in on-duty/off-duty community events to highlight the Probation Department’s participation in such events.

D. Written press statements shall be released only following the approval of the Chief Probation Officer

VII. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. AUTHORITY:

This policy is issued under authority granted to the Chief Probation Officer.

II. PURPOSE:

The purpose of this policy/procedure is to establish the selection process, organization and duties of the Officer of the Day (OD) for Adult.

III. APPLICABILITY:

This policy will apply to all officers assigned to the Adult Division. Individual officers may be excluded from OD duty by the Chief Deputy Probation Officer on a case by case basis.

IV. BACKGROUND:

The role of the Officer of the Day is to ensure that an officer is available during business hours at Casa Loma to field questions and requests from the public, when the assigned officer is unavailable, or in cases where the person requesting assistance does not have an assigned officer, but merely requires assistance.

V. GENERAL POLICY:

A. SCHEDULING AND COVERAGE RESPONSIBILITIES

1. Supervising Deputy Probation Officers (SDPOs) assigned to the Investigations Unit will be responsible for maintaining and monitoring the monthly OD list on a rotating basis.
2. Sign-ups are to occur the month prior, on the third Wednesday of each month. If an officer misses sign-ups, they will be assigned an open shift by the OD Supervisor.

3. It is the responsibility of the SDPO(s) to add to the list, the names of those officers who are absent during the sign-up period, or who simply fail to place their name on the list.

4. Each OD shift will be four and a half hours long, from 8:00 a.m. to 12:30 p.m. and from 12:30 p.m. to 5:00 p.m., Monday through Friday.

5. It is the responsibility of each officer to arrange for a replacement in the event that they know ahead of time they will be absent.

B. DUTIES OF THE OFFICER OF THE DAY

1. The OD will be available at Casa Loma during the entire shift.

2. The OD will not schedule office appointments during their assigned shift.

3. The OD will respond to general probation inquiries including on non-assigned probation cases.

4. The OD will respond to inquiries regarding probation cases when the assigned Probation Officer is not available to take the call.

5. The OD will respond to inquiries regarding a citizen complaint, where the complaint is general in nature, listen to what they have to say and always ask them if they would like a citizen’s complaint form. If so, take their name and address, and give to the Chief’s Executive Assistant for processing.

6. The OD will respond to warrant calls and Oral Referral/CLETS requests.

7. The OD will notify the assigned Probation Officer and/or Supervising DPO of any calls regarding their cases by phone, memo or e-mail prior to the end of their shift.

8. The following inquiries will be redirected by the OD as follows:

   a. Citizen complaints against any member of the Probation Department will be directed to a Chief Deputy Probation Officer. If a Chief Deputy is unavailable, the caller will be referred to the Assistant Chief Probation Officer.
b. Inquiries from the media will be directed to the Chief Probation Officer. If the Chief Probation Officer is unavailable, the inquiry will be referred to the Assistant Chief Deputy.

c. All Juvenile matters will be directed to the Juvenile CD.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy/procedure is to establish an Officer of the Day (OD) for Juvenile services and duties of that Officer.

III. **APPLICABILITY:**

This policy/procedure will apply to all officers assigned to Juvenile Services Division, including the Placement Officers. Individual officers or Units may be excluded from OD duty by the Juvenile Division Chief Deputy Probation Officer.

IV. **BACKGROUND:**

The role of the Officer of the Day is to ensure that an officer is available during business hours to field questions and requests from the public, when the assigned officer is unavailable, or in cases where the person requesting assistance does not have an assigned officer, but merely requires assistance.

V. **GENERAL POLICY:**

PROCEDURE

1) Each OD shift will have duration of four and a half hours from 8:00 a.m. to 12:30 p.m. and from 12:30 p.m. to 5:00 p.m., Monday through Friday.

2) Each Officer shall cover at least two shifts per month.
3) A Supervising Deputy Probation Officer will be assigned by the Juvenile Division Chief Deputy Probation Officer to maintain the monthly OD list.

4) It is the responsibility of each officer to assign themselves to the required shifts between the 1st and 25th of each proceeding month.

5) After the 25th of the month the assigned supervisor responsible for the OD list or his designated supervisor will assign open shifts alphabetically starting with the officers who do not have two shifts.

6) A completed copy of the OD list will be made available to the front desk at JSC, Casa Loma and Juvenile Hall by the first of each month.

7) It is the responsibility of a Juvenile supervising DPO or Chief DeputyProbation Officer to arrange coverage of a shift in the event of sickness or emergency to the extent possible.

8) It is the responsibility of the individual Officer, with their supervisor's approval, to find a replacement to cover their OD shift due to a scheduling conflict. It is also the Officer's responsibility to notify the Supervisor responsible for the OD schedule of any resulting change of OD shifts as well as notify the Administrative Assistant assigned to the front desk.

A. DUTIES OF THE OFFICER OF THE DAY

1) The OD will be in the office during their entire shift.

2) Respond to general Juvenile Division inquiries.

3) Respond to Juvenile warrant calls and calendar surrender court dates.

4) Respond to general Juvenile Probation inquiries.

5) The OD will notify the Probation Officer and/or Supervisor of any calls regarding their cases by phone or e-mail prior to the end of their shift.

6) The following inquiries will be redirected by the OD as follows:

   a. Citizen complaints against any member of the Probation Department will be directed to a Supervising Deputy Probation Officer or Chief Deputy Probation Officer.

   b. Inquiries from the media will be directed to the Chief Probation Officer.
c. Custody issues will be directed to Juvenile Hall.

d. Adult Division issues will be directed to the Adult Division.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

To establish uniform guidelines for the Probation Department’s response to incidents in which a person is injured or killed as the result of an officer-involved shooting, whether on or off duty.

III. **APPLICABILITY:**

This policy applies to all Deputy Probation Officers.

IV. **BACKGROUND:**

California law allows sworn officers of the Probation Department to carry firearms with the authorization of the Chief Probation Officer.

V. **GENERAL POLICY:**

A. Officer involved shootings involve several separate investigations. The investigations may include:

1. A criminal investigation of the incident by the agency having jurisdiction where the incident occurred. That agency may relinquish its criminal investigation of the incident to another agency.

2. A criminal investigation of the involved officer(s) by the agency having jurisdiction where the incident occurred. That agency may relinquish its criminal investigation of the incident to another agency.

3. An administrative investigation of the involved officer’s conduct by the Probation Department.

B. Duties of Initial On-Scene Probation Supervisor or Chief Deputy:
1. If the agency of the jurisdiction of the shooting is not at the scene, ensure that the agency has been notified and is responding.

2. Insure all reasonable steps to obtain emergency medical attention for all apparently injured individuals.

3. Attempt to obtain a brief overview of the situation from any non-shooter officer.
   a. In the event that there are no non-shooter officers, the supervisor should attempt to obtain public safety information from a shooter officer.

4. If necessary, the supervisor may administratively order any involved officer to immediately provide public safety information necessary to secure the scene and pursue suspects.
   a. Public safety information shall be limited to outstanding suspect information including vehicle, weapons, direction of travel, crimes the suspect is wanted for, number and direction of shots fired, parameters of the incident scene, identity of known witnesses, any known or possible injuries, and any evidence that needs to be secured or protected.

5. Provide all available information to the agency of jurisdiction. Sensitive information should not be communicated by radio.

6. Take command of and secure the incident scene until relieved by the agency of jurisdiction.
   a. Ensure removal from the scene of all unnecessary personnel, members of the public and members of the media.
   b. Assign personnel to injured subjects at hospitals for evidence preservation or dying declarations.
   c. Identify and isolate any witnesses.
   d. Defer all media requests to Probation Department command staff.

7. Each involved officer should be directed not to discuss the incident except with authorized personnel and his or her representative pending further direction from a Probation Department supervisor or chief deputy.

8. As soon as practical, involved officers shall be transported or report to (separately if possible) to a designated Police or Sheriff’s station.

9. Duty weapons, duty belts with all accessories, backup weapons, ammunition, magazines and clothing may be taken for evidence. Probation Department supervisors shall not take any of the above equipment or clothing unless requested by the agency of jurisdiction and will be released to the agency of jurisdiction as directed. Arrangements for a replacement weapon should be made as soon as possible with instructions to qualify with the weapon upon returning to duty.

10. Notification shall be made as soon as practical using the chain of command.
C. Media Releases and Information Requests

1. Press releases should be made by the agency having jurisdiction of the shooting.

2. Any separate press releases should be mutually coordinated with the agency having jurisdiction of the shooting.

3. The identities of involved officers shall not be released absent their consent or as required by law. (Government Code § 6254(c), 6255; Penal Code §832.8.)

4. No member of the Probation Department shall make any comments to the press unless authorized by the Chief Probation Officer or his/her designee.

D. Involved Officers

1. Once involved officers have arrived at the designated station they should be admonished by a Probation Department Supervisor or Chief Deputy that the incident shall not be discussed except with authorized personnel or an employee representative.

2. The involved officers should be allowed to contact their family to notify them of their wellbeing.

3. Discussions with licensed attorneys will be considered privileged as attorney-client communications.

4. Discussions with employee representatives will be privileged only as to the discussion of non-criminal information.

5. The Probation Department shall provide a licensed counselor to each involved officer as directed by the Chief Probation Officer.
   a. Sessions with a licensed counselor will be considered privileged and will not be disclosed except to the extent that the officer is or is not fit for return to duty.
   b. A session with a licensed counselor may take place prior to the involved officer providing a formal interview or report, but the involved officers shall not be permitted to consult or meet collectively or in a group with a licensed counselor prior to providing a formal interview or report.

6. The Probation Department will honor the sensitivity of communications with peer counselors. Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer.

7. Care should be taken to preserve the integrity of any physical evidence present on the officer’s equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can retrieve it. If an officer needs to remove blood soaked clothing, photograph the officer in the clothing, remove it but take necessary precautions to preserve it for evidence.
8. There shall be accommodations, within reason, to meet the officer's physical and emotional needs.

9. Each involved officer shall be given a minimum of five paid administrative leave days following an officer-involved shooting.

E. Criminal Investigation

1. Probation Department Internal Affairs investigator(s) may not participate directly in any interview in the criminal investigation, but may observe, monitor, and review such interviews.

2. Any statement provided by an officer in a criminal investigation will be made available for use in the administrative investigation.

3. Absent consent from the involved officer or as required by law, no administratively coerced statements will be provided to any criminal investigators.

F. In the event that suspects remain outstanding or subject to prosecution for related offenses, the Probation Department may require involved officers to provide sufficient information for criminal or incident reports to facilitate the apprehension and prosecution of those individuals. (Government Code § 3304(a).)

G. Administrative Investigation

1. The Probation Department shall conduct an administrative investigation to determine compliance with Probation Department policies in accordance with standard practice and procedure.

2. Any officer involved in a shooting may be required to provide a blood sample for alcohol/drug screening if objective symptoms exist after they are given the Lybarger admonishment. The blood sample and the results shall be used for the administrative investigation and shall not be disclosed to any criminal investigative agency unless the officer consents.

3. If an involved officer provided a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
   a. If the administrative investigator determines that a further interview of the involved officer is necessary, the investigator should attempt to limit that interview to new areas with minimal, if any, duplication of questions addressed by the criminal investigator. The involved officer shall be provided with a copy of his or her prior statement before proceeding with any subsequent interview. (Government Code § 3303(g).)
4. If an involved officer did not provide criminal investigators with a statement, the administrative investigator shall conduct an interview to determine all relevant information.

a. The involved officer shall be advised of all constitutional Miranda rights and be given a Lybarger admonishment and will then be given an administrative order to provide full and truthful answers to all questions. (Government Code § 3303(e).) The officer shall be advised of the right to have a representative present at the interview.

b. The administrative investigator shall compile all relevant information and reports necessary for the Probation Department to determine compliance with applicable policies.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
Officer Involved Shooting
Field Supervisor Checklist

IMMEDIATE ISSUES (WHEN AGENCY OF JURISDICTION NOT AT THE SCENE):

☐ Agency of jurisdiction has been notified and is responding
☐ Take command of and secure the incident scene until relieved by the agency of jurisdiction
☐ Secure the scene
  ☐ Locate-Isolate-Evacuate
☐ Establish sufficient perimeter
☐ Safeguard emergency response personnel
☐ Medical aid/rescue injured officers, citizens
☐ Emergency aid to suspect, victims
☐ Assign personnel to injured subjects at hospitals for evidence preservation or dying declarations
☐ Obtain a brief overview from any non-OIS officer at scene
☐ Obtain ‘public safety statement’ as needed
☐ Be alert for:
  ☐ Outstanding suspects
  ☐ Hostile family/ friends/ neighbors, etc.
  ☐ Unsecured weapons
  ☐ Evidence
☐ Identify and isolate any witnesses
☐ Safeguard all firearms, treat as evidence
☐ Limit access to the scene
☐ Crime scene log, recorder
☐ Preserve all evidence
  ☐ Consider all sources of evidence

SECONDARY ISSUES
☐ Officers involved in shooting-relieve of duties based on availability of resources
☐ Admonish involved officers that incident shall not be discussed except w/authorized personnel or employee association representative
☐ Coordinate transport of involved officers to designated police/sheriff station
☐ Contact peer support
☐ Care for officer involved, physical and emotional needs
☐ Coordinate contact of officer’s family
☐ Officer’s weapon – retained by officer (until replacement issued)
☐ Assess resource needs
☐ Coordinate with agency of jurisdiction regarding the media at scene until Probation management staff arrive at command post
NOTIFICATIONS:

- Agency of jurisdiction
- Chief Deputy Probation Officer (Based on division assignment of involved officer)
- Chief Probation Officer
- Peer support
- Notify Chief Probation Officer/Chief Deputy of Command post operations setup/location
- Range Master (provide replacement firearm and other safety equipment as needed)
- Counseling services
- IA Investigator
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy is to identify the proper use and conduct of warrantless searches authorized by conditions of probation.

III. **APPLICABILITY:**

This policy applies to deputy probation officers that may conduct searches in accordance with the warrantless search order of any criminal/juvenile court and as part of an individual probationer’s case plan or in the interest of community safety.

