

POLICY MANUAL REVIEW SIGN-OFF

Instructions:

1. Employee signs and dates this form.
2. Supervisor signs and dates this form.
3. Send form to Administration.
4. Form filed and retained in employee's personnel file.

Initials:

1. I have been given a copy of the Policy Manual and have read it.
2. I understand that the Manual represents the current policy of the Department and that I am expected to comply with it.
3. I have been given the opportunity to discuss with my supervisor any questions or concerns I have about any item in the Policy Manual.

My signature does not mean I am in personal agreement with everything in the Policy Manual.

PRINT NAME

SIGNATURE

SUPERVISOR'S SIGNATURE

DATE

POLICY MANUAL

IMPERIAL COUNTY PROBATION DEPARTMENT

BENNY G BENAVIDEZ

Chief Probation Officer

TO: All Staff

Please accept this as the policy manual for the Imperial County Department of Probation and Corrections.

The mission of the Imperial County Probation Department is to protect the community by serving the courts and assisting in the re-socialization of offenders. It is vital that this mission be pursued through ethical, legal, and professionally sound practice and performance. Departmental policy serves as the philosophical basis and guidance for operational procedures and professional conduct.

Each employee is required to read the Policy Manual and be aware of its contents because it is the basis for the Procedure Manuals, performance standards, and most departmental decisions and directives. Some policy is influenced or dictated by statute, legal decisions, or contractual agreements, and you are encouraged to refer to the county Memorandum of Understanding (MOU) and appropriate resolutions, and to remain current on pertinent court decisions and changes in the law.

Because of the dynamic nature of the Criminal Justice System it is impossible to anticipate and develop a policy for every contingency. Therefore, you are expected to exercise sound professional judgment and creative problem solving, and to seek supervisory assistance so that unexpected or unusual situations can be met with reasonable and effective action.

During the next 30 days, read this Policy Manual and discuss any questions or concerns with your supervisor. Then complete the Sign-off sheet that is inside the front cover and give it to your supervisor. You are also invited, now or anytime, to suggest policy changes when an item seems unclear, outdated or unworkable. All suggestions will be reviewed and referred to Top Management for consideration and appropriate action.

Very truly yours,

BENNY G BENAVIDEZ
CHIEF PROBATION OFFICER

IMPERIAL COUNTY PROBATION DEPARTMENT

POLICY MANUAL

TABLE OF CONTENTS

DEFINITION OF TERMS

GENERAL PHILOSOPHIES AND POLICY

- A-1 Policy, Procedure and the Law
- A-2 Departmental and Personal Philosophies
- A-3 Dress and Appearance
- A-4 Communications Within the Probation Department
- A-5 Non-Probation Department Employment and Activities
- A-6 Employees as Department Representatives
- A-7 Response to Telephone Calls and Correspondence
- A-8 Requests for Information and Assistance (Except Media Requests, See A-9)
- A-9 Contact with News Media
- A-10 Departmental and Private Property, Use or Distribution via Publications, Speeches, Public Appearances
- A-11 Service Awards, Community Awards
- A-12 Donations
- A-13 Employee Participation in Corrections Related Organizations and Collateral Activities
- A-14 Training
- A-15 Conflicts of Interest
- A-16 Staff Relationships with Clients; Gifts
- A-17 Work by and with Clients
- A-18 Political Activities
- A-19 Liability

CONFIDENTIALITY

- B-1 Case Confidentiality
- B-2 Inter- and Intra-Agency Confidentiality
- B-3 Case File Management and Security
- B-4 Sensitive Cases

PERSONNEL

- C-1 Maintaining Employment Status
- C-2 Vacations
- C-3 Leaves: Personal, Medical, Parenthood, Military, Workers' Compensation, Jury Duty, Witness, Bereavement, OCEA Business
- C-4 Work Schedules, Overtime, Comp Time and Sick Leave
- C-5 Work Assignments

- C-6 Case Assignments - Deputy Probation Officers
- C-7 New Assignment - Orientation
- C-8 Work Priorities
- C-9 Acting Positions - Temporary Promotions
- C-10 Officer of the Day or Duty Officer
- C-11 Personnel Record
- C-12 Performance Evaluations
- C-13 Severance Through Retirement, Resignation, Termination, or Inter-Departmental Transfer
- C-14 Compliments of Complaints Regarding Staff Performance
- C-15 Intoxicants
- C-16 Employee Conduct - On Duty
- C-17 Employee Conduct - Off Duty - Law Violations
- C-18 Assistance to Candidates for Employment or Promotion
- C-19 Probation Department Suggestion Box
- C-20 Affirmative Action
- C-21 Problem Resolution; Grievance Resolution
- C-22 Sexual Harassment
- C-23 School Schedules - Employee
- C-24 Staff Deployment During Emergency or Disaster

PEACE OFFICERS - SAFETY

- D-1 Threats, Harm, Danger to Employees and others
- D-2 Use of Physical Restraint, Corporal Punishment
- D-3 Peace Officer Status
- D-4 Handcuffs
- D-5 Arrests
- D-6 Transportation of Clients and Custody Transportation
- D-7 Firearms
- D-8 OC (Pepper Spray) Probation Department
- D-9 OC (Pepper Spray) Juvenile Hall

GENERAL CASEWORK

- E-1 Conferences with a Judge or Commissioner
- E-2 Subpoena, Summons and Subpoena Duces Tecum
- E-3 Disclosure of Court Recommendations
- E-4 Clients with Legal Residence Out of County
- E-5 Advisement of Rights
- E-6 Extradition
- E-7 Custody and Release of Clients
- E-8 Restitution
- E-9 Volunteers in Probation (VIPs)
- E-10 Use of Resources and Volunteers in Probation for Minors; Parental Consent; Field Trips
- E-11 Use of Community Resources, Public and/or Private
- E-12 Guest Speakers

- E-13 Requests for Reference re: Employee or Probationers
- E-14 Probationers Acting As Informants
- E-15 Resolving Problems in Client Employment Status

JUVENILE ISSUES - JUVENILE INSTITUTIONS

- F-1 Recommendations to the Court for Dispositions/Sentencing Out-of-Home Placement or Commitments for Minors
- F-2 Foster Home Placements with County Employees
- F-3 Visits with Minors; Juvenile Institutions; Placements
- F-4 School Programs in Probation Department Juvenile Institutions
- F-5 Religious Programs and Services at Probation Department Juvenile Institutions
- F-6 Personal Property of Minors in Probation Department Juvenile Institutions
- F-7 Tours of Probation Department Juvenile Institutions
- F-8 Medical Examinations and Treatment for Juveniles
- F-9 Details Concerning Juvenile Institutions

ADMINISTRATIVE

- G-1 Appropriate Use of Facilities Occupied by Departmental Staff
- G-2 Outlying Work Locations
- G-3 Building Security and Safety
- G-4 Smoking by Staff, Clients, and Minors
- G-5 Office Decor
- G-6 Consuming Food and Beverages at a Work Site
- G-7 Distribution and Use of County Services, Supplies, and Equipment
- G-8 Accidents and Medical Emergencies
- G-9 Out-of-County Trips
- G-10 Receipt for Funds
- G-11 Use of Personal Electronic Equipment

INDEX

Definition of Terms Used Within This Policy Manual

Policy

The principles, philosophy, and management decisions which govern the operations of the Probation Department.

Procedure

The general practices of the Probation Department and the standard manner in which the ongoing routine tasks of the Probation Department are to be carried out outlined in the Departmental Procedure Manual and directives.

County Regulation

The Board of Supervisor's resolutions; County Counsel opinions; County directives and policies; the Personnel and Salary Resolution; and/or other County employee directives, contracts, and Memorandums of Understanding which are recognized as the official policy or procedure for the County of Imperial as an employment entity.

