

## Peace Officer Authority

### 100.1 PURPOSE AND SCOPE

Probation Officers and Probation Corrections Officers are granted the authority to perform their duties based on established legal authority. This department does not tolerate abuse of law enforcement authority. This policy applies to all sworn officers.

### 100.2 AUTHORITY AND REFERENCES

- California Penal Code § 830.5

### 100.3 PEACE OFFICER POWERS

Sworn members of this department shall be considered peace officers pursuant to Penal Code § 830.5. The authority of any such peace officer extends to any place in the State of California, as follows:

- (a) Penal Code § 830.5 (a) – Probation Officers are peace officers whose authority extends to any place in the state of California while engaged in the performance of the duties of their respective employment and for the purpose of carrying out the primary responsibilities of their employment. The authority of probation officers shall extend only as follows:
  1. The conditions of parole, probation, mandatory supervision, or post release community supervision by any person in this state on parole, probation, mandatory supervision, or post release community supervision.
  2. To prevent the escape of any inmate or ward from a state or local institution.
  3. To the transportation of persons on parole, probation, mandatory supervision, or post release community supervision.
  4. To violations of any penal provisions of law that are discovered while performing the usual or authorized duties of his or her employment.
  5. To the rendering of mutual aid to any other law enforcement agency.
- (b) Penal Code § 830.5 (b) – Any employee having custodial responsibilities in an institution operated by a probation department, or any transportation officer of a probation department.

### 100.4 CONSTITUTIONAL REQUIREMENTS

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

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Attachments: None