

Probation Authority

100.1 PURPOSE AND SCOPE

This policy is to identify the authority of San Diego County Probation Department officers.

100.2 POLICY

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

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

This department does not tolerate abuse of authority.

100.3 OFFICER AUTHORITY

Officers are authorized to supervise clients, operate juvenile halls, detention facilities, camps, and ranches, administer community-based corrections programming, and make recommendations to the court, including but not limited to pre-sentence investigative reports, as provided in these Manuals, applicable court orders, and state law (Penal Code §§ 1170, 1202.8, 1202.3, 1203.7, 1203.71, 1203.10, 1228, 3451, 3455; and Welfare and Institutions Code §§ 602, 654, 654.2, 725(a), 790, 852, 880, 1766).

100.4 ARREST AND OTHER POWERS

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

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

100.5 CONSTITUTIONAL REQUIREMENTS

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