IV. **BACKGROUND:**

Probationers are often subject to warrantless searches, as a condition of probation, of their persons, property, dwellings and vehicles. The intent of this policy is to provide officers with guidance in determining the most appropriate course of action when conducting searches.

V. **GENERAL POLICY:**

A. **Definitions**

   **Serious Bodily Injury:** Serious impairment of physical condition, including but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing, and serious disfigurement.

   **Reasonable Necessity:** a delay in action would create substantial and unreasonable risk to Officers or others possibly resulting in serious injury or death.
**Imminent Danger:** a significant threat that a Peace Officer reasonably believes will result in death or serious bodily injury to themselves or to other persons. Imminent danger is not limited to "immediate" or "instantaneous". A person may pose an imminent danger even if they are not at the very moment pointing a weapon at another person.

**Exigent Circumstances:** an emergency situation requiring swift action to prevent imminent danger to a person's life and safety or imminent escape of a suspect that poses a danger to officers or the public.

**Forced Entry:** gaining initial entry through a locked or secured barrier by means sufficient to cause damage.

**Probation Search:** a search authorized by a term or condition of probation which has been ordered by a court

**Reasonable Suspicion:** enough facts and information to make it reasonable to suspect that criminal activity is occurring, and the person detained is connected to that activity.

**Plain View Searches:** limited visual searches of an area where item(s) are viewed without the movement or manipulation of containers, barriers, etc.

**B.** Individuals with specific orders from the court to submit to searches may be searched in accordance with those orders.

1. The search or seizure of a cellular/mobile phone, smart phone, computers or other electronic devices used to transmit or store digital information requires a specific order from the court or a search warrant for the purpose of searching/seizing electronic devices.

**C.** Searches shall be conducted for rehabilitative or law enforcement purposes. Searches shall never be conducted for arbitrary or capricious reasons or to annoy or harass.

**D.** Probation searches of residences shall be conducted by no fewer than two (2) Probation officers or one (1) Probation officer assisted by another law enforcement agency.

**E.** All searches shall be conducted in a professional and reasonable manner. Care shall be taken to avoid damaging the probationer's property.

**F.** All searches conducted shall be documented in the case notes. Required documentation includes:

1. Date
2. Time
3. Personnel present (if known)
4. Property seized
5. Damage to property as a result of the search or entry.

H. If the residence was unoccupied when searched, Officers shall leave a note of their presence for the returning residents. Any exception should be noted in Monitor.

I. If entry is forced and the residence is left unoccupied, probation officers shall, to the best of their ability, secure the residence where the forced entry occurred.

J. Nothing in this policy is intended to prevent officers from clearing any part of the residence or property for officer safety purposes.

K. If forced entry is the only way into a dwelling the officers shall:
   1. Notify the local Law Enforcement Agency of the intent to force entry; and
   2. Knock and give notice and wear Probation Department identifying clothing; and
   3. Time and circumstances allowing, obtain approval from a Supervising Deputy Probation Officer (SDPO), Chief Deputy Probation Officer (CDPO), Assistant Chief Probation Officer or the Chief Probation Officer, prior to forcing entry; and
   4. Have a reasonable belief that the probationer is inside and one or more of the following is present:
      a. that a necessity for entry exists to prevent the removal or destruction of evidence; or
      b. that a necessity for entry exists to prevent the escape of the probationer; or
      c. that the probationer is in possession of a weapon(s); or
      d. that the probationer is attempting to avoid contact; or
      e. have a reasonable suspicion that to delay could place an inhabitant(s) and/or officers at risk for death or serious bodily injury; or
      f. have a reasonable suspicion that a criminal act against a person could occur if the officers were to delay their entry.

5. The use of Department-issued breaching equipment by officers is authorized to conduct a force entry.

6. The officer shall submit written reports of all forced entries to their SDPO/Chief Deputy before going off duty, unless otherwise authorized by their SDPO/Chief Deputy.
7. Unless a medical emergency, suspected medical emergency, or life threatening emergency exist, forced entries shall not be attempted unless two (2) armed officers are present.

L. Only Officers who have successfully completed building entry and clearing training as determined by their SDPO/CDPO, and are carrying a firearm may engage in the clearing of a building or conducting a force entry for purposes of confirming the whereabouts of potentially threatening inhabitants.

M. In the event that a law enforcement Officer contacts the Probation Department and request that a search be authorized on a specific probationer, the law enforcement officer shall be advised if the probationer has a search order. The law enforcement officer shall be further advised that the Probation Department neither authorizes nor prohibits the searching of probationers in cases where Probation Department personnel are not present.

N. Probation officers will not authorize or conduct a strip and/or visual body cavity search unless it is determined there is reasonable suspicion, based upon specific and articulable facts, to believe the subject is concealing a weapon or contraband and that a strip search and/or body cavity search will result in the discovery of the weapon or contraband. (4030 PC)

O. Officers may conduct pat-down searches of individuals who do not have court-ordered search terms, when:

1. The officer reasonably suspects that the person detained is armed or dangerous; or
2. The officer has probable cause the person detained is/was involved in criminal behavior, or
3. Incident to an arrest

P. Contraband in plain view may be seized provided the following conditions are met.

1. The Probation Officer does not violate the Fourth Amendment in arriving at the location from which the object is in plain view.
2. The incriminating character of the item is immediately apparent.

R. The seizure of cash is prohibited. Deputy Probation Officer Ills assigned to a taskforce position at the San Luis Obispo County Sheriff’s Office are exempt from this provision. These officers shall adhere to the San Luis Obispo County Sheriff’s policy and procedures related to cash or other asset seizures.

S. Items seized during any search must be immediately identifiable as contraband and/or have a reasonable nexus to a probation violation.
VI. **EXCLUSIVITY:**
This policy shall remain in effect until superseded or suspended in writing and reviewed as necessary.
I. AUTHORITY:

This policy is issued under the authority granted to the Chief Probation Officer, and Sections 12028, 12029 and 12030 of the California Penal Code and other codes.

II. PURPOSE:

The purpose of this policy is to govern the seizure and disposition of property and contraband taken as evidence for purposes of probation violation investigations or arrest.

III. BACKGROUND:

During the course of their duties, probation officers and juvenile services officers may find and seize property or contraband that may be evidence of illegal activities and/or probation violations. It is important that such property or contraband be properly recorded, secured, and disposed of or returned as governed by law.

IV. APPLICABILITY:

This policy applies to all sworn Probation staff.

V. GENERAL POLICY:

A. The Professional Standards Unit Supervising Deputy Probation Officer is the designated Department Property Officer.

B. The Support Services Division Chief Deputy may recommend to the Management Team additional Department Property Officers as needed.

C. Sworn Probation staff may seize evidence of a probation violation or new crime in the course of performing their duties.
VI. DEPARTMENT PROPERTY/EVIDENCE OFFICER RESPONSIBILITIES

A. The Property Officers shall be responsible for storing, maintaining, releasing, and accounting for all evidence in compliance with this policy.

B. The Property Officers shall assign a storage location for each item of evidence and record this information in the EvidenceOnQ computer system.

C. The Property Officers shall facilitate the bi-annual disposal of seized weapons pursuant to Sections 12028, 12029, and 12030 of the Penal Code and other codes.

VII. ACCESS AND INSPECTION OF EVIDENCE/PROPERTY ROOM

A. Only Department-authorized Property Officers shall have access to the Department's Evidence Room.

B. On a quarterly basis, the Property Officer(s) shall inspect the evidence storage sites to ensure compliance with this policy. The signed inspection log will be stored in the Property Officer Procedure Manual which is located in the Department's Evidence Room.

C. An annual inventory of the Department Evidence/Property Room shall be conducted by the Support Services Chief Deputy Probation Officer. The signed inspection log will be stored in the Property Officer Procedure Manual which is located in the Evidence Room.

VIII. EXCLUSIVITY:

This policy shall remain in effect until superseded or suspended in writing and reviewed as necessary.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

To establish a policy regarding the use of the TASER Conducted Energy Weapon as a force option (hereafter “TASER device”).

III. **APPLICABILITY:**

This policy applies to all peace officers employed by the San Luis Obispo County Probation Department (hereafter “officers”).

IV. **BACKGROUND:**

To provide guidance and direction in the use of the TASER device by sworn personnel of the Probation Department authorized to use a TASER device.

V. **DEFINITIONS:**

A. **TASER** - A conducted energy device used for the purpose of subduing a hostile or violent subject, providing a less harmful or lethal alternative to firearms.

B. **TASER deployment** - A TASER device is removed from the holster and armed with intent to activate; where no activation is needed because the subject complies.

C. **TASER Activation** - A TASER device is deployed and activated by firing probes or direct contact method (drive-stun).

VI. **GENERAL POLICY:**

A. Only armed officers may carry a TASER device and only if specifically authorized by the Chief Probation Officer.
B. Officers must complete Department approved training prior to being issued a TASER device.

C. The Chief Probation Officer has the authority to revoke the authorization to carry a TASER device at any time, with or without cause.

D. Officers shall use only Department-issued TASER devices and TASER device cartridges.

E. All TASER devices shall be clearly marked to differentiate them from the duty weapon or any other device.

F. The TASER device shall be carried in a Department approved holster on the support side only (non-gun side).

G. Officers shall carry a total of two TASER device cartridges on their person at all times when carrying a TASER device.

H. Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order at all times.

I. A verbal warning of the intended use of the TASER device shall precede its actual use unless it would otherwise endanger the safety of the officer or another or when it is not practicable due to circumstances. The purpose of the warning is to:

1. Provide the individual reasonable opportunity to comply.
2. Provide other officers and individuals with a warning that a TASER device may be deployed.

If, after a verbal warning, an individual does not voluntarily comply with an officer’s lawful orders and it appears both reasonable and practical under the circumstances, the officer may, but is not required to, display the electrical arc or the laser in a further attempt to gain compliance. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal and/or other warning was given or the reasons it was not given shall be documented in the Use of Force Report by the officer deploying the TASER device.

K. Officers authorized to carry TASER devices are responsible for the safe storage of their Department issued TASER device.

1. When the TASER device is stored in an unoccupied vehicle, the TASER device shall be concealed and the vehicle securely locked.
2. Department TASER devices shall not be stored overnight in any vehicle.
3. TASER devices shall not be kept in a Probation facility overnight, unless it is stored in a Department armory weapons locker.
4. When the Department TASER device is at the officer’s residence, it is the responsibility of the officer to keep the TASER device in a safe and secure place or stored in a California approved locked gun safe/gun locker.

I. Use of the TASER device

As with any law enforcement equipment, the TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the TASER device. Although the TASER device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

M. Factors to Determine Reasonableness of Force

The application of the TASER device is likely to cause intense, momentary pain. As such, officers should carefully consider the totality of circumstances prior to using the TASER device, including the following factors:

1. The conduct of the individual being confronted.
2. Officer/subject factors such as age, size, relative strength, skill level, injury, exhaustion, and number of officers vs. subject(s).
3. Possible influence of drugs and/or alcohol.
4. Proximity of potential weapons.
5. The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
6. If time and circumstance permit, the availability of other options.
7. Training and experience of the officer.
8. Potential for injury of the officer, citizens and subject.
10. Other exigent circumstances.

N. Application of the TASER device

An officer may use the TASER device when circumstances known to the officer at the time indicate that such application is reasonable to control a person in any of the following circumstances:

1. The subject is violent or physically resisting.

2. A subject who by words or action has demonstrated an intention to be violent or to physically resist and who reasonably appears to present the potential to harm the officer, him/herself or others.
a. When practicable, the officer should give a verbal warning of the intended use of the TASER device followed by a reasonable opportunity to voluntarily comply.

b. The officer must be able to articulate a reasonable belief that other available options appeared ineffective, impractical or would have presented a greater danger to the officer, the subject or others.

3. Absent meeting the conditions set forth in 1. or 2. above, or a reasonable belief that an individual has committed or threatened to commit a serious offense, mere flight from a pursuing officer shall not serve as good cause for the use of the TASER device to apprehend an individual.

O. Special Deployment Considerations

The TASER device should generally not be used on the following individuals unless the totality of the circumstance indicate that other available options reasonably appear to be ineffective, impractical, or would present a greater danger to the officer, the subject or others.

1. Known to be pregnant or obviously pregnant females.
2. Elderly individuals or small children.
3. Individuals who are handcuffed.
4. Individuals who have been recently sprayed with a flammable liquid or who are otherwise in close proximity to any flammable material.
5. Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).
6. Individuals with obviously low body mass (very thin).

P. Targeting Considerations

While manufacturers generally recommend that reasonable efforts should be made to target lower center of mass and to avoid intentionally targeting the head, neck, chest and groin, it is recognized that the dynamics of each situation and officer safety may not permit the officer to precisely target the area. Officers shall make reasonable efforts to follow manufacturers' recommendations as to target areas.

Q. Multiple Applications of the TASER device

If the first application of the TASER device appears to be ineffective in gaining control of an individual, and if circumstances allow, the officer should consider the following prior to additional activations of the TASER device:

1. Whether the probes are making proper contact.
2. Whether the application of the TASER device is interfering with the ability of the subject to comply.
3. Whether verbal commands, other options, or tactics may be more effective.
This, however, shall not preclude an officer from deploying multiple, reasonable activations of the TASER device on an individual.

R. Medical Treatment

2. All subjects who have been struck by the TASER device probes or subject to electrical discharge (drive-stun) shall be assessed by medical personnel including fire, EMT or paramedics in the field prior to transport.

2. If medical personnel in the field will not remove probes, the subject shall be transported to the nearest hospital for removal of the probes from a subject's body.
3 Used probes shall be considered a sharp biohazard and Universal Precautions should be used.

4. If any subject refuses medical attention, such refusal should be witnessed by another peace officer and/or medical personnel and documented in the Use of Force Report.