Top Management

The highest level of administrators within the Probation Department consisting of the Chief Probation Officer, and two Chief Deputy Probation Officers. Departmental Administration is synonymous with Top Management.

Managerial Staff or Managers

Division Managers of major organizational divisions, such as Institutions, Adult Division, Juvenile Division, and Special Projects.

Supervisory Staff

Deputy Probation Officer III's, Administrative Secretary, Fiscal Manager, Victim/Witness Advocate Coordinator, Food Service Supervisor, Account Clerk III.

Staff or Employee

All employees of the Probation Department.

Immediate Supervisor

The specific departmental employee to whom another employee reports directly.

Chain of Command

The series of organizational levels progressing upward from line staff to supervisory to managers to top management with increasing authority at each level.

Policy, Procedures and the Law

The Probation Department is a service arm of the court. The Chief Probation Officer is legally mandated to provide certain services and authorized to provide other services to the court and to the community. These may be delegated to deputy staff in the agency. These services are to be extended in a lawful and professional manner. No policy or procedure is to be formulated or approved which is in conflict with Federal or State Law, or County or City Ordinances. All staff are responsible for making themselves aware of all departmental policies, as well as procedures and performance standards that apply to their specific job assignment.

As a matter of overall policy, department employees are to obey the law and follow the verbal directives, policies, procedures, and performance standards of the department. Inevitably legislative action and court decisions require Top Management to periodically reevaluate and modify policies, procedures, and performance standards or develop new ones. Notice of such changes are customarily distributed via written memos and verbal advisement. Such directives will be followed and be accepted as superseding certain sections of the Policy Manual or the Procedural Manuals pending an official update. Should any employee become aware of a conflict between the law, the Policy Manual, the Procedural Manuals, or the modifying memos, the employee shall notify the Chief Probation Officer via the chain of command of the apparent conflict. Appropriate steps to clarify or correct the item will follow.

If an employee is directed by the court to perform in a manner which does not appear to be consistent with departmental policy or procedure, the employee shall attempt to make the court aware of the conflict. If an immediate response to the court directive is not required, direction shall be sought by the employee from the immediate supervisor. If the matter requires an immediate response, the employee will comply with the directive of the court, and advise the immediate supervisor of the action at the earliest possible time.

All employees shall strive to provide accurate, complete, and appropriate information to the courts, to other employees of the department, and to their professional contacts as directed and appropriate. Any employee, who intentionally provides inaccurate, misleading or untruthful information to, intentionally withholds significant information from, the court or the administrators, managers, or supervisors of this department is subject to disciplinary action.

Any employee who fails to comply with this specific policy or who appears to ignore, violate, or circumvent the policies and procedures of the department may be subject to disciplinary action which may include, but is not limited to, reprimand, suspension, discharge from employment, and/or prosecution under the law, or other appropriate action.

Department and Personal Philosophies

The Departmental Policy Manual, Departmental Procedure Manual, Performance Standards, State Laws, and relevant County documents to which all employees must adhere can only provide a general guide to the routine, anticipated, or repeated situations that occur in the course of a job function, and therefore they have certain limitations. These resources will not meet all contingencies. Therefore, all employees must exercise sound professional judgment and creative problem resolution, and/or seek supervisory action. The fact that a certain activity, situation, or action may not be specifically addressed in the Policy or Procedural Manual, or other documents, should not be construed to mean that the Department regards such an action as permitted or forbidden. All employees shall carry out their duties in a positive spirit, in a timely manner, and in general support of the Probation Department's stated positions.

The primary responsibility of the Chief Probation Officer as an officer of the court is the protection of the community through provision of legally mandated services to the courts, through rehabilitation services to the clients under juvenile or adult court jurisdiction, and through prevention services of diversion programs. Probation Department staff operate as directed to assist in fulfilling this role. Authority to carry out their job functions is by delegation or assignment of certain authorities and responsibilities established and permitted by law or other regulations. Fulfilling this correctional role requires a blending of social casework skills and peace officer duties as appropriate, without total reliance on either mode of operation. A unique blending of legal mandates, social casework skills, and other skills as relevant to a particular work assignment is necessary in order to perform effectively in any work assignment. To achieve this end, all employees must be cautious in evaluating the differences between a departmental responsibility, departmental philosophy or policy, and their personal philosophies.

In general, personal views or philosophies and/or religious beliefs should be segregated from an employee's departmental role as much as possible. In any and all cases where there is a conflict between personal and professional positions, the professional position or policy shall be adhered to strictly. Similarly, employees shall not initiate discussions, or disseminate literature of a political or religious nature to a client as an extension of the staff member's personal views or private life. In any work related situation where an employee is known or identified as an employee of the Probation Department, the employee shall represent the Department position if there is a conflict with his personal one.

Dress, Grooming, and Personal Appearance

As government employees and members of the Criminal Justice System, staff conduct, professionalism, and attire are subject to review and criticism.

The dress, grooming and personal appearance of all employees shall project and enhance a positive and professional image and be appropriate with their job assignments, responsibilities and public review.

Because job assignments within the Probation Department may vary in level of public contact and/or interaction with other professionals, and because some work sites (shelter home, juvenile hall) and duties are unique, management has some latitude in dress standards based on the assignment and specific tasks. Regardless of assignment or work sites, the personal appearance of staff must reflect the professional nature of the agency's role as part of the Criminal Justice System and not detract from the operation and professional services rendered by this Department.

In general terms, staff must dress in a manner consistent with other professionals in the Criminal Justice System and related agencies. Extremes in fashion and grooming are not appropriate.

Staff's dress, grooming, and appearance are subject to Managerial monitoring, guidance, and approval. It is the responsibility of the immediate Supervisor and Manager to ensure that their staff are aware of, and comply with, acceptable and appropriate standards of dress and appearance as specified in policy, procedures, and directives.

Staff, who interact with the public, members of the Justice System, and related agencies, during any given workday, must be prepared to alter their attire to correspond to the circumstances.

An employee reporting to work whose dress or appearance is not consistent with policy and procedural guidelines may be directed to leave the work site and return suitably dressed and groomed.

Communications Within the Probation Department

In support of the organizational structure of the department and to promote the flow of information to all appropriate levels, communications within the Department shall generally follow a horizontal or vertical path. Vertical channels, that is, up or down the chain of command, shall always remain open to allow all information to readily flow. Horizontal channels shall also always be open to allow information to flow between those of comparable classification or authority. All communications are to be relayed in a timely and comprehensive manner.

Diagonal channels (those which temporarily bypass the chain of command and cross lines of comparable job classification or authority) are used in emergency situations, and/or when authorized by an immediate supervisor, or when an employee's task, or specific role requires it. A person(s) bypassed when diagonal channels are used shall be apprised of the nature of the communication at the earliest possible time.

During the course of performing a job assignment, an employee is to submit the work to the immediate supervisor for review as directed. In addition the employee shall notify the immediate supervisor regarding any matter that requires coordination between the employee's immediate supervisor and other departmental operations; involves the immediate supervisor's accountability; or involves the Department's accountability.

Non-Probation Department Employment and Activities

Staff of the Probation Department may be employed in addition to their departmental position unless the additional employment:

1. is held during the employee's scheduled work hours with the Probation Department;
2. is detrimental to the employee's productivity;
3. is in opposition to the County Conflict of Interest standards;
4. Creates a conflict of interest.

All regularly scheduled employment held in addition to departmental employment shall be immediately reported in writing by the employee to the immediate supervisor to ensure that no conflict of interest is present or will emerge. The immediate supervisor will respond to the reporting employee in writing with an indication of approval/disapproval. An employee, who believes his other employment or activities may constitute a potential conflict of interest, or may be misinterpreted by others as giving the appearance of a conflict of interest, is to seek assistance via the chain of command to clarify the matter. Final determination regarding conflict of interest issues will be made by Top Management. Similarly, it is the responsibility of all staff to schedule any personal educational activities or personal activities in a manner which does not conflict with their County employment.

