
Off-Duty Law Enforcement Actions

403.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk. This policy is intended to provide guidelines for officers of the Riverside County Probation Department with respect to taking law enforcement action while off-duty.

403.2 AUTHORITY AND REFERENCES

- California Penal Code Section 830.5

403.3 POLICY

Peace officer status for sworn probation employees is extended only while engaged in the performance of the duties of their respective employment and for the purpose of carrying out the primary function of their employment. Off-duty officers should not attempt to initiate enforcement action. Such incidents should be promptly reported to the appropriate law enforcement agency (Penal Code § 830.5).

403.3.1 IDENTIFICATION AS A PEACE OFFICER

Though the peace officer status of a sworn probation employee does not extend beyond the performance of employment-related duties, nothing in this policy is intended to prohibit an officer from identifying themselves as a deputy probation officer/probation corrections officer to another law enforcement agency, or in situations which necessitate such identification. Sworn probation employees are prohibited, however, from making such identification for personal gain or favor.

403.4 FIREARMS

Officers of this department, unless specifically authorized, may not carry department-issued firearms while off-duty except to and from work via the most direct, non-stop route.

In the event an officer chooses to carry a department-issued firearm or personal firearm while not performing employment functions for the county, the county does not consider such use within the course and scope of county employment. The officer will be considered to be acting independently from the county and will be considered individually liable for any claims arising from the use of a firearm while off-duty.

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