S. Report of Use

1. As soon as reasonably practical after deploying/activating the TASER device, the officer shall notify his or her supervisor.
2. The use of a TASER device shall be documented in the Use of Force Report.
3. Unintentional discharges of the TASER device shall be documented in an Incident Report.
4. Use of the TASER device on an animal shall be documented in an Incident Report.
5. Any report documenting the discharge of a TASER device's cartridge shall include the cartridge's serial number.
6. Officers will make every effort to collect identification tags (AFIDs) and book them into evidence.
7. The on board TASER device memory will be downloaded through the data port and saved.
8. The TASER device Cam audio and video data shall be downloaded and saved.

T. The TASER device shall not be used to torture, psychologically torment, attempt to elicit statements, or to punish any individual.

VII. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The authority for this policy is granted to the Chief Probation Officer of San Luis Obispo County in accordance with, but not limited to, P.C. 196, 830.5, 832, 835, 835a, 836, 843, 1202.7, 1202.8, and 1203.2.

III. **APPLICABILITY:**

This policy applies to all sworn Probation employees.

IV. **BACKGROUND:**

To provide guidance and direction in the use of force by Probation Department sworn personnel in the lawful performance of their duties.

V. **GENERAL POLICY:**

A. **Definitions**

   - **Force:** The use of hands, other parts of the body, objects, instruments, chemical devices, firearms, or other force methods to restrain, subdue, or to compel persons to act in a particular way, or to stop acting in a particular way. Pointing a firearm, taser, or other approved force instrument at a person for the purposes of gaining control or compliance is a reportable action under this policy. **The exception is the use of security restraints as defined in Section D.3 (a).**

   - **Deadly Force:** Force that has substantial risk of causing death or serious bodily injury.

   - **Non-Deadly Force:** Force other than deadly force.

   - **Corporal Punishment:** The use of force for the purpose of punishment.
• **Reasonable Force:** The use of force to achieve a legitimate objective, where the type and amount of force are consistent with the situation and the objective to be achieved; and where alternatives to force are unavailable or ineffective; and where the force used is reasonable to control the situation.

• **Excessive Force:** A type or amount of force beyond that which is reasonably necessary to control the situation and achieve the correctional objectives; or the continued use of force after it is no longer reasonably necessary.

• **Security Restraints:** Handcuffs, flex cuffs, leg irons, belly chains, ankle restraints and similar equipment designed to prevent an offender from escape or from injuring others, and/or to restrict his or her movement.

• **Cognizant Manager:** For the purpose of this policy the cognizant manager will be defined as the on-duty or on-call SDPO or Chief Deputy.

• **OC:** OC refers to any aerosol dispenser containing oleoresin capsicum as an active chemical agent along with inert substances and/or propellants.

**B. Training**

1. **All sworn** staff in the Probation Department shall receive training on the nature, meaning and interpretation of this policy prior to starting field/facility training and annually thereafter.

   At the end of such training, every employee shall demonstrate adequate comprehension of the relevant provisions of this policy and sign that they have received a copy of this policy and training on the application and interpretation of this policy.

2. This policy shall supersede prior policy and any contradictory information in any non-Departmental use of force training that an employee may attend.

**C. General Provisions**

**Objectives:** Force may only be used to accomplish the following legitimate objectives:

a. To prevent or stop the commission of crimes, including riot, assault, escape, hostage taking, etc.

b. To prevent an individual from injuring or killing himself or herself, or others.

c. To prevent or stop the destruction of property.

d. To affect an arrest or detention when resistance is present.

e. To prevent or deter animal attacks in the field.

1. **Actions Preceding:** Normally, force shall not be used in a situation until:

   a. A warning or command has been given, and if practical, repeated.

   b. The offender(s) has had time to comply with the warning or command.

   c. It appears that the offender(s) is going to continue to resist the order or the officer’s control of the situation.
d. Reasonable alternatives, other than the use of force, were either unavailable, were tried and unsuccessful or were inappropriate due to time or circumstances.

e. When considering reasonable alternatives, an officer shall consider whether a subject's lack of compliance is a deliberate attempt to resist or is the result of an inability to comply based on factors including but not limited to:

- Medical conditions
- Mental impairment /developmental disability
- Behavioral /emotional crisis
- Physical limitation
- Language barrier
- Drug interaction

2. Establishing Need: The need for force is established by considering all elements of the situation confronting officers, applying a "reasonableness" standard, and recognizing that officers' decisions must be based on their perceptions during the situation, rather than on analysis after the fact.

3. Level and Amount: The level and amount of force used must be limited to the reasonable force necessary to control the situation, overcome resistance and attain the correctional objective(s).

4. Terminating Use of Force: The use of force must be terminated as soon as the justification for its use is no longer present. (For example, when an offender has stopped resisting and is under an officer's control.) Also, force may be reapplied if resistance begins again and the conditions for the use of force are again present.

5. Continuum: This Department does not recognize a traditional or rigid use of force continuum. Although force should usually be escalated from the lowest level practical to control the situation, there is no requirement to begin at any particular type or amount of force and there is no requirement that, in order to reach some given type and amount of force, every lesser amount and lesser type of force must have first been exhausted.

6. Corporal Punishment: Corporal Punishment is prohibited under any circumstances. Non-physical forms of intentional cruel punishment, such as public humiliation, are also prohibited under any circumstances. Corporal punishment or intentional cruel punishment is grounds for disciplinary action, including dismissal.

7. Instruments: Only Department authorized, and Department issued or approved instruments of force may be used to apply force. Officers shall not be authorized to carry or use firearms, chemical agents, batons, or security restraints until they have completed departmental training on the application and use of this equipment. Departmentally authorized instruments may include restraints, chemical agents, or other force methods.
a. The carrying or use of unapproved personal weapons, devices or equipment for the application of force is prohibited. Use of such equipment is cause for disciplinary action.

b. Exception: In a situation where an officer or another person is in imminent danger of death or great bodily injury, and where time and circumstances do not permit use of Department approved and trained instruments or methods, officers may use any reasonable means available to control the situation.

8. Restraints: Restraints shall never be used for punishment, and restraints shall not be intentionally applied in a manner that will cause unnecessary pain, nor applied continuously for an unreasonable length of time, nor be allowed to create a substantial risk of a serious medical problem.

9. Provocation: It is a violation of this policy to harass or otherwise verbally provoke an offender or offenders into an assault on staff in order to justify the use of force against that offender.

10. Medical Attention: Medical attention shall be provided to those injured and those perceived as possibly injured as soon as possible following any use of force. Medical attention provided to individuals involved in the use of force, will be documented in a Use of Force Report by the individual or individuals who use the force.

11. Documentation: Each situation involving any use of force shall be documented in writing, and in detail, as soon as possible by each individual officer involved in the use of force and such reports shall be completed before completing the shift or workday.

D. Authorized Force Options:

1. Control and Compliance Holds
   a. Control and/or compliance holds are specifically designed to either immobilize the subject, or compel compliance through the incrementally applied pressure to specific areas of the subject's body.
   b. Control and/or compliance holds are based upon the principles of pain compliance. Pain is incrementally introduced by applying pressure to specific areas of the subject's body, commensurate with the subject's level of resistance. Once the subject complies, officers shall incrementally reduce the level of pressure applied.
   c. During the use of a control/compliance hold, pressure that is applied to the subject beyond the point of compliance shall be considered a form of corporal punishment and may lead to discipline.
   d. In general, only those control and compliance holds which have been authorized by the Department Training Unit and taught by Departmental instructors are allowable. However, should these control and compliance holds prove to be ineffective in a specific situation, officers may utilize the most reasonable alternative means available to control the situation.
2. Other Hand to Hand Force Methods
   a. In addition to compliance holds, there are a wide variety of hand-to-hand methods that may be available to officers based on their training, background and experience and the nature of the situation. It is not possible to specify all of these additional methods and techniques, but they include punching, kicking, wrestling holds, the use of pressure points, and a wide range of other possibilities.
   b. In general, these methods should be restricted to situations involving self-defense or the immediate defense of others where no safer method of control or defense is available.

3. Mechanical Restraints
   a. The use of restraints does constitute a use of force within the meaning of this policy, except for situations in which handcuffs, leg shackles and/or other security restraints are used for routine transportation of offenders, or in other situations where security restraints are used as standard procedure, or in which no resistance is encountered.
      i. The standard use of restraints for arrest, escort or transportation of offenders is not a use of force within the meaning of this policy.
      ii. If an offender physically resists to be placed in restraints, then restraints do constitute a use of force within the meaning of this policy.
      iii. If an offender physically resists after being placed in restraints, then efforts to gain compliance by use of additional restraints is also a use of force within the meaning of this policy.
      iv. If an offender initially refuses to be placed in restraints (whether the situation is an arrest, escort or transportation, etc.), but the offender subsequently is talked into compliance by staff, that is not a use of force within the meaning of this policy as long as neither the offender nor the staff member used force.
   b. Officers shall verify that the offender is not in undue pain and that the restraints are not creating injury or obvious medical problem.
   c. Restraints may never be placed about the neck, or in any manner that restricts blood circulation or breathing, nor may tape be placed around the nose, mouth or neck. The use of restraints in any of these manners, or for punishment or to intentionally inflict unnecessary pain, is grounds for disciplinary action, including dismissal.

4. Ankle Restraint
   a. The Ankle Restraint Strap may be used to immobilize a combative/resistant detainee during vehicle transport. The ankle restraint shall not be used as a preemptive precaution based solely on the subject's history and past behavior.
b. Use of the Ankle Restraint Strap is limited only to those staff that have been trained in its use.

c. Once the Ankle Restraint Strap has been applied, the subjects shall remain in an upright position.

d. The Ankle Restraint Strap shall not be placed in any position that leaves it partially hanging out of the vehicle door.

e. The Ankle Restraint Strap is not to be used to secure the subject's ankles to his/her hands in any form of the "hog-tie" position.

5. Chemical Agents

a. Due concern must be given to the possibility that innocent bystanders may be affected by the use of chemical agents. However, in emergency situations, the need to use such agents may outweigh the protection of bystanders.

b. Chemical agents will not be applied to any person for the purpose of effecting punishment.

c. Officers, offender(s) or others affected by a chemical agent shall be permitted to wash their face, eyes, and other exposed skin areas as soon as possible after the chemical agent is used. First aid or medical attention will be provided to all persons sprayed with chemical agent as necessary.

d. Department issued OC may not be carried or used off duty except for situations where the Department has authorized the carrying of a firearm off duty in response to a specific threat. OC may be carried in route to and from work, however, and its use at such times shall be governed by this policy.

e. OC is prohibited once an offender has been restrained, except if the restrained individual's continued physical aggressiveness poses a serious, clear and imminent danger to the offender or others, and if OC offers the least dangerous method to prevent serious injury of death.

6. Batons

a. Officers striking another person with a baton should attempt to strike arms, legs, and center mass.

b. The baton shall not be carried within the Juvenile Hall unless under the specific direction of a cognizant manager.

c. The specific size and model of baton shall be determined by the Chief Probation Officer or his / her designee.

7. Deadly Force

a. The use of deadly force by an officer is justified when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for the following reasons:
i. To defend against an imminent threat of death or serious bodily injury to the officer or another person; or

ii. 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.

b. An officer shall give a verbal warning before using or attempting to use deadly force, time and circumstances permitting. Warning shots are prohibited.

c. Deadly force shall not be used against any person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or another person.

E. Use of Force Reporting Requirements

1. A Departmental use of force form will be used for all use of force situations.

2. All use of force reports shall include:
   a. A list of all officers that employed force.
   b. A list of all persons on whom force was used.
   c. A list of the names of all bystanders and/or potential witnesses, whether officers, members of the public, or offenders, whenever possible.
   d. A precise description of the incident, the events leading to the use of force, and the reasons for employing the force.
   e. A description of the weapon, restraint, chemical agent, other security devise, control hold or other type of force that was used, and the manner in which it was used.
   f. A description of every other attempt to resolve the situation, including other levels of force employed prior to the level of force that was successful in controlling the situation.
   g. A description and photographs of any injuries suffered by officer(s), offender(s) or others, and the treatment given.
   h. Identification of the officer authorizing and / or deciding to use force and of any staff member supervising the use of force.

3. In the event of a use of force, the involved officer(s) shall notify their immediate supervisor as soon as practical.
4. Any use of force situation resulting in death or serious injury to any person, or involving a shooting, shall be reported immediately to the Chief Probation Officer.

5. Any officer who witnesses excessive, inappropriate or improper use of force, or receives an allegation of excessive or improper use of force by a peace officer, shall verbally report that situation to his or her immediate supervisor as soon as possible. The reporting officer shall complete a written report describing the situation/incident within one working day. Failure to report, as described above, shall be grounds for disciplinary action.

6. A copy of the original Use of Force Report shall be retained by the Chief Deputy reviewing the incident.

7. The original copy of all Use of Force reports shall be retained in a centralized file maintained by the SAC II assigned to the Chief Probation Officer.

8. All use of Force Reports, except those relating to officer involved shooting, shall be maintained for a minimum of five years.

9. All use of Force Reports pertaining to an officer involved shooting shall be maintained for 25 years.

F. Supervisory Review of Use of Force Incidents

1. Every use of force situation will be reviewed by the officer’s immediate supervisor. If the supervisor was involved in the use of force, then the Chief Deputy will review the incident or assign to another supervisor.

2. Reviews shall be completed within a reasonable time after the incident and submitted to the Chief Deputy. All reviews shall include a written recommendation from the Supervisor conducting the review as to whether the application of force was in compliance with this policy. This recommendation shall be signed and dated.

3. Reviews are conducted primarily by reviewing the written reports of involved persons and witnesses.

4. The Chief Deputy shall also read the review to ensure compliance and when applicable make a decision about the necessity of an internal investigation. That decision shall be based upon the severity of the incident, the completeness and agreement of the written reports, the likelihood of grievance or litigation over the incident, the occurrence of staff error in following policy or procedure and other potential benefits.

5. All approved use of force reports will be routed to the Assistant Chief Probation Officer for his/her review.

VI. EXCLUSIVITY:
This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy provides Probation Department peace officers with guidelines in the use of naloxone opioid antagonist. Equipping officers with naloxone kits provides the ability to assist overdose victims, and render aid to officers exposed to opioids.

III. **APPLICABILITY:**

This policy applies to Probation Department peace officers who have been certified and authorized to administer naloxone opioid overdose antagonist.