In view of the role and obligations of the Probation Department, employees who hold peace officer positions with the Department may not engage in service as a reserve, full-time, or part-time police officer or in other capacities in which there is a specific duty to arrest others. Any other departmental employee who wishes to be employed additionally as a reserve, part-time, or full-time police officer shall notify the immediate supervisor prior to acceptance of such employment in order to clarify the issues related to the potential conflict of interest.

Employees as Departmental Representatives

All employees of the Probation Department are considered representatives of the Department in relationship to everyone with whom they have contact during the course of their employment, and while appearing in public as a departmental employee. In that capacity, employees will represent and express the established policies and philosophies of the Probation Department, of the judiciary, and of the County. Employees will positively affirm these positions without interjecting any conflicting personal philosophies or opinions. When publicly addressing criminal justice issues while off duty and not representing the Probation Department, employees who are recognized as such, should use care to explicitly distinguish their personal philosophies and opinions from those of the Department.

In addition, specific employees may be assigned to represent the Department as a guest speaker, or as a liaison representative with other organizations, or as a member of a committee, commission, board or panel. Designation of such representatives shall be coordinated through Top Management. Outside agencies seeking a long term representative from this Department to work with that agency should be directed to submit their request in writing approximately 30 days in advance, and such a long term commitment must be approved by Top Management. A current list of departmental representatives on advisory boards, steering committees, liaison positions, potential speakers, etc. will be maintained by Top Management.

Response to Telephone Calls and Correspondence

Staff shall respond promptly to telephone inquiries and written correspondence. In general, all phone calls are to be returned within one working day and a response to correspondence is made within ten working days.

Whenever possible, the County departmental mail or messenger services will be used instead of the United States Mail Service.

When an employee receives a telephone call or letter which should more appropriately be answered by another employee, the receiving employee will make immediate efforts to notify the source of the inquiry of the identity of the proper person to be contacted, how to contact that person, and/or relay the inquiry to the proper departmental employee.

**Requests for Information and Assistance
(Except Media Requests, See A-9)**

Any employee who receives a request for information or assistance shall represent the Department in the most positive manner possible. Every effort shall be made to establish the precise scope of the information needed and the purpose for which the information will be used. This will enable the employee to provide a timely and appropriate response, or refer the requestor to another person if appropriate, or to determine that the information is not available. The release of all information must be consistent with state laws, with authorizations and orders of the court, and with departmental procedures and policies. (State Privacy Act)

Before giving information, documents, or any property of the Probation Department to anyone, the requestor must be appropriately identified, and the legitimacy of the request determined. If there is any uncertainty, assistance and/or supervisory approval must be obtained. All reasonable steps are to be taken to assess the identity and legitimacy of each request.

General program information may be provided by any employee who has accurate and complete information on the subject. However, employees shall avoid providing information which might be misleading, misinterpreted or inadequate for the requestor's purpose. Information regarding specific case information is to be referred to the assigned officer or that officer's supervisor.

The Probation Department produces statistical reports and other documents for the use of the Department, other County agencies, and any other requestor who alleges a legitimate use for the data. These documents may be provided to any person statistical reports, data, and copies of publications such as Laws for Youth and the Probation Department Annual Report that may be released to the public upon request. Specific requests for exiting statistical data are to be referred directly to the Research and Data Systems Division.

All other requests for data, statistics, or permission to conduct research, shall be submitted in writing to the Chief Deputy Probation Officer. Requests by members of the public to interview employees, test clients, review records, or review or collect research or other statistical data not within the Department's monthly statistical report must be approved in advance by Top Management. Requestors will be directed to submit a letter of inquiry at least 30 days in advance, outlining the exact nature and purpose of the request, and how the information will be utilized.

Contact with News Media

The Chief Probation Officer and the two Chief Deputy Probation Officers are designated as the official spokesperson for the Agency. In order to guarantee appropriate confidentiality and the accuracy of information released, all requests for information, statement, or interviews from any news media source are to be directed to Top Management.

Top Management will coordinate the response, advise the appropriate manager, and provide assistance as needed. Public recognition of staff or program accomplishments is encouraged but must be coordinated through the media liaison. An employee may be asked to represent the agency by the Chief Probation Officer or a Chief Deputy Probation Officer in response to an inquiry from the news media.

Donations

All materials, documents, and information produced and/or developed by an employee in the course of employment, or with County supplies, and/or equipment is the property of the Department. Unless the materials, information, or documents are publicly disseminated by the Department, they may not be retained or utilized as private or personal property by any employee without the written permission of the Chief Probation Officer. If such authorization is granted, any duplication costs shall be borne by the employee.

An employee may choose to share with the Department material which is work related, and produced or developed on the employee's own time. Under such circumstances, the employee shall, upon sharing the material with the Department, clearly identify an intent to retain, and/or continue to utilize the material as private or personal property.

Any employee who intends to write for publication or make speeches (in person or via the media) on work-related topics or is to be identified as a Probation Department employee in any public forum must have the prior approval of the Chief or Chief Deputy Probation Officer. This will promote accurate portrayal of the Department, its policy and procedures, and includes anything developed on County time, at County expense, or with County materials. This Administrative review is designed to avoid possible conflict of interest, the misuse of position or authority, dissemination of inaccurate or misleading information, misrepresentation of departmental positions or any breach of confidentiality.

Approval is not required in instances where material is developed on an employee's own time, and at the employee's own expense, and the material is not represented as approved by, or endorsed by this Department, and/or the author is not identified as an employee of this Department.

Services, Awards, Community Awards

Any employee invited to attend a meeting of the Board of Supervisors, Juvenile Justice Commission, or Top Management to receive service awards, will be notified in advance of the ceremony so that the employee's job responsibilities may be assumed by others during his attendance at the awards ceremony. Employees receiving invitations to either ceremony will be permitted to take time away from their work, with pay, to attend. Attendance at these ceremonies is encouraged, but is discretionary with the employee.

Employees who receive invitations or requests to appear before community groups to receive awards or other forms of recognition for service directly related to an employee's work assignment, will immediately notify the Chief Deputy Probation Officer via chain of command. Permission to attend and participate on County time may be granted in such situations at the discretion of Top Management.

Donations

Because a unified, department-wide approach to solicitation of funds, goods, or services from individuals or organizations is desirable, all efforts will be made to coordinate this type of activity with the Division Manager assigned to Institutions and Volunteer Program Unit. Funds, goods or services may be solicited for the use of:

1. departmental staff in work-related activities;
2. departmental institutions;
3. Clients of the Department.

All donations received must be reported per departmental procedure to Administrative and Fiscal Services for proper accounting. Appropriate letters of appreciation will be written promptly to the donor.

In order to avoid any conflict of interest, or the appearance of conflict of interest, no funds, services, or goods will be solicited or accepted from clients and/or their families. Requests for exceptional authorization to accept a voluntary donation from a client and/or their families shall be referred to a Chief Deputy Probation Officer.

Employee Participation in Corrections Related Organizations and Collateral Activities

Activities of professional organizations in the field of corrections are supported by this Department whenever those activities assist in the attainment of departmental goals. Employees are encouraged to be members of and actively participate in outside professional organizations. Such participation includes meetings, leadership roles, workshops, training or conferences available through such organizations, although budgetary and operational considerations may limit the amount and kinds of support which can be authorized. An employee's membership in a professional organization will not influence employment, promotion, or disciplinary action.

To obtain authorization for the support of an employee's participation in the activities of a professional organization, consult the Procedure Manual.

Periodically Top Management of the Department may determine that the best interests of the Department will be served by assigning one or more members of the staff specific responsibilities for attending and participating in conferences or other activities sponsored by professional organizations as an official representative of the Department. In such case, normal travel, per diem, and registration fee expense will be reimbursed.

Training

The purpose of training is to improve the ability of staff to accomplish the departmental mission.

