

Arrest of Probationers

613.1 PURPOSE AND SCOPE

To set forth the guidelines and procedures for the arrest of a probationer by a Deputy Probation Officer. All Deputy Probation Officers must have completed 832 PC training requirements to exercise powers of arrest.

613.2 AUTHORITY AND REFERENCES

- Executive Committee;
- Section 825 PC;
- Section 830.5 PC;
- Section 832 PC;
- Section 1203.2(a) PC;
- Section 625 WIC;
- Section 627 WIC;
- Field Services Use of Force Policy.

613.3 POLICY

The arrest of an adult probationer may be accomplished when circumstances for a violation of probation necessitate such action. The arrest of a juvenile ward may be accomplished when said ward has violated an order of juvenile court, is a danger to others, or has escaped from any court-ordered placement.

613.4 PROCEDURE

Upon determining that the re-arrest of a probationer may be necessary, the Deputy Probation Officer shall:

- (a) Review the circumstances with the Unit Supervisor. In juvenile cases, approval for detention at Juvenile Hall shall be obtained from the Unit Supervisor. If an arrest is approved, procure necessary restraints and enlist the assistance of another Deputy Probation Officer or request law enforcement assistance.
- (b) Deputy Probation Officers shall exercise all department approved arrest techniques when necessary and in accordance with Use of Force policy, and officer safety is to be given priority.
- (c) When arresting the probationer, secure with handcuffs and search him or her for weapons or contraband. Searches of a probationer should be by a member of the same sex whenever practical.
- (d) Read and explain the probationer's rights per department issued Miranda card and advise the probationer of the basis for the arrest. In the case of a juvenile arrest,

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the parent or guardian must be notified by the arresting Deputy Probation Officer, pursuant to Section 627 of the Welfare and Institutions Code. Obtain an "okay to book" in cases where the probationer has had recent substance abuse, injuries, and/or communicable disease, with supervisor approval or direction from the juvenile institution Intake Officer.

- (e) Transport, or have transported, the probationer to the appropriate booking facility or detention facility.
- (f) At the detention facility, provide the prescribed booking form and statement of probable cause and/or application for petition.
- (g) After an adult booking/juvenile detention, immediately prepare a violation of probation memorandum for the probationer's arraignment/detention hearing, which must occur within two court days.
- (h) Debrief with the Unit Supervisor and record in the case notes all of the circumstances of the arrest.

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