IV. **BACKGROUND:**

The Probation Department has identified individuals on supervision with drug abuse problems. The use of opioids poses a risk of overdose and exposure to the community and officers.

V. **GENERAL POLICY:**

A. Officers are authorized to aid any individual(s) encountered in the course of their duties who may be suffering from an opioid overdose including the use of Naloxone if issued, to revive an individual from an apparent drug overdose.

B. Officers shall receive training on responding to individuals suffering from an apparent opioid overdose and the use of naloxone.

C. Naloxone certified officers shall receive a minimum of one (1) hour of refresher training every 2 years in conjunction with CPR/First Aid training.

D. Officers issued Naloxone are required to have it available while conducting field work in case of an overdose or exposure emergency.
E. Naloxone shall not be kept in county vehicles overnight.

F. Naloxone shall be administered according to the instructions/training by the authorized provider.

G. Reporting

1. Officers, as soon as possible but no later than end of shift, shall notify their supervisor that Naloxone has been administered for an overdose. If their supervisor is not available, the officer shall notify up the chain of command.

2. Complete a Department incident report and the Public Safety/Law Enforcement Naloxone Use form within 24 business hours.

3. Reports will be reviewed by their supervisor and submitted to the Chief Deputy.

4. The Naloxone Use Form will be submitted to the Professional Standards Unit supervisor within three (3) business days following the date of use.

5. The Professional Standards Unit supervisor shall submit the Naloxone use form to the County Emergency Medical Services Agency by the 15th day of the month following the date of use. A copy will be retained by the Professional Standards Unit.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. AUTHORITY:

This policy is issued under authority granted to the Chief Probation Officer.

II. PURPOSE:

California law allows sworn officers of the Probation Department to carry firearms with the authorization of the Chief Probation Officer. The deployment of shotguns will be reserved for situations that have an increased potential for danger or deadly force and the officer has reason to believe the deployment of a shotgun will contribute to the safe resolution of the incident or diminish risk to officers or the public.

III. APPLICABILITY:

This policy approves the use of the shotgun by the following officers authorized to carry a firearm:

- Supervising Deputy Probation Officers (SDPO)
- Senior Deputy Probation Officers (DPO IIs)
- Post Release Community Supervision (PRCS) officers;
- Current Department Range Masters
- Adult gang caseload officer

IV. GENERAL POLICY:

A. Eligibility Criteria—the criteria for authorization to use a shotgun shall be as follows:

1. Successful completion of the San Luis Obispo County Probation Department certified shotgun training course.
2. Maintain quarterly qualification consistent with the Department shotgun course of fire.
B. The authorized use of the shotgun is conditional and may be suspended or revoked by the Chief Probation Officer or when the officer’s work assignment has changed and/or no longer meets eligibility requirements.

C. Shotgun Deployment

1. Guidelines for deployment of shotgun include but is not limited to:
   a. Situations where officers reasonably anticipate an armed encounter.
   b. The officer has information that a subject may be in possession of a firearm or other deadly weapon.

2. Shotguns in the field will be locked in a County vehicle outfitted with a shotgun locking mount when not deployed.
   a. The officer having control of the shotgun is responsible for ensuring that there is no shell in the chamber, the magazine tube is fully loaded, the hammer is not cocked, and the weapon is on safe unless being readied for immediate use while deployed for field use.

D. Shotgun Storage

1. Shotguns shall be stored in the Department armory when not in the field.
   a. The officer having control of the shotgun is responsible for ensuring there is no shell in the chamber, magazine tube is unloaded, safety is on and properly secured in the safe/weapon rack.

2. Exception: Officers assigned to the Sheriff’s Office Task Force will be issued a shotgun
   a. When the Department owned shotgun is at the officer’s residence, it is the responsibility of the officer to keep the shotgun in a safe and secure place with the Department supplied trigger lock installed on the shotgun or stored in a California approved locked gun safe/gun locker; or
   b. May be stored at the Sheriff’s Office in a Sheriff-approved gun locker when off duty.

V. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy is to establish the parameters when safety lights are used when operating a Probation vehicle.

III. **APPLICABILITY:**

This policy applies to all peace officers employed by the San Luis Obispo County Probation Department.

Probation Officers assigned to the Sheriff’s Gang Task Force and Narcotics Unit are exempt from this policy when operating their assigned task force vehicle.

IV. **GENERAL POLICY**

A. Vehicle safety lights may only be used in the following circumstances:

1. To enhance safety when the standard hazard lights are not sufficient to heightened visibility of the vehicle to traffic when:

   i. Pulled off the side of a road;
   ii. Blocking roadways while assisting agencies for evacuations or re-routing traffic due to emergencies; or
   iii. Maintaining perimeter control when searching or attempting to apprehend subject

B. Officers shall not use safety lights to conduct traffic stops on a moving vehicle.

VII. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

   This policy is issued under authority granted to the Chief Probation Officer.

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      iii. Maintaining perimeter control when searching or attempting to apprehend subject

   B. Officers shall not use safety lights to conduct traffic stops on a moving vehicle.

VII. **EXCLUSIVITY:**

   This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
SECTION VII
PERSONNEL
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy is to establish guidelines for staff that are paid consultation pay to respond to telephone calls during times that are not considered regular office hours.

III. **APPLICABILITY:**

This applies to all non-management staff.

IV. **BACKGROUND:**

There is a need to have key non-managerial staff available 24 hours a day to consult with regarding Probation Department operations.

V. **GENERAL POLICY:**

A. Each Chief Deputy Probation Officer will determine those employees within their division who should receive consultation pay.

B. The Chief Probation Officer or the Assistant Chief Probation Officer, based upon the recommendation of the Chief Deputy Probation Officer, will have the final approval of staff consultation pay.

C. The Chief Deputy Probation Officer will notify the Probation Department’s Supervising Administrative Clerk / Departmental Personnel Technicians overseeing the applicable personnel of the names of staff approved for consultation pay.
D. All staff receiving consultation pay are expected to be available by phone after
hours unless excused by their Chief Deputy Probation Officer.

E. Any return to duty, as the result of a consultation call, must be approved by a Chief
Deputy Probation Officer, the Assistant Chief Probation Officer or the Chief
Probation Officer.

F. Staff not receiving consultation pay are not expected to be available after hours.

VII. EXCLUSIVITY

This policy will remain in effect until superseded or suspended in writing by the Chief
Probation Officer and can be reviewed as needed.
I. AUTHORITY:
This policy is issued under authority granted to the Chief Probation Officer.

II. PURPOSE:
To meet the operational and scheduling needs of the Department, while remaining within the mandated parameters of the Fair Labor Standards Act and County policies/Memorandums of Understanding (MOUs).

III. APPLICABILITY:
This applies to all non-sworn, non-management staff.

IV. BACKGROUND:
This policy is established to provide guidelines for setting and approving alternative work schedules.

V. GENERAL POLICY:
1. All non-sworn, non-management staff will work a standard 40-hour workweek defined as Monday through Friday from 8:00 AM to 5:00 PM. However, this may be modified by chief deputy probation officers to meet Departmental needs in accordance with existing employee MOUs, County policies and the Fair Labor Standards Act. Pursuant to the Contract and MOU between the County of San Luis Obispo and the San Luis Obispo County Employee's Association, “Alternate work schedules may be established by the departments provided adequate staffing is maintained to meet the operational needs.”

2. Employees shall post the following week’s schedule for their respective division on the Probation Unit Schedule computer program prior to noon on Thursday of the previous week.
3. All written requests for alternate work schedules must be submitted on the Request to Work an Alternative Schedule form. All requests for an alternative work schedule will be reviewed on an individual basis, and a decision reached by the unit Supervisor with the approval of the Division’s Chief Deputy Probation Officer / Department Administrator. The approval of alternative work schedules, including working hours and days of the week, will be approved to better serve the public, meet specific caseload needs, and/or for any other reason as determined by the Department.

4. Alternative work schedules will be evaluated annually by the unit Supervisor in consultation with the Division’s Chief Deputy Probation Officer / Department Administrator. At this time, the employee’s Supervisor and his/her Division’s Chief Deputy Probation Officer / Department Administrator will assess whether or not the Departmental benefits initially presented in the employee’s original request for an alternative work schedule, remain current. A new Request to Work an Alternative Schedule must be submitted annually.

5. An alternative work schedule is a set work schedule and should not be deviated from unless prior supervisor approval is given. Deviation from a set schedule should be for emergency purposes only and be in the best interest of the Probation Department.

6. Supervisors will be responsible for monitoring of an employee’s alternative work schedule.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
REQUEST TO WORK AN ALTERNATIVE SCHEDULE

DATE: ________

TO: ________________ (Supervisor)

FROM: ________________ (Employee)

SUBJECT: EMPLOYEE’S REQUEST TO WORK AN ALTERNATIVE SCHEDULE

Please be advised that I am requesting to work an alternative work schedule

1. This schedule will deviate from a standard Monday through Friday, 8:00 AM to 5:00 PM schedule.

2. I understand that this alternative schedule may be rescinded in writing by my supervisor.

3. I will start work at ______ AM and end at ______ PM on ________.

4. I will start work at ______ AM and end at ______ PM on ________.

5. I understand I am entitled to a lunch break period. I will take a ______ hour lunch. I waive my lunch period ___.

6. I understand that if I start work before 8:00 AM I will notice my supervisor by County e-mail when I start.

7. I understand that if I end work after 5:00 PM I will notice my supervisor by County e-mail when I end.

☐ Approved  ☐ Denied

________________________  ____________________
Supervisor                    Date

________________________  ____________________
Chief Deputy                  Date
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer by California Government Code 1031, 1031.5, 12946; California Penal Code 12021; California Civil Code 1798.38, 1798.40, 1786.10; California Code of Regulations 1002(b); California Department of Justice CLETS Operating Policy 1.7.3, et seq.; and POST Background Standards for Peace Officers.

II. **PURPOSE:**

The purpose of this policy is to establish background standards, levels of background investigation and specific criteria for each level. It also will establish procedure for the access, storage and retention of background material.

III. **APPLICABILITY:**

This policy applies to all background investigations.

IV. **BACKGROUND:**

Probation Department employees, interns and volunteers, by the nature of their assignment, have access to confidential information and may work with juveniles. The pre-employment background investigation satisfies two goals: 1) assuring compliance with all applicable minimum standards for appointment and 2) screening out candidates who, based on their past history or other relevant information, are found unsuitable for the positions in question.

V. **GENERAL POLICY:**

A. All Probation staff and volunteers will be subject to one of three levels of background screening:

   1. Level One – Volunteers/Interns who are accompanied or supervised by staff at all times.
a. Background minimum standards include:

1) Live Scan criminal history, CA only
2) DMV records check
3) Local court activity - CJS
4) National Sex Offender Database

2. Level Two - Most non-sworn staff, interns, and other long term non-paid personnel (volunteers) who have contact with juveniles and are not accompanied or supervised by paid Probation staff at all times, and/or who have access to Probation records.

a. Background minimum standards include:

1) Pre-employment truth verification examination
2) Live Scan criminal history, CA & FBI
3) Driving Record Check
4) Local Court Checks - CJS
5) Civil Court Checks
6) Local Agency contacts (PDs/SO) and/or out of state and/or out of the area
7) POST Personnel History Statement - Public Safety Dispatcher
8) Employment History Checks
9) Relatives/Personal Reference Checks
10) Neighborhood checks
11) Credit History
12) National Sex Offender Database
13) Employment Eligibility
14) Education Verification
15) Military History Check if Applicable
16) Dissolution of Marriage Check, if applicable.

3. Level Three - Sworn staff and Correctional Technicians

a. Background minimum standards include:

1) Pre-employment truth verification examination
2) Live Scan criminal history, CA, FBI, Child Abuse Central Index (CACI) and Firearms Clearance
3) Driving Record Check
4) Local court activity- CJS
5) Civil Court checks
6) Local, out of county, and/or state law enforcement jurisdiction checks
7) POST Personnel History Statement - Peace Officer
8) Employment history checks
9) Relatives / Personal reference checks
10) Neighborhood checks
11) Credit Records Check
12) National Sex Offender Database
13) Citizenship Verification
14) Age Verification
15) Education Verification
16) Military History Check, if applicable
17) Dissolution of Marriage check, if applicable.

B. A new psychological evaluation shall be conducted on peace officer candidates reappointed to the same department, unless the prior evaluation occurred within one year of the date of reappointment.

C. Pre-employment truth verification examinations or “Polygraph Examination” will be used as a decision support tool for the evaluation and selection of Probation Department candidate. Truth verification examinations will not supplement or replace the need for a thorough background investigation.

D. Staff and volunteers who have had a background investigation completed at a lower level will be subject to a higher-level investigation if hired into a different position requiring the higher level of investigation.

E. While in the hiring process the CPO or designee will review the Background Narrative and if necessary, request further information, and/or make comments if disqualified. The CPO or designee’s signature will be required when approved.

F. In cases where there is potential disqualifying information, the Chief Probation Officer (CPO) or designee will indicate rejection or request further investigation by the Background Investigator.

G. Access to background files is limited to:

   a. The CPO or designee

   b. The Probation Department Background Investigator or designee

   c. Others with special permission of the CPO

H. Access to background files with a signed Release and Waiver from the person named in the background investigation is limited to:

   a. Outside Criminal Justice Background Investigators or State Department Background Investigators

I. Any outside Criminal Justice Agency Background Investigator (CJABI) who reviews a Probation background file must sign, date, and state the purpose on the Background Investigator’s checklist contained in each packet. A copy of the release will be placed in the background file that was reviewed. The CPO, a Department BGI or the CPO’s designee must
be present when any outside CJABI is reviewing one of our background files.

J. Once the CPO or designee reviews the Background Narrative and provides his/her signature, the signature page is given to the Departmental Personnel Technicians or Supervising Administrative Clerk assigned to handle the applicant's Department administrative file to initiate the remaining hiring processes. The Background Narrative will be returned to the Background Investigator or designee to be placed in the applicant's background file.