All employees in peace officer classifications will receive the training required by state law and directives.

Training provided to staff will be influenced by a variety of factors, but the most significant of these will be the existing capability of staff to perform tasks related to the agency's mission and the availability of training resources (time, staff, funding, instructional expertise, etc.).

Ultimate responsibility for decisions as to what training will be provided to specific individuals is vested in Top Management, but authority for making such decisions will be delegated to the lowest appropriate management level. In determining the most appropriate level for such decision-making, the need to match training to individual circumstances must be balanced against the need to ensure that all staff possess the skills, knowledge, and abilities, which are essential to adequate performance in their assigned area of responsibility. In some instances it will be necessary for all persons in a specified group to receive uniform training. It is the responsibility of each employee to attend all required training and to be sure training requirements are fulfilled. It is the responsibility of each supervisor to determine the training to be taken by each employee and to monitor and ensure such attendance.

All training will be coordinated by the Director of the Training Division. In setting priorities for training, first priority will be given to developing the skills, knowledge, and abilities needed to perform one's assigned duties at a standard or better level. Second priority will be given to training that will enable staff to transfer to other assignments in the same job classification. Third priority will be given to training which will facilitate general professional growth and development.

While it is anticipated that most training will be provided by the Department. Top Management may authorize staff to attend training provided by other organizations under the following conditions:

1. The training is not generally available or provided by the Probation Department;
2. The training is appropriate and directly relevant to the present position of the employee requesting the training;
3. The employee's work performance is currently standard or above and the absence from the job assignment for the training can be accommodated and will not result in overtime;
4. There are sufficient funds available to pay for the training.

Any employee, who attends such training on County time, or at County expense, or at the direction of the Department, will be required to provide a written report of the meeting in a form that will enable sharing of the information learned with other staff.

Conflict of Interest

All employees of the Probation Department shall abide by the County's directives regarding conflict of interest. All employees must absolutely avoid any and all activities which are known conflicts of interest with their employment by the Probation Department. In addition, if an employee believes that a potential conflict may emerge or exist, or any action or activity might be interpreted by others as giving the appearance of a conflict of interest, assistance must be sought from the immediate supervisor to clarify the matter. Assistance in remedying or resolving an issue may be pursued via the chain of command to Top Management. The following information should be used as a guideline only, and not considered as covering every possible situation. All employees are expected to exercise professional knowledge and good judgment in evaluating any given situation.

County employees shall refrain from engaging in any activities which constitute a conflict of interest due to the nature, conditions, or some other Agency/Department Head to ensure that employees in his or her agency/department refrain from engaging in any activities which constitute a conflict of interest. The following are examples of activities which may involve a conflict of interest.

1. The use of County time, facilities, equipment, badge or uniform for private gain or advantage, or the private gain or advantage of another.
2. The use of prestige or influence of County employment for private gain or advantage, or the private gain or advantage of another.
3. The use of confidential information acquired by virtue of County employment for the employee's private gain or advantage, or private gain or advantage of another.
4. The acceptance of money or other consideration by an employee from any person except the County for the performance of an act which the employee would be required or expected to render in the regular course or hours of his County employment, or as a part of his or her duties as a County employee.
5. The performance of an act in other than his or her capacity as a County employee, knowing that such act may later be subject directly or indirectly, to the control, inspection, review, audit or enforcement by the employee or the agency/department in which he or she is employed.
6. The representation of, or assisting in the representation of private interests for profit before any board or commission of the County or in court when the County is a party.
7. The solicitation of future employment with a business doing business with the County over which the employee has some control or influence in his or her official capacity at the time of transaction.

Staff Relationships with Clients Gifts

General

Employees are not to establish business or social relationships with clients or their families. If such a relationship existed before the individual became a client of the Probation Department, the employee must notify his immediate supervisor as soon as he learns of the individual's client status. The immediate supervisor will review the situation with the affected employee and establish an acceptable solution to any potentially inappropriate or embarrassing situation. In all such cases, every attempt will be made to avoid any embarrassment, misunderstanding, or conflict for the employee and client.

If any work technique might be viewed by the community as a social relationship, this technique or practice shall be reviewed in advance by the immediate supervisor to determine its appropriateness.

Gifts

Gifts for the personal use and possession of an employee will not be accepted from any client, client's family, or representative. Employees are prohibited from giving any gifts to a client, the client's family, or representative except as a confidential donation via the Community Services Unit.

In order to avoid an actual, a potential, or an appearance of any professional conflict of interest, prejudice in professional conduct, or undermining of public trust, staff are discouraged from engaging in any personal, social or business relationship with any clients and/or their families, for a period of at least six months following the termination of the client's relationship with the Probation Department.

Institutions: Minor's Returning to Visit

Contact between institutional staff and minors released from County juvenile institutions is, in general, discouraged because it may delay or interfere with the minor's transition back into the community.

Sometimes there are cases in which it is important to a minor's growth and rehabilitation to return to the institution from which he graduated in order to visit staff. Such visits should be conducted in a friendly, supportive, and professional manner by staff and not be allowed to develop into personal relationships away from the institution.

Requests for visits by the minor to the institution should be referred to the Division Manager for approval. An unscheduled visit by a minor should be dealt with the Division Manager immediately thereafter.

If contact with the minor does occur away from the institution, the staff member will subsequently advise the assigned deputy and the Division Manager in detail of all of the significant aspects of this contact.

Work by and with Clients

As an integral part of the Probation Department programs, departmental clients may be ordered to, or may volunteer to perform certain work functions as part of their rehabilitative program, their vocational training, or recreational program. Neither adult nor juvenile clients may perform any personal service for any employee of the Probation Department, or their families, or engage in any activity which would primarily serve to benefit the employee. It is the responsibility of all employees to insure that clients are informed of this policy on appropriate occasions, and to insure that clients do not engage in any type of work that benefits an individual employee. Similarly, no employee shall initiate any work or business with a client, or the family of a client, for their mutual or individual benefit.

Political Activities

All employees of the Probation Department are required to avoid all political involvements or activities which are, or might give the appearance of being, a conflict of interest with their employment.

Specifically, Probation Department employees shall not:

1. Solicit or receive political funds or support from other Probation Department employees while on duty.
2. Solicit political contributions or support on County property except in public meeting places.
3. Use their authority or position as employees of the Probation Department to influence the vote or influence the political contributions of another.
4. Campaign for political candidates or issues during work hours.
5. Take part in political activities while in uniform, if a uniformed employee, or display their badges.
6. Wear or display campaign materials while on duty.

Any questions or lack of clarity regarding the appropriateness of any specific political activity should be referred immediately, via the chain of command, to the Chief Deputy Probation Officer for clarification and approval in advance.

Liability

In an effort to minimize departmental and individual liability, the County and the Department have established policies, standards, and guidelines to assist the employee in the performance of assignments. The Chief Probation Officer and those of his staff to whom he has delegated specific authorities and responsibilities are obligated to fill certain requirements and provide specified services. Guidelines to meet these obligations are provided by the Department through the Policy Manual, Procedural Manuals and Performance Standards. Added efforts are made to keep all employees updated on the changes in relevant laws. It is the obligation of all Probation Department staff to carry out the functions of their job assignments in conjunction with these departmental directions and guidelines.

While there is protection afforded to public employees under the California Tort Claims Act, the Chief Probation Officer and his staff are still accountable for their actions and/or their lack of action in a civil or criminal court, even when they believe that they are performing their duties according to established Departmental and County policies, procedures, and the law. However, Probation Department employees who perform their job functions according to the established policies, procedures and directions of the Probation Department shall be fully supported by the Chief Probation Officer and the Probation Department in the event that a court action arises. Legal support from the County of Imperial may or may not be available in an active defensive role depending upon the specific factual circumstances of the matter. An employee whose job performance is not in compliance with Department and County Guidelines or the laws is assuming independent and personal responsibility for those actions or omissions which may result in a civil or criminal inquiry or suit.