K. Storage of background files will be overseen by the Probation Department Background Investigator (BGI) or their designee.

a. During the background process, background files will be secured in a locked cabinet. One key shall be provided to the respective SDPO.

b. Once completed and signed, the files will be scanned and stored on the F-Drive in the background folder, and all documents destroyed. Prior to the destruction of original documents, the file will be verified for accuracy.

c. The file will be stored in the same manner regardless of the stage or disposition of the candidacy, i.e. whether the applicant has withdrawn after submission of signed documents and live scan completion, approval, or disqualification.

d. All background files will be scanned and stored in the appropriate F:drive folder, and will be available for viewing, as specified in Section V.(G) of this Policy.

L. All active employees' background files will be retained for their period of employment. Background files will be retained for a minimum of five years after separation from employment, non-selection and/or withdrawal from consideration of employment. Background Investigations will be purged by document shredding and/or deletion from the F: drive.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy is to assure that administrative and medical files are handled with confidentiality maintained.

III. **APPLICABILITY:**

This applies to all Probation Department personnel.

IV. **BACKGROUND:**

The content of Probation Department Administrative and Medical files is confidential and the records are protected by case law and statute. Peace Officer files are governed by PC 832.8. There should be nothing in the file which the employee does not have knowledge of and the review of files should be limited and restricted to a "need-to-know" basis.

V. **GENERAL POLICY:**

Peace Officer files shall be retained separate from files of other employees and stored as follows:

- Juvenile Division & Juvenile Hall Officers: files will be housed in the office of the Departmental Personnel Technician located at the Juvenile Services Center

- Adult Division: files will be housed in the office of the Departmental Personnel Technician located at Casa Loma.
All files are to be stored in a locked cabinet when the Departmental Personnel Technicians / Supervising Administrative Clerk are out of the office.

Background investigation files shall be retained separate from employee administrative and medical files. Closed hard copy background files shall be stored in a locked cabinet in the office of the Supervising Deputy Probation Officer over the Background Unit. Closed electronic background files are to be electronically archived and stored in the applicable background folder located in the Department's F drive.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE**

The purpose of this policy is to establish policy for the appearance and dress of Probation Department employees, sworn and non-sworn, while on duty.

III. **APPLICABILITY**

This policy applies to all Probation Department employees while on duty.

IV. **BACKGROUND**

It is the responsibility of all Probation Department employees that when meeting with the public the employee shall be well-groomed, appropriately dressed, and reflect a personal image as a professional employee in the performance of official duties.

V. **GENERAL POLICY**

**Office Dress Appearance:**

A. During business hours or when dealing with the public or other agencies, employees shall dress in business casual attire.

B. Business casual attire for the purpose of this policy does not include the following:

1. Cotton t-shirts or cotton/fleece sweatshirts.
2. Short pants (Capris are allowed)
3. Frayed or torn pants
4. Caps or hats (head wear worn for religious purposes is allowed)
5. Blue denim pants
6. Flip flops
C. Visible body piercings other than those through the ear are not permitted while on duty.

D. Visible tattoos determined by the Chief Probation Officer to be of an anti-social and/or unprofessional nature may be required to be covered up during work hours.

E. Hair styles and colors that are determined by the Chief Probation Officer to be extreme, create a safety hazard, or have the potential to become a distraction to the employee’s co-workers are prohibited.

F. Blue denim pants can be worn on calendar Fridays.

G. Sworn officers may use the Field Dress Attire while in the office or when dealing with the public or other agencies.

Training Dress Attire:

A. In County trainings: staff shall dress in business casual attire or uniform.

B. Out of County trainings: staff shall wear business casual attire with the addition of blue jeans being allowed.

C. If the training dictates dress that is different from the standards above, those training dress requirements shall be followed.

Court Dress Attire:

A. All employees appearing in pre-noticed Court appearance shall wear business dress attire.

B. Officers with no prior notice of a Court appearance may wear business casual or field attire in Court.

C. Officers appearing in Treatment Courts may wear business casual attire provided the assigned Judge approves.

D. Firearms shall be concealed at all times while in the courtroom during scheduled appearances unless appearing in field attire without prior notice.

Field Uniform:

A. Deputy Probation Officers and Supervising Deputy Probation Officers shall adhere to the following uniform standards:

1. Only tactical pants in black or khaki color are allowed.

2. Only polo shirts in black or khaki color are allowed.
a. Polo shirts shall have the official Department star logo over the left chest area.
b. Polo shirts shall have the officer's first initial and last name over the right chest area.
c. Officers have the option to have the appropriate rank underneath their name.
d. Approved Probation Department ranks:
   i. Deputy
   ii. Juvenile Services Officer
   iii. Senior Juvenile Services Officer
   iv. Senior Deputy
   v. Supervising Deputy
   vi. Chief Deputy
   vii. Assistant Chief
   viii. Chief

3. Officers may wear visible black sweatshirts or t-shirts with the Probation Department logo or "63 Nation" logo or plain black sweatshirts or t-shirts under their tactical vest.

4. Only caps or visors with the Probation Department logo may be worn and the bill must be facing forward. Solid black beanies, plain or with the Probation Department logo, may be worn during inclement weather.

5. Only black or khaki closed toe, closed heel, flat, rubber soled shoes or boots may be worn.

6. T-shirts under tactical vest and polo shirts must be tucked into the officer's pants.

7. Pants tucked into boots in a bloused style are not allowed.

8. Officers with hair below their shoulders shall tie it back or wear it under a hat in such a way that precludes their hair from being pulled by a combatant during an attack.

9. Officers shall keep their fingernails or artificial fingernails trimmed to length that does not interfere with job duties or have a likelihood to cause injury.

10. No skirts, shorts or dresses are permitted.

11. Loose fitting and sharp-ended jewelry are not allowed.

12. Officers assigned to task forces are exempt from field uniforms standards.
13. Officers assigned to the Coastal Valley Academy (CVA) may wear outer concealment shirt with CVA logo and black or khaki tactical shorts on outings as approved by a supervisor or Chief Deputy.

Off duty officers must not allow the Department’s logo on clothing they are wearing to be visibly displayed.

VI. EXCLUSIVITY

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer. This policy is issued after meeting and conferring with all organizations representing employees affected by this policy.

II. **PURPOSE:**

The purpose of this policy is to define and establish standards for conduct for all employees of the Probation Department, including interns and volunteers. Individuals in government service have positions of significant trust and responsibility that require them to adhere to the highest standards of conduct. All Department employees are expected to conduct themselves in accordance with the standards set forth in this Policy and to follow the Probation Department Mission, Vision, and Values (http://myslo.intra/PR.htm).

It is essential that all Department employees exhibit conduct both on and off the job that does not compromise the integrity or reputation of probation services. As a law enforcement agency, the Probation Department must maintain the highest level of integrity, honesty, and trustworthiness in all aspects of our conduct and activities.

III. **APPLICABILITY:**

This applies to all Probation Department Employees interns and volunteers.
IV. GENERAL POLICY:

A. County Rules of Conduct

In addition to the policies and statements of this Department, all laws, County rules and policies must be followed by Probation Department employees. Employees are expected to conduct themselves courteously and professionally when engaging with clients, other county staff, and the public. Employees are also directed to Civil Service Rule 14.02 for a list of the reasons that a permanent employee in the County civil service may be disciplined.

Employees are specifically directed to review and adhere to the following County policies (not to the exclusion of other County policies, but as these pertain specifically to employee behavior and conduct):

- Policy Against Discriminatory Harassment
- Alcohol and Drug Policy
- Policy on Political Activity by County Officers and Employees
- Policy on County Staff Receiving Gifts and Gratuities
- Vehicle Policy
- Information Security Program: Acceptable Use Policy
- Workplace Violence Policy
- Social Media Policy

All County policies can be viewed on the County’s internet and/or intranet website.

B. Department Rules of Conduct

1. Representatives of the Chief Probation Officer

Deputized staff are duly sworn representatives of the Chief Probation Officer and, by statutory law, possess the powers and may perform the duties attached by law to the Chief Probation Officer. However, upon direction by the Chief Probation Officer or their designee, a deputized staff member shall modify, change, or delete recommendations to the Court in accordance with such direction.

2. Interpersonal Communications in the Workplace

All personal interactions, including those with co-workers, clients, supervisors, the public, and individuals at other agencies, are to be conducted with respect, courtesy, and consideration. Employees shall not disparage, demean, belittle, threaten, or be in any way hostile or disrespectful in their communications with others. Employees shall treat others in a manner that supports, encourages, assists, and provides clear and understandable direction.
While at work, employees shall not engage in gossip or spread rumors in any form, regardless of intent or audience. Gossip is defined as idle conversations that reveals personal, sensational, or intimate details about another. Rumor is defined as a statement with no discernible source or known authority for its truth or accuracy. Gossip and spreading rumors are recognized as detrimental to a cohesive and harmonious working environment. Employees are encouraged to refrain from this conduct off duty if there is a reasonable likelihood that the behavior could negatively impact interpersonal relationships in the workplace.

3. **Notification of Supervisors**

Employees shall notify a supervisor as soon as reasonably possible after becoming aware of any unusual event or occurrence including, but not limited to, situations in which any Department employee is:

a. Seriously injured;
b. Involved in a fatality;
c. Involved in a use of force incident as defined in the Department’s Use of Force Policy;
d. The subject of a criminal investigation;
e. Involved in a “high-profile” case where a subject or victim is well known in the community, a member of another agency, or where the case is or is likely to be highly publicized;
f. Involved in any incident they reasonably believe will be reported in/to the media;
g. Involved in an on-duty vehicle accident;
h. Involved in any incident they reasonably believe will generate a citizen’s complaint; or
i. Contacted by the media regarding a Department-related issue.

If the involved employee is unable or unwilling to notify their supervisor, if there is a witnessing employee, it is the responsibility of the witnessing employee to make such notification as soon as reasonably possible.

In addition, employees shall notify a supervisor as soon as reasonably possible after becoming aware of any incident, event, or occurrence which they reasonably believe could expose the Department or County to liability.

Any employee who observes another employee, whether on or off duty, engaging in illegal behavior or conduct prohibited by this Policy shall report that behavior or conduct to a supervisor as soon as reasonably possible.
4. **Sensitive/High Profile Cases**

Sensitive/high profile cases shall be tracked throughout the criminal justice process. If a case of this nature is referred to the Probation Department, the Chief Probation Officer shall be notified upon a law enforcement or court referral, including bookings in Juvenile Hall via the chain of command.

All court reports associated with a high profile/sensitive case shall be submitted for review to the Adult or Juvenile Services Chief Deputy. The Chief Deputy shall review the report(s) with the Assistant Chief and Chief Probation Officer prior to distribution to the courts, District Attorney and attorney representing the defendant.

A sensitive/high profile case may include, but is not limited to:
- A case that is likely or has had significant media interest or coverage,
- A Probation employee,
- A Probation employee's spouse, significant other, household member, siblings, parent, or relative,
- A high-profile official of another law enforcement agency or County agency
- A high-profile individual, who is well known or has significant status in the community, e.g. judges, state or city officials, celebrities.

5. **Expression of Personal Opinions**

No employee shall identify him or herself as a member of the Probation Department in any communication, verbal or written, with any media outlet without prior approval of the Chief Probation Officer. An employee may comment on a matter of public concern if the statement does not impact working relationships for which personal loyalty and confidence are necessary, impede the performance of the speaker's duties, or interfere with the regular operations of the Department.

In order to advance the Mission and Vision of the Probation Department, employees shall conduct themselves in both manner and speech consistent with the mission of the Probation Department. No employee shall express an opinion arising out of that employee’s position or duties to any media, court, or other agency that is in conflict with the policies or interests of the Department or that of the Chief Probation Officer.

While on duty excluding normal breaks, in order to maintain a harmonious and efficient work environment, employees are prohibited from engaging in any political activities in the workplace, including, but not limited to, the display of political images, slogans, cartoons, and endorsements of candidates, initiatives, and propositions.
6. **Prohibited Establishments**
   Except in the performance of duty, no employee shall enter any area or structure where illegal activity is known or should be known by the employee to occur. This restriction includes, but is not limited to, establishments promoting illegal prostitution, illegal gaming, and illegal substance use or manufacture.

7. **Associations with Known or Suspected Criminals**
   Except as necessary in the performance of duty, employees shall avoid association or dealings with persons whom they know or reasonably suspect or should know are involved in criminal activity. Family members or other associations may be exempt with prior approval of the Chief Probation Officer.

   Except as necessary in the performance of duty, employees shall not belong to or join any subversive organization known to advocate for the overthrow of the United States government or any criminal organization, including but not limited to criminal street gangs and outlaw motorcycle gangs. Employees shall not engage in continuous social relationships with any members of a criminal or subversive organization.

   Employees shall not knowingly maintain a personal or social association with a person or persons who are under criminal investigation or indictment or who are on formal probation or who have an open and notorious reputation in the community for criminal activity, as such association would be detrimental to the image and reputation of the Department.

C. **Use of County Property**
   Employees shall not, while off duty, visually display on their person any item or article of clothing that displays the Department’s name, emblem or insignia, regardless of who purchased the item. Public display of the Department’s name, emblem, or insignia may be displayed at special events with prior approval of the Chief Probation Officer.

D. **Conflict of Interest**
   Employees shall avoid any situation which involves, may involve, or may give the appearance of a conflict between their personal interest and the interest of the County. Employees shall notify their supervisor as soon as they become aware of any potential conflict of interest.

E. **Contact with Law Enforcement**
   Employees who are arrested, detained, contacted, or questioned by a law enforcement agency as a suspect in any criminal investigation shall, as soon as reasonably possible, and no later than the next business day, notify their Chief Deputy of the nature of this contact. The next business day for non-custodial staff is Monday through Friday. The Chief Deputy shall immediately notify the Chief Probation Officer.
All incidents involving an employee and alleged illegal conduct will be investigated by the Department, and, when appropriate, referrals to other agencies for additional investigation will be made.

F. Fraternization

1. Romantic Relationships Between Supervisors and Subordinate Employees are Prohibited.

Public trust, safety, and Department morale require that employees avoid the appearance of a conflict between their professional responsibilities and their involvement in a romantic or sexual relationship with other Department employees. In order to promote efficient operation of the Department and to avoid misunderstandings, complaints of favoritism, other problems of supervision, security, morale, and possible violations of the County's Policy Against Discriminatory Harassment, romantic and/or sexual relationships between supervisors and their direct subordinate employees within the same divisions are prohibited.

2. Romantic Relationships Between Co-Employees

Public trust, safety, and Department morale require that employees avoid relationships that may negatively impact the efficient operation of the Department. Employees who are in romantic or sexual relationships with one another employee of the Department shall remain professional at all times while on duty and adhere to the following standards of behavior:

- No displays of affection while on duty;
- No preferential treatment of each other; and
- Personal conflicts will remain out of the workplace.

Any type of behavior or conduct that interferes with the efficient and effective operation of the Department shall be subject to discipline, up to and including termination, as conduct unbecoming an employee.

G. Dishonesty and Insubordination

Public trust, safety, Department morale, and the reputation and integrity of the Department as a law enforcement agency require that dishonesty and insubordination by employees not be tolerated. Dishonesty, in both written and verbal form, is strictly forbidden and is grounds for disciplinary action, up to and including termination. Insubordination is the willful refusal to obey the lawful and legitimate directive of a higher-ranking member of the Department and is grounds for disciplinary action up to and including termination.
H. Outside Employment

1. Employees shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, or in conflict with their duties or the functions and responsibilities of the Probation Department. Such employment, activity, or enterprise includes the following:

   a. The use of Probation Department facilities, equipment, supplies or a Probation Department badge or uniform for any matter other than official Probation Department business

   b. Employment activities that directly or indirectly involve the Probation Department’s control, inspection, review or audit responsibilities

   c. Any activity or employment requiring time demands that interferes with or makes less efficient or effective an employee’s performance or duties for the Probation Department

   d. Employment with any other San Luis Obispo County law enforcement agency performing peace officer duties

   e. Acting as or working for a bail agent

   f. Engaging in private criminal investigations

   g. Employment with community-based residential facilities that provide services to adults and youth who are under the supervision of the Probation Department.

   h. Licensed cannabis dispensaries or other cannabis related businesses

2. Employees engaged in outside employment or considering a second job must advise their Chief Deputy immediately. The Chief Deputy will bring the notification to the management team.

3. The Chief Probation Officer shall determine if outside employment conflicts with the provisions of this subsection H.1. of this policy

4. Second job approvals will be filed in the employee’s department administrative file

V. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy is to ensure the confidentiality and proper handling and maintenance of employee personnel records.

III. **APPLICABILITY:**

This applies to any staff possessing or handling employee documents as it relates to employee personnel records for all Probation employees.

IV. **BACKGROUND:**

Employee personnel records are confidential documents which are to be treated with utmost care and restricted access.

V. **GENERAL POLICY:**

The Human Resources Department maintains the official personnel file for each employee.

A. The Probation Department maintains three (3) separate and independently stored files for each employee. The files shall be labeled and defined as follows:
1. **Administrative file includes:** Emergency contact form; employee documents signed at the time of hire; employee performance evaluations through 2016 (as of 2017, performance evaluation can now be accessed through NeoGov); medical insurance documents through 2016 (medical insurance can now be accessed through BenXcel as of 2017); commendations/letters of appreciation; employee photograph; work improvement memorandums; written memorandums summarizing specific conversations; and copies of any formal disciplinary documents.

   a) Administrative files will be maintained in locked storage at all times. Administrative files of Peace Officers will be maintained separate from the files of all other job classes.

   b) Supervisors may review administrative files of direct reports at any time in the Supervising Administrative Clerk's or Departmental Personnel Technician's office. Administrative files shall only be removed from their place of storage by the Chief Probation Officer, Assistant Chief Probation Officer or one of the Chief Deputy Probation Officer.

   c) Any officer conducting background or internal affairs investigations may review administrative files of employees involved in/related to said background or internal affairs investigation with consent of the Chief Probation Officer, Assistant Chief Probation Officer, or the Chief Deputy Probation Officer of the Support Services Division.

   d) While supervisors may maintain generic and general notes on employees, separate individual employee files used to document negative performance are not allowed.

2. **Medical file includes:** Documents pertaining to injuries/illnesses occurring on duty; medical leave of absence documents; physician authorizations to return to duty; physician restrictions; accommodation and non-accommodation memos; and the results of psychological/medical evaluations.

   a) Access to and review of employee medical files are restricted to those staff designated as Workers' Compensation Liaisons for the Department and who have annually signed a *Confidentiality of Information Agreement* form, and department management, as necessary.
b) Access to this information is for the sole purpose of being informed regarding the employee's work status and for making related management decisions. Confidential medical information will not be disclosed, except on a need-to-know basis, for Departmental management decision-making.

c) Employees may review their medical file but may not remove items from the file. Employees may request copies of documents they have submitted.

3. **Background investigation file includes:** The background investigation report and any required documents supporting/confirming that the employee met the minimum requirements for the position at the time he/she was hired.

   a) Background investigations are strictly confidential. They are to be maintained apart from the administrative file of the individual. Only the final page of the employee's background investigation, which includes the employee's name, the name of the submitting investigator, and the signature of the Chief Deputy Probation Officer assigned to the Support Services Division or designee shall be placed in the employee's administrative file. The remaining portion of the employee's background investigation shall be placed in the employee's background investigation file.

   b) Employees may not review their background investigation file.

B. All employees have a statutory right to review any personnel records that are within the employee's personnel file and used to determine their qualifications for employment, promotion, additional compensation, or disciplinary action by complying with the following process:

1. The employee submits a written e-mail request to review his/her administrative file to the Supervising Administrative Clerk or Department Personnel Technician.

2. An appointment is agreed upon between the employee and the Supervising Administrative Clerk or Department Personnel Technician to review the file. The employee shall not be allowed to review his/her file privately, only in the presence of the Supervising Administrative Clerk or Department Personnel Technician.

3. Employees may request to have a copy of any document in their Administrative File by submitting a written request to the Supervising Administrative Clerk or Department Personnel Technician.
4. In the event the employee identifies a document(s) that he/she wishes to have removed, the employee may have a copy of the document and submit a request to the Chief Probation Officer explaining the basis for the request to remove the document.

   a) The Chief Probation Officer has 30 calendar days from the date of the employee request to respond either negatively or affirmatively.

   b) If the removal is denied, the initial request and the Chief Probation Officer’s response shall remain in the employee’s administrative file.

5. Employees objecting to or wishing to clarify a comment or document in their administrative file, may attach a memorandum to the document(s) within 30 days of the issuance of the document.

C. Other agency access to peace officer personnel records is restricted as follows:

1. A court order is required to compel disclosure of peace officer personnel records in civil and criminal proceedings. (Penal Code Section 832.7, Evidence Code 1043)

2. Any request from the office of the District Attorney to review a peace officer’s personnel records for any reason, including request pursuant to Brady v. Maryland, shall be referred to the County Counsel’s office.

D. Peace officer personnel records are confidential pursuant to Penal Code Section 832.7. However, pursuant to exemptions within that statute, records pertaining to the following shall be made available pursuant to the California Public Records Act:

1. An incident involving the discharge of a firearm at a person by a peace officer.

2. An incident involving the use of force against a person by a peace officer that resulted in death or in great bodily injury.

3. Any record relating to an incident in which a sustained finding made by any law enforcement agency or oversight agency that a peace officer engaged in sexual assault involving a member of the public.

4. A sustained finding involving a complaint that alleges unreasonable or excessive force.
5. A sustained finding involving a complaint that an officer failed to intervene against another officer using force that is clearly unreasonable or excessive.

6. Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency involving dishonesty by a peace officer directly relating to the reporting, investigation, or prosecution of a crime or directly relating to the reporting of, or investigation of misconduct by another peace officer or custodial officer including but not limited to, false statements, filing false reports, destruction, falsifying or concealing of evidence or perjury.

7. Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer engaged in conduct involving prejudice or discrimination against a person based on a specified protected class (i.e. race, religion, color, etc.).

8. Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that the peace officer made an unlawful arrest or conducted an unlawful search.

E. The release of peace officer personnel records pursuant to the California Public Records Act shall be done in consultation with County Counsel.

F. Administrative, medical and background investigation files shall be retained and destroyed as follows:

1. Administrative and medical files shall be kept for the term of the employee's employment plus five (5) years. (San Luis Obispo County Personnel Department Policy Topic: Department Personnel Files)

2. Background investigation files shall be kept for the term of the employee's employment plus five (5) years.

3. Administrative, medical, and background investigation files may be destroyed five (5) years after employee separation from the Department.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
SAN LUIS OBISPO COUNTY

PROBATION DEPARTMENT
POLICY/PROCEDURE MANUAL

SECTION VII – PERSONNEL
SUBJECT: Flex Work Schedule/Hours

Page(s): 2
Effective Date: 02/21/2020
Authorized for Implementation:

Robert B. Reyes, Chief Probation Officer

Previous Effective Date: 05/22/18; 05/23/16; 06/08/11, 12/01/08, and 10/6/04

I. AUTHORITY:
This policy is issued under authority granted to the Chief Probation Officer.

II. PURPOSE:
To meet the operational and scheduling needs of the Department, while remaining within the mandated parameters of the Fair Labor Standards Act and County policies / Memorandums of Understanding (MOUs).

III. APPLICABILITY:
Only deputy probation officers and non-sworn management staff are eligible for the flex schedules.

IV. BACKGROUND:
This policy was originally established to provide guidelines for setting and approving flex schedules.

V. GENERAL POLICY:
1. Pursuant to the Contract and MOU between the County of San Luis Obispo and the San Luis Obispo Probation Peace Officer’s Association.

2. All requests for a flex schedule will be reviewed on an individual basis, and a decision reached by the individual supervisor. The flex schedule, including working hours and days of the week, will be approved to better serve the public, meet specific caseload needs, and/or for any other reason as determined by the Department.

3. Deputy probation officers shall post the following week’s schedule for their respective Division on the Probation Unit Schedule computer program prior to going off duty on Wednesday of the previous work week. Supervisors shall review the schedule and insure the schedule meets the needs of the Probation Department. Employees shall obtain supervisor approval prior to changing their weekly schedule. The officer’s supervisor or his/her Chief Deputy may modify a deputy probation officer’s schedule to meet the needs of the Probation Department.
4. All deputy probation officers shall work no more than 12 hours a day unless approved by the officer’s supervisor or designee. Officers assigned to the sheriff’s task force are exempt from this paragraph.

5. If an employee working an approved flex schedule will be reporting for duty later than their posted schedule, they shall notify their supervisor.

6. Each office in the Adult and Juvenile Division (Casa Loma, Prado and JSC) shall have a minimum of one deputy probation officer on-site during the hours of 8:00 A.M. and 5:00 P.M. during the work week. This requirement may be modified on a case by case basis by the Chief Deputies.

7. The Adult and Juvenile Divisions each shall have a Supervising Deputy Probation Officer on duty and available on site during the hours of 8:00 A.M. and 5:00 P.M. during the work week. This requirement may be modified on a case by case basis by the respective Division’s Chief Deputy.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**
This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**
The purpose of this policy is to establish the use of Departmental identification, including badges and identification cards. Department badges and identification cards, as well as the likeness of these items are the property of the Department.

III. **APPLICABILITY:**
This policy applies to all Department employees and interns who require official identification.

IV. **BACKGROUND:**
Badges and identification cards are issued to establish the identity, authority, and employment relationship of the employee. Badges and identification cards shall be used as set forth in this policy.

V. **GENERAL POLICY:**

A. **Badges:** Badges shall be issued by the Chief Probation Officer to sworn officers at the time of employment as a symbol of authority and for official use only.

1. Deputy Probation Officers shall receive a wallet (flat) badge and a uniform-type badge.
2. Juvenile Services Officers shall receive a uniform-type badge.
3. Sworn personnel shall display their badge on their person in all Department offices during business hours. Badges shall be clearly visible when on-duty.
4. No badge shall be utilized in any manner which is not authorized by the Chief Probation Officer or be shown for the purposes of gaining special consideration.

5. The Chief's Executive Assistant shall keep a master list of all issued badges. Loss of a badge shall be reported immediately by the officer to their supervisor or Chief Deputy.

6. Upon approval of the Chief, sworn officers may purchase their own badge(s) upon retirement and may purchase their previous rank's badge upon promotion. Badges which are purchased and later lost or stolen shall be reported to the local law enforcement agency of their residence and to the Chief Probation Officer's Executive Assistant immediately.

7. Badges which are purchased pursuant to this provision shall not be worn by or displayed on any person, shall not be sold to any third party, and shall not be used or allowed to be used for any purpose other than as memorabilia.

B. Identification cards: Identification cards will be issued to all employees, interns, and volunteers at the time of employment and shall be used for official purposes only.

1. Identification cards shall be issued using an employee's true legal name as presented on a state or federal issued ID or passport.

2. Loss of an identification card shall be reported immediately by the employee to their supervisor or Chief Deputy/Departmental Administrator.

3. Administrative Professional staff shall display their identification cards on their persons in all Department offices during business hours, except at Juvenile Hall. Identification cards shall be clearly visible when in the office during business hours.

4. Identification cards may be worn from the neck with a breakaway lanyard issued by the Department.

5. Probation staff shall not display their identification card outside of Probation Department offices unless acting in an official capacity as an agent of the Probation Department.

6. Identification cards may be used to verify employment when required by others in the normal course of business, for participation in County-approved benefits or discount programs, or to verify legal authority when carrying a personally owned and concealed firearm.
7. Permission for sworn personnel to use the Department identification card to verify legal authority to carry a concealed firearm does not grant off-duty concealed carry of a Department-owned firearm, nor shall it be interpreted or construed to endorse carrying of a concealed firearm while off-duty.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

To provide guidance and direction in the assignment of workspace.

III. **APPLICABILITY:**

This policy applies to the Casa Loma, Prado and Juvenile Services Center (Administration) facilities and additional satellite facilities utilized by the Probation Department and shall be used in the assignment of vacant work area(s).