An employee, who has specific questions regarding the performance of his duties, his obligations, and his liability for his job performance, or who confronts a complex situation for which there are no guidelines, should seek additional information and guidance through his immediate supervisor at the earliest possible moment. If the situation requires immediate action, the employee shall use good judgment and professional skills in responding, and follow this action by discussing the matter with his immediate supervisor as soon as possible.

Case Confidentiality – Client’s Right to Privacy

Case information is considered confidential and to be shared only with those who have the need and right to know. Access to case information is strictly limited by state statute, case law, court directive, and department procedures and directives. If there is any question about complying with a request for information on any client, the immediate supervisor should be consulted.

Staff shall not needlessly identify or advertise anyone as a client. The identification of any principal in a case (client, victim, etc.) shall be in a manner to minimize embarrassment and stigma. Except for standard file and field book identification, clients are not to be photographed in any probation department or community resources/placement context unless approved by management. Cameras may not be taken into juvenile institutions or program areas without prior approval of appropriate managerial staff.

Documents

No employee may release documents in the case file (psychological reports, police reports, probation reports school reports, etc.) even though summarized in court report, without court authorization or approval. Requests for copies of documents in the case file that originated outside the department will be referred to the original source.

Attorney of Record

The attorney of record in a current court action may read the completed court report after it is filed with the court. Other case file data is not, generally, subject to attorney review without a specific court order. Requests by attorneys of record to review file data are referred to the immediate supervisor.

Victims

The assigned deputy probation officer shall cooperate in providing information to victims in accordance with the requirements of the applicable statutes, orders of the court, and departmental procedures.

Volunteers in Probation, Student Interns, Foster Parents, and others

Information may be shared by the assigned deputy probation officer on a need-to-know basis with approved volunteers, foster parents, student interns, community resources, placement facilities, or others assigned specific duties with the Probation Department in order to maximize their effectiveness in working with a client. No information is to be released to volunteers, student interns or foster parents beyond that which is necessary for their degree of involvement in the particular case. Release of information to Volunteers in Probation regarding adult clients must also conform to the applicable Criminal Offender Record Information (CORI) laws as well as other pertinent laws, departmental policies, and procedures.

Inter- and Intra-Agency Confidentiality

While confidentiality is a prime concern in casework, it is not to be applied in a manner to preclude the transfer of necessary information among the several operational components of this Department, or between this Department and other agencies or individuals. Guidelines for the dissemination of information regarding Court proceedings and records are outlined in State Laws, in Departmental Procedure and Policy Manuals, and in memos.

When more than one operation of the Department (Investigation, Institutions, Financial, Supervision, etc.) has knowledge of a client, this information must be shared. This Department, on occasion, contacts to provide certain professional and support services, or to receive such services from grant or privately funded public or private agencies and/or programs. Specific procedural guidelines are available delineating the method and types of information to be shared with such agencies and departments.

Case File Management and Security

Case files are confidential. Except as authorized by Top Management or specific court orders, no one but Probation Department staff, while in the direct course of performing their official duties, may route, transport, or have access to case files. All staff having access to case file are responsible for keeping the files secure, and for storing and locking them properly when possible, except when immediate access is needed. Generally, active files shall be stored in the file cabinets of the assigned deputy probation officer during the time the case is active within the Department. Any employee authorized to utilize the file shall check it out appropriately. Upon termination of jurisdiction, the file, containing all relevant data, shall be forwarded to the Records Room. No employee is to keep copies of case information for any personal use. All other files will be stored by the Records Room when not in use.

Documents and/or notes containing client identifier data may not be retained by staff other than in the Probation case file, field book, or institutional file, or other approved work location. Employees, who need to retain examples of work products for training purposes, must eradicate, censor, or alter all client identifier data from the work while it is retained. This includes, but is not limited to names, dates, streets, employment, file numbers, police department report numbers, or any information, which could reasonably be traced to an individual. Such documents shall be destroyed when they are no longer needed for these specific purposes. Exceptions to this policy must be approved in advance by the Chief Probation Officer.

Sensitive Cases

Cases involving celebrities, departmental employees or their families, court or political personages or their families, or other cases which have for some reason attracted special public attention, are to be reviewed for classification as a "sensitive case". Any time a case reaches the Department and, by its nature appears to any employee to be a "sensitive case"; this information shall be reported to the appropriate managerial staff via the chain of command. If so classified by managerial staff, the procedure for the handling of a "sensitive case" as established by top management. Special handling of the case shall be limited to close supervision and monitoring of the handling of the case to strictly limit the number of people who have access to the file.

The Probation Department shall provide services to the sensitive cases, the court, and the community in a manner consistent with the treatment of other cases, while making every effort to insure that no favoritism or bias enters into the casework. These cases shall not receive any special treatment or consideration with regard to casework decisions made by the Probation Department regarding any aspect of the case.

Maintaining Employment Status

There are a variety of employment statuses (regular full-time, regular part-time, limited term, extra-help, etc.) To the extent deemed feasible, supervisory and managerial staff shall assist any employee wishing to clarify his understanding of the implications of his employment status. All employees are encouraged to seek supervisory assistance in evaluating the impact of a change in status on salary, permanence, and benefits prior to formally requesting a change in employment status.

All employees are responsible for notifying their immediate supervisor of any planned or anticipated interruption in work attendance, such as vacation, medical appointments, leaves of absence, etc., at the earliest possible time. Unplanned or unexpected absences, such as those resulting from an illness or an accident, must be reported to the immediate supervisor as soon as possible.

Vacations

Every effort will be made to accommodate the major vacation requests of each employee, provided that the employee's absence does not hamper the efficient operation of the Department. Vacations may be taken in multiple increments. Generally, vacation requests must be submitted thirty (30) days before the requested time off to allow time for processing, scheduling and position coverage.

Vacation preference based on county seniority will be considered in January each year for one vacation period during the next 12 months. Seniority cannot be used to override another employee's previously approved vacation. Except during the month of January, vacation requests will be considered in the order that they are received. The employee's copy of the vacation request will be returned to the employee promptly with an approval or denial. It is the employee's responsibility to verify that the vacation request does not exceed the actual or anticipated vacation/comp time balance.

If the employee is transferred to another work unit after a vacation has been approved, the employee shall immediately notify the new immediate supervisor so that all efforts can be made to honor the scheduled vacation.

Once a vacation has been requested and approved, the employee must take that vacation period in its entirety unless a modification/cancellation is requested and approved 15 calendar days in advance. Modification or cancellation after that date must be specifically approved by the Director.

Managerial staff shall have the responsibility and authority for making final decisions about the scheduling and allocation of vacations.

LEAVES

Personal, Medical, Parenthood, Military, Workers' Compensation,

Jury Duty, Witness, Bereavement, PCA Business

A variety of leaves that may be granted to an employee, both paid and unpaid, are described in the County Employee Personnel Handbook and augmented by official County Ordinances.

The employee should notify his immediate supervisor as early as possible of the intent to request a leave. The official request for a leave of absence should be made as soon as all pertinent information is available. These two steps will permit the department to adequately plan for position coverage and minimize negative impact on other staff.

A reply to an official and complete request for a leave will be returned to the employee within ten (10) work days. Top Management will review and consider all official leave requests and make a decision based on the information submitted, then make a recommendation to the Personnel Department. Employees are to provide adequate information and documentation in support of a leave request to the immediate supervisor for review and processing up the chain of command prior to Top Management review. The decision and recommendation of Top Management will be based on the needs of the department and will consider the compelling nature of the request, length of leave requested, impact on position coverage, budget constraints, workload of the Department, and the employee's work performance.

Departmental leaves of three (3) days or less may be approved at the Director level if the leave is for employee illness, personal need, or emergency and is not part of an unacceptable attendance pattern.