IV. **BACKGROUND:**

Workspaces, like other non-human assets are an integral part of the Department’s operations. Providing a fair and equitable way of assigning workspaces is an integral component in maintaining a professional and harmonious working environment.

V. **GENERAL POLICY:**

1. When a work area is vacated, the Chief Deputy Probation Officer (CDPO) responsible shall develop a plan for occupying the vacated work area.

   2. Vacant work areas are prioritized based upon the following:
a. Staff members who qualify for an accommodation under the Americans with Disability Act.

b. Managers

c. Supervisors

d. Deputy Probation Officers III

e. Officers assigned to Investigations.

f. Officers assigned to Field supervision.

g. Any other reason(s) determined by the involved CDPO to be in the best interest of the Department.

3. In cases where more than one staff member is interested in the same work area, if all of the above factors are equal, preference will be given to that staff member with the most seniority in the Department.

4. The responsible CDPO will consult with any other manager who may be impacted prior to a final decision.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**
   This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**
   The purpose of this policy is to establish normal business hours and office coverage.

III. **APPLICABILITY:**
   This applies to all non-custodial staff.

IV. **BACKGROUND:**
   None

V. **GENERAL POLICY:**
   A. **Office Hours:**
      The official business hours of the Probation Department, excluding Juvenile Hall, shall be 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding holidays.

   B. **Office Coverage:**
      1. The reception desks at Casa Loma and JSC shall be continuously occupied during business hours unless prior approval is given by the Chief Probation Officer or his/her designee.

      2. The Adult Division Chief Deputies and the Juvenile Division Chief Deputy shall establish a procedure for their respective office buildings (Casa Loma, Prado and JSC) to ensure that a minimum of one Deputy Probation Officer is on-site during the hours of 8:00 AM and 5:00 PM during the work week to respond to law enforcement calls without delay and caseload issues requiring immediate attention in the absence of the assigned officer.
a. Deputy probation officers at Casa Loma and Prado shall post on the Probation Department Unit Scheduler "office person" when assigned to office coverage.

**EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy is to address the requirements of the Fair Labor Standards Act (FLSA) as it relates to overtime and the Department's implementation of those requirements.

III. **APPLICABILITY:**

This applies to all staff that are not in a management bargaining unit.

IV. **BACKGROUND:**

The provisions of the FLSA cover all non-management employees. At times departmental needs require staff to work in excess of 40 hours/week.

V. **GENERAL POLICY:**

A. There can be no informal accumulation and recording of compensatory time. Any and all overtime worked must be recorded on the timecard each week.

B. Non-management staff are scheduled to work a 40-hour week. Any work in excess of 40 hours in a week is considered overtime and must be recorded and compensation provided.

C. No staff shall work overtime without prior permission of their Chief Deputy, following consultation with their supervisor. In the event you are unable to reach your Supervisor and/or Chief Deputy, the chain or command shall be utilized.

VI. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy is to define the information that employees must provide to the Department and keep current.

III. **APPLICABILITY:**

This applies to all staff.

IV. **BACKGROUND:**

Employees who work for the San Luis Obispo County are, by definition, Disaster Service Workers. The Probation Department also runs a 24-hour Juvenile Hall. At times due to emergencies, staff may need to be contacted to report to duty. Therefore, the Probation Department has the potential for needing to contact employees at any time to respond to an emergency. In order to do this, it is necessary for all employees to provide certain personal information and to keep it current.

V. **GENERAL POLICY:**

A. Information for Emergency Use Form: All employees are to complete this form upon hire and at least annually thereafter each January and submit the form to their designated Departmental Personnel Technicians / Supervising Administrative Clerk.

B. Driver’s License: Employees in the Probation Department are required to have a valid California Motor Vehicle driver’s license. Revocation, suspension, or restriction for any reason shall be reported to the employee’s Chief Deputy Probation Officer immediately. Loss of driving privilege may result in termination.
C. All employees are responsible for keeping their personal information (i.e., driver’s license status, name change, street address, mailing address, telephone/cell phone numbers, marital status, spouse’s name, emergency contacts, etc.) current. Anytime an employee has a change in their personal information, they will advise their Supervisor and the designated Departmental Personnel Technicians / Supervising Administrative Clerk of the change in writing on the first business day after the change and complete all new information on the Emergency Use Form.

D. The Department Personnel Technicians will extract information from SAP monthly. Employees are responsible for updating personal information changes related to the following areas through Employee Self Service (ESS): address, telephone numbers, federal and state tax withholdings, and emergency contact information in addition to the Emergency Use Form.

E. Personal Information is For Official Use Only (FOUO) and to be used in emergency situations. Replication or distribution of Personal Information must be authorized by the Chief Probation Officer.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
SECTION VIII
TRAINING
I. AUTHORITY:
This policy is issued under authority granted to the Chief Probation Officer.

II. PURPOSE:
It is the policy of the San Luis Obispo County Probation Department to conduct all training in such a manner as to promote an attitude of safety among instructors and students alike. Concern for safety is of the highest priority and can only result in a reduction of risk.

III. BACKGROUND:
The efforts of all personnel involved in training shall be directed toward ensuring a safe atmosphere within which maximum training benefit can be realized. These safety policies are always available to any instructor/facilitator of any class and are encouraged to be reviewed prior to skills training.

The San Luis Obispo County Probation Department strongly endorses the most realistic training possible, without compromise to safety. Repetition is the key to success in any psychomotor learning activity. San Luis Obispo County Probation Department selects instructors that have high regard for the safety and protection of its staff and students while providing a dynamic, realistic, instruction. Adjuncts to safety are always encouraged even at the expense of realism.

IV. APPLICABILITY:
This policy applies to all sworn officers.

V. GENERAL POLICY:
A. Staff and instructors are required to be familiar with all safety guidelines and procedures. Guest instructors are expected to review this document pertaining to any training exercise prior to conducting the exercise. All instructors will adhere to this document and take the appropriate action in the event policies are violated.
V. GENERAL POLICY:

A. Staff and instructors are required to be familiar with all safety guidelines and procedures. Guest instructors are expected to review this document pertaining to any training exercise prior to conducting the exercise. All instructors will adhere to this document and take the appropriate action in the event policies are violated.

B. Each participant instructor is required to review this document prior to conducting training. Instructors will explain, to all personnel and students involved, specific procedures during briefing of the exercise. Instructors must emphasize that violation of the safety procedures will not be tolerated.

C. Each student injured, no matter how slight, is required to report the injury immediately to the instructor. It is the instructor’s discretion whether the student will be allowed to continue the exercise or if further medical evaluation is warranted. Students discovered to have an injury without notifying the instructor may be dismissed from the training exercise. Regardless of the severity of the injury, an injury report will be completed.

D. Instructors are required to be familiar with all general safety policies and procedures. Instructors conducting training activities are required to be familiar with the written safety procedures specific to the training site and related training exercises. During lecture or briefing, instructors shall emphasize the need for safety and review course safety policies prior to conducting training.

E. Written course material may be provided for students at the discretion of the instructor or at the request of the student. Portions of the safety policy that are printed shall be distributed prior to engaging in the training exercise. Fellow students share the responsibility of ensuring policies are followed by fellow students.

F. Instructors are prohibited from teaching any unapproved techniques prior to receiving management authorization. Vicarious liability is a certainty if instructors are permitted to teach unacceptable techniques. Therefore, instructors are provided with previously established POST approved course outlines from which the course must be conducted. Instructors deviating from the outline may be relieved or replaced in their instructor assignment.

G. Student Fitness for Training

1. Prior to conducting any physical activity, instructors shall ask students if they have any previous injuries, physical limitations, allergies, or any conditions that may be aggravated, or cause further injury. If there is any doubt or concern about a condition, the instructor will determine if the student should be allowed to participate or be required to produce a medical clearance.

2. Each student is required to read and sign a Safety Protocol for Defensive Tactics prior to engaging in psychomotor skill activities.
H. Instructor Selection

1. Instructors are selected by management. Instructors must have the utmost desire to instruct with the understanding that all students do not learn in the same way. Patience, understanding, and professionalism are minimum standards for instructors.

2. Arrest & Control training requires instructors to excel above minimum standards of proficiency. Instructors that recognize limitations caused by overexertion, physical or mental, must delay further instruction until a student is refreshed and able to resume. This is usually performed by breaks or instruction of a new subject material.

I. Instructor Qualifications and Training

1. San Luis Obispo County Probation Department requires all instructors to maintain a current Public Safety-First Aid certification. Curriculum must meet requirements set by the San Luis Obispo County Emergency Medical Services Agency (San Luis Obispo County EMSA).

2. All defensive tactics instructors are required to complete a POST certified Arrest & Control Instructor course.

3. Arrest & Control Instructors are encouraged and may be required to participate in periodic instructor update courses.

J. Reporting and Handling of Student Injuries

1. San Luis Obispo County Probation Department has policies in place, detailing actions to be taken by staff members in the event of minor or major injuries. Policy includes, but is not limited to, evaluation of injury by instructor, reporting of injury to facility supervisor, telephone and radio communications to appropriate persons, and logistics for emergency transportation response and delivery to a predesignated medical facility when necessary. In the event of an injury during arrest and control training, the following procedures shall be followed:

   a. **Minor Injuries**
      Students are admonished to report all injuries to the instructor immediately. If the injury is minor (not requiring immediate medical attention) the student will inform the instructor whether or not they believe they need, or want, first aid medical treatment. If the injury can be treated through application of first aid techniques; the student will return immediately to his normal duties. First aid supplies will be available in all work areas and remote sites for the immediate treatment of minor injuries. Kits will be inspected monthly and supplies replenished as need by Department Training Unit personnel.

   b. **Major Injuries**
      Students are admonished to report all injuries to the instructor immediately. Student, who experience an injury/illness which requires care beyond first aid,
must be seen by the designated panel providers identified in item J. Section 3.i Local Medical Facilities, of this this policy. In case of serious or life-threatening injury, the Instructor may opt to arrange transport to the nearest Emergency Room identified in item J Section 3.ii Local Emergency Medical Facilities of this policy.

2. A student must provide acceptable attachment from a medical authority to allow a student to return and fully participate in arrest & control training. Returning to training generally must be without restriction. Additionally, necessary Worker’s Compensation forms, such as the Employee Report, and a DWC-1 form started by a supervisor, must be provided to the injured student. The Employee Report must be completed within 24 hours of the incident. A Division of Workers’ Compensation (DWC-1) form, as well as the Supervisor’s Investigation Report must be completed and submitted to Risk Management within 24 hours.

3. When planning a training event, the training staff shall identify which medical facilities and emergency services are available or subject to call in the event of an emergency or student injury:

i. Local Medical Facilities:

• Med Stop  
  283 Madonna Rd., Suite B,  
  San Luis Obispo, CA 93405.  
  (805) 549-8880

• Med Plus  
  877 Oak Park Blvd.  
  Pismo Beach, CA 93449.  
  (805) 474-8450

• Family & Industrial Medical Center  
  47 Santa Rosa St,  
  San Luis Obispo, CA 93405.  
  (805) 542-9596

• Medpost Urgent Care, 500 First St,  
  Paso Robles, CA 93446.  
  (805) 226-4222

• Employee Health Clinic  
  1465 Kansas Avenue, #B,  
  San Luis Obispo, CA, 93405,  
  (805) 754-2037 -Please call, No walk-ins

ii. Local Emergency Medical Facilities
• Sierra Vista Regional Medical Center
  1010 Murray Ave,
  San Luis Obispo, CA 93405
  (805) 546-7600

• French Hospital Medical Center
  1911, Johnson Ave,
  San Luis Obispo, CA 93401
  (805) 543-5353

• Twin Cities Community Hospital
  1100 Las Tablas Rd,
  Templeton, CA 93465
  (805) 434-3500

• Arroyo Grande Community Hospital
  345 S Halcyon Rd,
  Arroyo Grande, CA 93420.
  (805) 489-4261

K. Emergency Communications

1. The Staff has different forms of communications that are used for emergency situations. The first line of communications is a dedicated phone located in each training venue.

2. The second line of communication are the cell phones carried by the instructors. Each instructor has the direct number to Sheriffs Dispatch and is capable of coordinating the proper resources should an accident take place.

3. The third line of communication are the unit radio or hand-held radios. These radios are directly tied into Sheriffs Dispatch and are located inside the Training Vehicle assigned to the Probation Training Division and in miscellaneous area in the facility.

4. In the event of minor or major injuries observed by instructors, or reported by a participant, the following protocol will be followed:

   a. Participant(s) will be asked to stop any further participation in training.

   b. The Lead Instructor will communicate with the other instructors regarding participant’s injury, consult with the injured participant and determine if the participant can continue to perform the required exercises, techniques and/or activities under modified restrictions.

   c. If it is determined the participant may remain in the training class under modified restrictions, the Lead Instructor should continue to monitor the participant and evaluate their ability to perform the required exercises, techniques and/or activities.

   d. The Training Coordinator will be contacted and advised of the injury.
e. If it is determined the participant can no longer participate due to the injury, the Lead Instructor will contact the Training Coordinator and advise the participant has been dismissed from the training.

f. The Training Coordinator should ensure that the participant’s Supervisor has been notified.

g. The participant’s immediate supervisor should ensure all Employee Injury Report forms and Supervisor Report forms are completed and submitted to Risk Management.

5. Students are required to complete a full medical examination should they lose consciousness during any training exercise. Logistics are in place to provide the student transportation via ground to a predesignated medical facility. In the interim, the staff personnel will maintain and provide the student environmental protection and medical assessment. Appropriate documentation and its distribution will be exercised.

L. Instructor to Student Ratios

1. The ratios vary according to the type of instruction being delivered. The higher the potential for injury, the lower the ratio; whereas, the lowest type of activity, such as lecture, the higher the ratio. To accommodate safety, class sizes will be limited to these ratios.

2. Instructor Ratio /Testing 1:2
   Practical Exercises 1:6

M. COURSE CURRICULA

1. There will be no departures from approved curricula, which would promote confusion or misapplication of techniques. Instructors shall follow the approved lesson plan.

N. Arrest and Control Training

1. General safety rules as well as procedures unique to each training facility shall be developed, posted in writing, and communicated to students prior to each training session.

2. Defensive tactics and arrest control techniques training shall occur in a designated “mat room” with inter-locking pads.

3. The size of the “mat-room” is to be adequate for the number of students to be trained. The mat room is to have a maximum capacity of 24 students. We will have an instructor to student ratio in all defensive tactic’s classes of a maximum of 1 to 6 (1:6)
4. Officers not able to participate due to modifications to their job abilities will not be allowed to attend any arrest and control portion of class and will be rescheduled.

5. Environmental factors shall be considered when selecting a safe training location. All Probation training sites shall remain free from outside distractions.

O. Equipment

1. Students training in arrest control techniques shall be required to meet the clothing and footwear standards established by the instructors.

2. Students are encouraged to wear clothing for physical training that allows for flexibility of movement and comfort.

3. The instructors shall conduct a pre-training inspection. A pre-training inspection ensures that students have brought the correct clothing and personal equipment. It provides the opportunity to check for the presence of watches, rings, necklaces, earrings, and other jewelry that may cause injury to the individual or other students.

4. Equipment used in arrest & control training shall be cleaned regularly.

5. Mats shall be cleaned daily. Mat attachment systems also require frequent examination. Mat surfaces are prone to tearing and shall be checked frequently and if needed repaired professionally.

6. The students shall inspect and clean footwear each time they leave and return to the mats. Cleanliness and a well-ordered training environment play an important part in the health and safety of all involved.

7. The instructors shall conduct periodic equipment inspections to ensure their safety and suitability.

8. Impact weapons, handcuffs and other training items shall be inspected prior to use to ensure mechanical integrity.

9. A systematic physical warm-up procedure shall be initiated prior to commencement of any defensive tactics and arrest control techniques training.

10. A systematic procedure for cool-down shall be initiated at the conclusion of any defensive tactics and arrest control techniques training.

P. Presentation

1. Instructors shall maintain an appropriate level of discipline over students at all times.

2. Instructors shall consistently maintain a professional atmosphere during training and ensure that students abide by all published rules of conduct.
3. Instructors shall attempt to identify students who are overly aggressive in the application of joint manipulation techniques and other pain compliance holds and take the steps necessary to ensure student safety.

4. Instructors shall be aware of physical fatigue factors that affect the ability of the student to perform safely.

5. Arrest control techniques training is inherently tiring. Instructors shall be aware that long periods of training, environmental conditions, or other factors could unduly fatigue students and increase injury potential. For example, a high smog level, heat wave, or other environmental factor could suggest a reduction in training intensity.

VI. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The purpose of this policy is to establish responsibility for the completion of training requirements as established by the San Luis Obispo County Probation Department and County of San Luis Obispo, State Board of Corrections and any other State/Federal agency as required.

III. **APPLICABILITY:**

This policy applies to all Probation employees.

IV. **GENERAL POLICY:**

A. Employees shall attend and complete training courses as required by state, county and department mandates.

B. Employees are expected to attend all training as scheduled and be on-time.

C. If a non-supervisory employee needs to cancel their attendance at a training or are unable to fully participate due to an injury, they must notify their supervisor as soon as possible and receive authorization to cancel their attendance. Supervisory staff may cancel their own attendance at a training with notification to their immediate supervisor.

D. Supervisors are to notify the Training Unit at PR_Training_Reply@co.slo.ca.us of an employee's cancellation from a training or the supervisor's cancellation from a training as soon as possible.
E. Staff requesting course swapping shall have approval of their supervisor along with approval of the supervisor of the staff person with whom the intend to swap courses. Approved requests shall be submitted to PR_Training_Reply@co.slo.ca.us at least two business days prior to the course.

F. Request to course swap less than two business days prior shall require approval from the staff persons Chief Deputy.

G. Employees are expected to adhere to department training instructors' directives and guidelines during training sessions to ensure ongoing learning and a safe training environment.

H. Peace Officers:

1. Officers shall meet the annual training hour mandates as set forth by the Board of State and Community Corrections.

2. Failure to meet minimum training hours may be cause for corrective disciplinary action.

I. Department Training Administration

1. A Chief Deputy Probation Officer will be assigned to the overall supervision of the Department Training Program.

2. This assigned Chief Deputy Probation Officer or designee will prepare the annual Department Training Plan for approval by the Chief Probation Officer.

3. A Deputy Probation Officer III will be assigned as the Department Training Coordinator to provide day to day oversight and coordination of the program.

4. Effective June 30, 2018 (and all subsequent June 30s) Department staff listed in the Annual Training Plan (ATP) will be enrolled into courses by the Training Coordinator.

5. Annual Review of Department Training Plan:

   a. The Department Training Coordinator will send the Management Team the current year ATP for a review during the first week of January.

   b. The review and revisions of the Department Training Plan for the following fiscal year will be returned to the Training Coordinator by February 14.
c. By March 1, the Department Training Coordinator will finalize the Annual Training Plan, enter into TMS and publish it to Department staff.

J. Appointment of Instructor(s)

1. The Department may assign SDPOs / DPO IIIs / JSO IIIs to be instructors based upon need.

2. Line-level DPOs / JSOs:
   a. By the third Friday in each January the Probation Department Training Manager will send a list to PR Sworn of available training positions for the coming fiscal year and also all other training positions.
   
   b. DPOs / JSOs interested in filling one of the available training instructor positions or other training positions will submit Request to be Department Instructor Form (attachment A) to their supervisor.
   
   c. The Supervisor will make a recommendation to their Chief Deputy.
   
   d. The Chief Deputy will bring recommendation to the Management Team for approval of the officer’s request.
   
   e. Approved line-level DPOs/JSOs will serve as a department instructor for a minimum of 3 years unless otherwise specified. If a trainer wishes to serve beyond the 3-year commitment, the commitment will be 2 years thereafter.
   
   f. The Probation Department Training Manager will keep a list of all current training instructors and a list of officers who have requested to be instructors but have yet to be assigned a training class,

3. Designation of Lead Instructor(s)
   a. The Assistant Chief Probation Officer will determine the need for lead instructors.

4. Duties of Lead Instructor(s) include the following:
   a. Develop and modify lesson plans as needed.
   
   b. Enforce training safety rules, regulations and maintain control of training environment during instruction.
   
   c. Ensure instructors demonstrate and instruct properly in the use of specific skills, methods and techniques.
   
   d. Plan and ensure completion of remedial training.
e. Maintain certification and proficiency in training subject area.

f. Develop new training techniques/outcomes/goals in coordination with the Training Coordinator thereafter.

V. **EXCLUSIVITY:**

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

This policy establishes operational responsibilities for the Field Training Program.

III. **APPLICABILITY:**

This policy applies to deputy probation officers assigned to field supervision assignments.

IV. **GENERAL POLICY:**

A. **Organizational Structure**

1. The Chief Deputies of the Adult-Casa Loma and Juvenile Divisions are responsible for the supervision and oversight of the Field Training Program.

   a. Periodically conduct meetings with the Field Training Officer (FTO) Program staff to maintain standards, solicit suggestions and discuss solutions to problems.

2. Designated Supervising Deputy Probation Officers from the Adult and Juvenile Divisions are assigned as the FTO Program Coordinators.

B. **FTO Program Coordinator Responsibilities**

1. The duties and responsibilities of the FTO Program Coordinators include but are not limited to the following:

   a. Oversee the day to day supervision of the FTO Program.
b. Assign new field officers to a Field Training Officer (FTO) and monitor progress until the officer is released from the Field Training Program.

c. Conduct entry interviews for orientation purposes and exit interviews with trainees and their supervisor for quality assurance. Trainee’s supervisors may attend these meetings at their discretion.

d. Review and endorse the performance evaluation reports of the trainee’s progress during field training.

e. Confer with FTOs and supervisors on the progress of officers in the program and prepare remedial training plans for trainees whose performance does not meet program standards.

f. Review and approve remedial training plans to address performance deficiencies.

g. Evaluate the FTOs' performance.

h. Update the Field Training Manual and Guide.

C. Field Training Officer

1. The duties and responsibilities of Field Training Officers include but are not limited to:

   a. Train and evaluate the trainee officers assigned to them.

   b. Provide direct supervision of trainees when in the field.

   c. Complete required documentation on trainee progress or performance and complete remedial training as directed.

   d. Successfully complete the POST Field Training Officer course.

   e. Attend a Field Training Officer Update course once every three (3) years.

D. Field Training Program Manual and Guide

1. Responsibility for preparation and content:

   a. The Field Training Program Manual and Guide shall be used by FTOs in the training and evaluation of all officers placed in field training.

   b. The assigned FTO will provide each new officer with a Field Training Program Manual and Guide.
c. The FTO shall ensure officers assigned to them maintain the Field Training Program Guide and document progress of trainee officers in the Program Guide.

d. The FTO will use the Field Training Program Manual’s evaluation guidelines to review and discuss the trainee’s performance during shift performance meetings.

e. The FTO shall deliver the completed Field Training Program Guide to the FTO Program Coordinator at the conclusion of the trainee officer’s field training.

f. Completed Field Training Program Guides will be maintained by the Department Training Coordinator.

E. Assignments/Length of Program

1. No trainee shall be assigned to the Field Officer Program prior to his or her completion of the following requisites without prior approval of the Assistant Chief Probation Officer (ACPO):
   a. PC 832 Laws of Arrest
   b. PC 832 Firearms (if applicable)
   c. OC pepper spray certification
   d. Baton certification (if applicable)
   e. Taser certification (if applicable)

2. Trainee officers will be assigned to at least two (2) FTOs during their training period.

3. The Field Training Program is conducted over a minimum of 100 hours for new field officers. The minimum number of hours for lateral transfer officers will be determined on a case by case basis with final approval of the number of training hours by the ACPO.

F. Program Extensions

1. The Field Training Program may be extended when recommended by the FTO Program Coordinator and approved by the Chief Deputy of the specific division to which the trainee is assigned.

2. Program extensions will be limited to a maximum of 50 hours.

G. Evaluations

Page 3 of 4 Field Training Program
1. The FTO will complete Field Performance Reports for each training shift as well as complete an end of phase completion report, and review all reports with the trainee. These evaluations will be submitted to the FTO Program Coordinator.

2. All evaluations will be reviewed and signed by the trainee within three days. Trainees will be provided an opportunity to make written comments and to receive copies of the evaluative reports.

3. The FTO, FTO Program Coordinator and trainee's immediate supervisor should meet periodically to discuss the officer's performance and if necessary, develop a plan of action to correct any deficiencies.

V. EXCLUSIVITY:

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.
I. **AUTHORITY:**

This policy is issued under authority granted to the Chief Probation Officer.

II. **PURPOSE:**

The Probation Department Training Safety and Injury Protocol Policy was developed to establish and maintain a safe training environment, prevent unsafe acts or behaviors and minimize risk of injury.

III. **APPLICABILITY:**

This policy applies to Department trainings involving the use of firearms, application of arrest and control techniques/defensive tactics, field/institutional scenarios or other training that requires officers to simulate arrests or other "hands-on" activities.

IV. **GENERAL POLICY:**

A. Instructor(s) Pre-Training Activity/Exercise Responsibilities

1. Consult with Department Training Coordinator to determine if ratio of instructors to class size is sufficient to safely conduct the training activity/exercise prior to class.

2. Designate a Lead Instructor for the training course.

3. Inspect and assess training area prior to beginning training activities. Identify and remove any potential safety hazards.

4. Verify first aid kit and protective equipment is available on the training site. Inspect training equipment for proper functioning and damage.
5. Conduct safety briefing with participants to include but not limited to, reviewing safety rules and guidelines for the course and/or exercises.

6. Prior to the beginning of or at the end of the training/activity exercise, the lead instructor should inquire of participants of any pre-existing injuries or possible injuries as a result of their participation.

B. Instructor(s) Responsibilities during Training Activity/Exercise

1. Monitor training area and exercises to minimize potential safety hazards or participant behaviors that may result in an injury to participants.

2. Communicate and work with other instructors to mitigate any safety concerns or issues that may arise during the course of the training.

3. Evaluate any observed/reported injury and if necessary, provide first aid such as ice, Band-Aids, etc.

4. In the event an injury is observed by instructors, or reported by a participant, the following protocol will be followed:
   a. Participant(s) will be asked to stop any further participation in training.
   b. The Lead Instructor will communicate with the other instructors regarding participant’s injury, consult with the injured participant and determine if the participant can continue to perform the required exercises, techniques and/or activities under modified restrictions.
   c. If it is determined the participant may remain in the training class under modified restrictions, the Lead Instructor should continue to monitor the participant and evaluate their ability to perform the required exercises, techniques and/or activities.
   d. The Training Coordinator will be contacted and advised of the injury.
   e. If it is determined the participant can no longer participate due to the injury, the Lead Instructor will contact the Training Coordinator and advise the participant has been dismissed from the training.
   f. The Training Coordinator should ensure that the participant’s Supervisor has been notified.
   g. The participant’s immediate supervisor should ensure all Employee Injury Report forms and Supervisor Report forms are completed and submitted to Risk Management.

5. Following notification of injury to the participant’s immediate supervisor, the supervisor will ensure the following:
   a. The participant’s immediate supervisor will ensure the Employee Report of Occupational Injury and Supervisor’s Investigation Report are completed and submitted to Risk Management within twenty-four (24) hours of the reported injury.
   b. If the participant elects to seek medical treatment regarding the reported injury or has been transported from the training location for medical
treatment, the participant’s immediate supervisor will ensure the participant is medically cleared prior to returning to work.

\text{c.} \quad \text{Should the participant’s reported injury require accommodations for the participant to return to work, the participant’s immediate supervisor will review the accommodations, and meet with the participant’s Chief Deputy prior to permitting the participant to return to work on restricted status.}

\text{d.} \quad \text{Should the Department be able to accommodate the participant’s return to work on restricted status, the participant’s immediate supervisor should complete and review the Temporary Accommodation memo with the participant prior to their return to work.}

\text{V. EXCLUSIVITY:}

This policy will remain in effect until superseded or suspended in writing by the Chief Probation Officer and can be reviewed as needed.