Jury Duty of Witness Leave

In support of the court system, jury duty and witness leave will be authorized for the actual time spent in court, plus reasonable travel time. Changes in work schedule to coincide with jury duty hours may be arranged according to departmental procedure.

Military Leave

Employees will be granted unpaid military leave to meet obligations of reserve military status (such as weekend drills). If an employee requests to use vacation or comp time to meet military obligations, every effort will be made to comply with the request.

Work Schedules, Overtimes, Comp Time and Sick Leave

Extensive regulations regarding work schedules, breaks and rest periods, overtime, compensatory time and sick leave are contained in the County Ordinances. Specific work schedules and shifts are assigned by the immediate supervisor according to the specific work hours. The Chief Deputy Probation Officer is responsible for establishing work schedule guidelines, and approving final schedules. Workload requirements sometimes demand the flexible scheduling of the workday or workweek. Irregular scheduling including the use of vacation and comp time (that is different from the normal schedule for that work assignment) shall be discussed with, and approved by, the employee's immediate supervisor in advance.

All overtime hours shall be approved in advance by the immediate supervisor, if possible. It is recognized that emergency situations may arise which preclude obtaining approval for overtime in advance. In such cases, the employee's professional judgment shall prevail, and urgent situations requiring immediate attention shall not be disregarded for lack of such prior authorization. Overtime not authorized in advance must be reported to the employee's immediate supervisor as soon as possible on the next working day for review and decision making.

Department employees shall utilize sick leave as authorized by the County Ordinances.

Work Assignments

Staff work assignments are made to meet the needs of the Department and are subject to the direction of the Chief Deputy Probation Officer. Within this context, assignment/ reassignment decisions are made by Management who will consider workload trends; existing vacancies; an employee's special skills or abilities; safety, health, and physical ability/limitation; employee development and cross training; County seniority and time in present assignment; level of performance in present or other assignment; the employee's preference as to assignment and job location; and relations with clients and co-workers.

An employee's assignment preference will not be denied as a form of discipline. An employee will, generally, be required to perform at a standard level before a reassignment request is granted.

Every effort will be made to give advance notice, via the chain of command, to an employee being reassigned before the information is shared with staff.

Workload or special events may make a temporary or detached assignment of an employee necessary either within the Probation Department or outside of it and the same criteria listed above will be considered in these decisions.

Case Assignments – Deputy Probation Officers

Decisions regarding initial case assignments to deputy probation officers are the responsibility of the Division Manager and some supervisory staff. The assigned officer is then responsible for decision-making and processing of all matters related to that case's court status and/or field supervision decisions. All such activities are subject to supervisory direction and/or approval and must be consistent with the provisions of Statutory and Case law, court orders and departmental policies and procedures. All other staff members will be expected to support the decisions made by the assigned officer. Areas of disagreement between officers may be referred to supervisory or managerial staff for resolution.

Companion cases will generally be assigned to as few different officers as possible for the intake and investigation functions. When two or more officers are handling companion cases, they are responsible for consultation with each other prior to making dispositional or sentencing decisions or submitting recommendations to the court. Supervisory staff will determine whether multiple family members under Probation Department supervision should be supervised by one or several field officers. Whenever practical, or appropriate, as few officers as possible will be involved with any given client or family over an extended period of time. When multiple work functions require that more than one officer be assigned to a client at the same time, every effort will be made to designate one of these officers principally responsible for the case. Consultation between officers in such situations will take place on a regular basis. If mutually acceptable case decisions cannot be reached, supervisory assistance will be sought.

Most Probation field supervision cases are assigned on a regional and/or geographical basis. Some are assigned according to specific casework issues. There will be occasions when strict adherence to designated supervision assignment criteria is inappropriate. Supervisory approval is required to allow an officer to be assigned to or to continue to supervise a case under such unusual circumstances.

If a problem or work requirement arises while a case is in transition between assignment to two officers, or is simultaneously assigned to more than one officer, the two officers will attempt to arrive at a mutually agreeable decision regarding responsibilities for the work, providing that other procedures do not already permit a specific solution. If this is not possible, supervisory direction will be sought. If a law violation or probation violation activity arises while a case is being transferred from one officer to another, the case shall be returned to the sending officer for completion of the necessary casework prior to its reassignment. Generally all pending court obligations and routine paperwork shall be completed before a case is submitted for transfer.

Emergency caseload coverage will be established for an entire caseload when the regularly assigned officer is to be absent from work for a significant period of time. The officer(s) assigned to provide coverage will generally become involved with a case on a needs or emergency basis only. The covering officer will provide regular personal contact with any juvenile client in custody and with adult clients in custody as needed.

New Assignments-Orientation

To assist employees to adapt to a new assignment, the immediate supervisor shall provide an orientation for the employee within the first week after assignment. The orientation shall include, but not be limited to:

1. A tour of the physical location or office of assignment;
2. A discussion of the specific assigned duties and expectations;
3. A personal introduction to the other staff with who the newly-assigned employee will most frequently work;
4. A review of the policies and procedures most relevant to the new assignment;
5. A copy of the performance standards that apply to the new assignment and discussion as needed;
6. A review of the specific work schedule;
7. A discussion of other issues and/or information pertinent to the assignment;
8. Training relevant to that assignment.

The specific information and direction to be included in this orientation is to be approved by the Division Manager.

Work Priorities

Generally, Probation Department employees' work time and resources will be committed to routine, assigned functions prior to addressing optional or supplemental programs. However, employees are encouraged to suggest, and with approval of their immediate supervisor, implement creative approaches to enhance the accomplishment of their assigned duties. Nevertheless, individual employees are expected to complete their assigned duties before voluntarily accepting or assuming additional duties which might delay or detract from the completion of their assigned primary duties. Employees with questions regarding their work assignment priorities will consult with their immediate supervisor for clarification and direction. If a clear understanding of priorities is not achieved between the employee and his immediate supervisor, the issue may be referred, via the chain of command, to the appropriate manager for resolution.

The voluntary assumption of additional work related responsibilities of an ongoing nature, or an extended one-time effort, requires prior approval from managerial staff. Such additional projects or assignments should only be accepted after it is determined that doing so is without detriment to the accomplishment of required tasks, and that the project or assignment is in the best interests of the Probation Department.

Acting Positions – Temporary Promotions

During an absence in excess of five days of an employee at the supervisorial or managerial level, the immediate supervisor for the position will generally select and appoint someone to assume the responsibilities in an acting supervisorial or an acting managerial position. If the absence is to be for less than five working days a supervisorial or managerial employee at the same level as the vacancy may be asked to assume the additional responsibilities. The employee who is in the acting supervisorial or acting managerial position will have their assigned regular duties reduced to allow appropriate attention to be given to the interim duties. Before departure, the regular employee will brief the replacement regarding the duties of the position and any pending problem areas. The employee regularly in the position will receive a report from the acting employee upon return to work.

This practice is considered by the Probation Department to be a training opportunity for the employee while simultaneously allowing for the continuous operation of the work function. The systematic rotation of individuals assigned to acting positions is encouraged to provide this experience in an equitable manner. The acting employee's experience should receive a verbal and/or written evaluation from his immediate supervisor. The evaluation also may be incorporated into the annual performance evaluation.

A temporary promotion will be made when the replacement of a vacant position is involved, or the duration and scope of the acting employee's responsibilities are extensive and/or are expected to be for a substantial period of time. All instances of proposed temporary promotions are to be referred to Top Management for decision making and/or approval.

Officer of the Day or Duty Officer

Every major work location and/or work unit will establish a method to provide the services of a duty officer or an officer of the day in all buildings and institutions. Schedules shall be devised by the involved supervisory staff subject to the approval of the managerial staff. According to the work location and the job function, the specified duties of the officer of the day or duty officer may vary. In general all officers of the day are to be available during normal working hours to provide immediate response to inquiries from the community, all clients, or other agencies, as well as assist line employees in resolving operational problems.

Personnel Records

There are two personnel files for every employee: one maintained by the Imperial County Personnel Department and the other by the Imperial County Probation Department.

All employees may review their own departmental personnel file upon request. If the file cannot be made available within 24 hours, managerial staff will establish a specified time for the employee to review the file and state the reason for the delay. The personnel file may be reviewed by the employee, the employee's immediate supervisor, Management, Top Management, or other staff specifically authorized by Top Management, to review the file. Top Management must also give authorization before a personnel file can be removed from the area in which the personnel records are stored.

Performance Evaluations

Performance evaluations will comply with standard County Ordinances.

**Severance Through Retirement, Resignation, Termination,
Or Inter-Department Transfer**

Notice of severance from the Probation Department shall be provided to the Department via the chain of command a minimum of two weeks in advance. Additional advance notice is requested if possible.

At the time of departure an inventory of departmental property issued to the employee must be completed. The property to be inventoried and returned to the Department includes those manuals and items specifically issued to the employee relevant to his/her work assignment as well as office equipment and tools or other materials that may have been released to the employee from a central pool. Every effort will be made to have the employee present to aid in the inventory. If the employee is not available, or does not wish to participate in the separation of his personal property from departmental property, this will be done by the immediate supervisor. All employees are instructed to keep all their personal property used in conjunction with their job assignment clearly labeled with their name and an indication that it is private property. If the employee is not present for the inventory of property, the personal belongings will be held for or forwarded to the employee.

Compliments or Complaint Regarding Staff Performance

To comply with the law and to be responsive to the community and other agencies, all compliments and complaints will receive prompt attention and response according to departmental procedures.

All written compliments or complaints from outside the Department that are received will be sent to the appropriate managerial staff for response with a copy sent to the Chief Deputy Probation Officer.

Compliments or complaints received in the institutions will be given directly to managerial staff who will forward a copy to the Chief Deputy Probation Officer. All written complaints will be responded to in writing, and a copy sent to the Chief Deputy Probation Officer via the chain of command.

All verbal compliments or complaints will be responded to by the supervisory staff. If they are of departmental significance, Top Management will be informed via the chain of command.

In all cases, the involved employee will be made aware of the nature of the compliment or complaint by the immediate supervisor, and given an opportunity to respond, if appropriate.

Intoxicants

No employee of the Probation Department may consume alcoholic beverages or other intoxicants while on duty. Probation Department employees shall not report to work or be on duty when there is any observable effect of the use of alcohol or intoxicants. Probation Department employees shall not have in their possession, or bring, any alcoholic beverage or illegal intoxicants nor any paraphernalia for the illegal use of intoxicants, to any institution or onto the site of any institution, nor into any other facility in which the employee is conducting County business.

Contraband found to be used officially as evidence is to be properly documented and placed in a locked area.

Further, the Board of Supervisors has certified that the Imperial County Probation Department is in compliance with Government Code Section 8355(a), 8355(b), and 8355(c) in matters relating to providing a drug free workplace.

Employee Conduct – On Duty

All employees must meet the obligations of their work assignments as specified in the Departmental Policy and Procedural Manuals, written and verbal operational directives, performance standards, and the law. In addition to specific job tasks, employees are expected to report for duty as scheduled unless specifically excused, to remain awake, alert, and sober while on duty and to refrain from falsifying any records, reports, time sheets, legal documents, etc.

Employees are to conduct themselves in a professional manner while on duty by being respectful and courteous to others, and shall refrain from making disparaging remarks.

The immediate supervisor is responsible for informing an employee of job deficiencies, errors, or developing problems at the earliest possible time. Every reasonable effort will be made to assist employees in meeting the requirements of the work assignment which may include verbal discussions, specific directives for change, training efforts, and job restructuring. Failure to perform as required may result in disciplinary action which may include, but is not limited to, a written reprimand, a substandard performance evaluation, suspension, reduction, and/or discharge, and/or further investigation, as per Sections 24450, 24451, and 24452 of the Codified Ordinances of Imperial County.

Employees are not to violate the legal or civil rights of others, nor to commit any criminal act while on duty. Any such violation is to be immediately reported to the supervisor with follow-up written reports as required by department procedures and directives. When it appears an employee has committed a criminal act while on-duty, the matter will be referred to the appropriate law enforcement agency for investigation and action. Rights violations will be investigated and evaluated per department procedure and referred to Top Management for review and decision.

No employee of the Probation Department shall attempt to utilize his or her position, badge or County identification to ask for, coerce or accept favorable or special consideration in the event of an investigation, arrest or prosecution for violation of the law.

Any departmental investigation of a potential disciplinary situation is to be timely, discreet, objective and thorough. Notice of such an investigation shall be given to the employee at a time and in the manner directed by Top Management. During such investigation, an employee may be assigned to another departmental function, given a leave of absence with pay, or be subject to other action as deemed necessary by the specific situation. All departmental investigations will include an evaluation of an employee's discussion of the accusations, the circumstances of the employee's discussion of the accusations, the circumstances of the allegation, the impact of the activity on the employee, the impact of the activity on the Department, and any other pertinent information. Top Management will act on the basis of the best available information.

Employee Conduct – Off Duty Law Violations

All persons who have applied for employment with the Probation Department are subject to a background investigation and in some classifications, psychological evaluations.

Misconduct Off Duty

The Probation Department will thoroughly and immediately investigate all allegations of criminal or other misconduct by any employee. The investigations will extend to all incidents known to the Department that occur off the job, and that have occurred prior or subsequent to employment which may have negative impact on the reputation or performance of the employee and/or the agency.

Employees are to report to the immediate supervisor any arrest, incident, or allegation of criminal or other misconduct which could result in criminal prosecution no later than the following work day. When an arrest, incident, or allegation occurs, a departmental investigation of the matter will be made by managerial staff under the direction of Top Management. Any departmental investigation or action will be subordinate to and/or in cooperation with law enforcement investigation or judicial proceedings.

Misuse Of Badge, Position, or I.D.

No employee of the Probation Department shall use their position, badge, or County identification to:

- Seek, coerce, or accept favorable or special consideration in the course of a traffic stop, criminal investigation, arrest or citation, or criminal prosecution or civil action.

- Solicit or accept any special treatment or material advantage or gain.

- Allow another person to pose as or represent themselves to be a department employee or representative.

Such misuse of badge, position, or I.D. will be subject to the same investigation and Top Management action as any other misconduct.

Investigations will be conducted in order to provide the maximum amount of information to the Department for evaluation and consideration, and include, but not limited to, the following:

1. The seriousness of the allegations;
2. The Court status and/or disposition of the allegations;
3. Prior criminal history;
4. The prior work history of the employee with the Department;
5. The relevance of the allegation or situation to employment with the Probation

Employee Conduct – Off Duty Law Violations

Department;

6. Prior disciplinary history of the employee with the Department;
7. The extent to which the conduct of the employee has impaired the employee's ability to work diligently and objectively or to handle confidential information.
8. Information provided by the employee or relevant collateral sources;
9. The effect on the efficiency or morale of the other employees of the Probation Department;
10. Liability implications for the Department and County;
11. The extent to which public confidence and respect for the Probation Department has been diminished.

All allegations of criminal and other misconduct and the resulting investigations and evaluations will be referred via the chain of command to the Chief Deputy Probation Officer. Top Management will review the matter and will take action appropriate to the circumstances of each individual case. Such action may include but is not limited to:

1. Ending the investigation; if I was to continue typing until I reached the end, then it would line up correctly.
2. Further monitoring and/or investigation;
3. Disciplinary action up to and including termination.

Assistance to Candidates for Employment or Promotion

Supervisors and managers are responsible for general employee development and assistance in preparation for career advancement. Employees shall not, however, assist a candidate for employment or promotion in this Department in the completion of any task which is a segment of the competitive procedure unless this aid is available to all candidates. General information about the structure and procedures of the Department that may be released to the public can be provided to candidates upon their request as general background for the competition. However, staff should not provide any type of assistance in the completion of a task or project which is part of the competition, or in providing any information or assistance during any on-site, timed, or controlled competitive process. No County clerical supplies, equipment, or services may be utilized to assist a candidate.

Provisions of using County time to seek other employment or promotion are to be followed in line with proper County Ordinances, Employee Personnel Handbook, and Departmental Procedures.

Probation Department Suggestion Box

Suggestions or items of interest to the Probation Department may be submitted by an employee directly to the Chief Probation Officer via the Probation Department's Suggestions Box. These need not be reported to any other person. Although there is no necessity to sign a suggestion or item, any signed suggestions will receive a response from the Chief Probation Officer. It is permissible to submit an item to the Suggestion Box and simultaneously via regular channels of communication. However, if a dual submission is made, the fact that normal communication channels have been pursued should be noted by the employee on the Suggestion Box memo. The employee should also include what known action, if any, was taken as a result of the submission of the information through the normal communication channels.

Affirmative Action

The Probation Department will offer full equal employment opportunities in all personnel practices including hiring, transfers, training, promotions and employee benefits, without regard to race, color, sex, religion, marital status, national origin, age, physical or mental handicap, or medical condition. Sexual harassment is prohibited.

While overall responsibility for affirmative action rests with the Chief Probation Officer, all employees within the Department will be responsible for demonstrating a good faith effort in meeting these goals.

Problem Resolution
Grievance Resolution

In accordance with the Codified Ordinances of Imperial County, employees may address any problem through informal discussion. A prompt resolution of problems is encouraged, but if concerns in the areas of wages, hours, and working conditions cannot be satisfactorily resolved on an informal basis, employees may contact the departmental Personnel Division for information on the utilization of the established grievance procedure. Supervisory and managerial employees are to take a pro-active position in identifying problems and seeking resolution. All employees are expected to assist in resolving problems as quickly and as appropriately as possible.

To pursue the informal process of problem solving, the employee is encouraged to initiate discussions with the immediate supervisor. The immediate supervisor may seek assistance or cooperation via the chain of command, or through communication with another employee of the same classification as the immediate supervisor. If resolution of a problem, or issue, is pursued via the formal grievance process, the Probation Department will attempt to satisfactorily resolve the grievance at the earliest possible point in the process.

Sexual Harassment

The Probation Department is committed to maintaining a work environment which is free of any harassment based on sex.

It is illegal for any employee to sexually harass another. As defined in the Civil Rights Act of 1964, Title VII, Section 703, sexual harassment includes unwelcomed sexual advances, request for sexual favors, and other offensive verbal or physical conduct of a sexual nature when:

1. Submission to sexual advances is a condition of employment.
2. Submission or rejection is the basis of an employment decision affecting such individual.
3. Such conduct substantially interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Department managers and supervisors shall take all reasonable steps necessary to prevent such harassment from occurring and stop it when it occurs. This includes posting and making available the sexual harassment policy developed by the personnel office and adopted by the Imperial County Board of Supervisors. Staff shall not use their employment status or authority to solicit sexual favors or create a work environment that is sexually hostile, intimidating, or offensive.

Any employee who believes that he or she has been the subject of sexual harassment should report the alleged act immediately either via chain of command or directly to any member of Top Management or the Director of Personnel Division if desired.

Any employee who has been found by the Department, after appropriate investigation, to have violated this policy will be subject to appropriate disciplinary action up to and including discharge.

The following is a reprint of the approved Imperial County Policy on Sexual Harassment and procedures for filing complaints:

INTRODUCTION

The County recognizes that a productive working environment includes one that is free from sexual harassment, whether verbal, non-verbal, or physical in nature. Every supervisor and department head is responsible for insuring that their employees demonstrate a mutual respect for each other, and that sexual innuendo, intimidation, solicitation, and the like are absent. The Affirmative Action Officer is responsible for insuring that the policy and complaint procedures relating to sexual harassment are disseminated and implemented. The Personnel Director shall insure that this information is included in the Employee Personnel Handbook and briefed during orientation sessions with new employees.*

Threats, Harm, Danger to Employee and Others

POLICY

In conformance with the County Affirmative Action Policy which prohibits discrimination on the basis of sex, it is the policy of the County to insure that its offices and activities are conducted in an environment free of sexual harassment. This policy extends to all forms of communication, physical contact, and/or other harassment. Gestures which are unsolicited and are explicitly or implicitly sexually exploitive, intimidating, demeaning, and/or derogatory. No supervisor, co-worker, or other person shall cause a County employee to be in jeopardy of losing a job or promotion, be subject to adverse action or retaliation, or otherwise be placed in an intimidating, hostile, or offensive working environment, as the result of being subjected to, rejecting, or reporting sexual harassment. No person shall promise or grant favored treatment in hiring, promotion, discipline, or other employment decision, to an individual who accepts or participates in sexual solicitations or other actions prohibited by this policy. This policy applies to all County employees, elected and appointed County officers, and department heads, and to those who are agents of a public or private institution doing business with the County. Violators of this policy shall be subject to appropriate discipline or other sanctions, including possible termination.

*NOTE: Notwithstanding the specific nature of this policy statement, all personnel should recognize that harassment for any other reason (racial, ethnic, religious, handicap, etc.) is also prohibited, and is grievable under present procedures.

PROCEDURES

A complaint alleging sexual harassment shall be filed according to standard grievance procedures given in the Employee Personnel Handbook, or may be filed directly with the Affirmative Action Officer. The Personnel Director shall refer requests for Employment Appeals Board hearings of sexual harassment grievances to the Affirmative Action Officer, just as for one alleging any other form of sex discrimination.

Upon receipt, the Affirmative Action Officer shall investigate, conciliate, resolve, and/or make appropriate recommendations to the Personnel and respondent Departments in order to insure that situation is remedied. A written report of the investigation will be prepared and coordinated with County Counsel, and Personnel and respondent department head shall be given a summary of findings and recommendations. Complainant will also be informed of the results. If matter cannot be conciliated by the Affirmative Action Officer, then he/she shall recommend a hearing by the Employment Appeals Board; in this case, the Affirmative Action Officer shall brief the Board on the findings of the original investigation and County Counsel shall brief on pertinent law and guidelines. If a conciliation is reached by parties, the Affirmative Action Officer shall so inform the Personnel Department in writing, and shall monitor all actions until completed.

Regardless of the outcome of the complaint (i.e., whether sustained in complainant's favor or not), there shall be no retaliation against the complainant. If retaliation occurs, this is a separate complaint and shall be filed directly with the Affirmative Action Officer.

Threats, Harm, Danger to Employee and Others

Special Note: In addition to complaints by directly affected individuals, an employee who was denied an opportunity or benefit because the person selected was granted the opportunity or benefit as a result of submission to sexual advances or request for sexual favors may also complain under the provisions of this policy. These complaints shall be filed directly with the Affirmative Action Officer.

Protection: If an individual accused of sexual harassment under this policy considers such claim to be malicious or fraudulent, such evidence shall be presented during the normal course of the complaint investigation. When introduced into the basic complaint, the Affirmative Action Officer shall make a determination on this issue specifically and concurrently. If allegation is found to be valid, appropriate recommendations as to disposition of case will be made. Falsely raising this issue in defense or mitigation of a sexual harassment allegation shall be grounds for immediate disciplinary action.

SUMMARY

All cases shall be evaluated on an individual basis, taking into consideration all the facts and circumstances of the alleged situation. Because of the sensitive nature of these cases, supervisors and department heads are encouraged to consult with the Affirmative Action Officer when a problem may be present or a complaint has been raised or filed with them. The maintenance of a positive working relationship between all workers is critical to a productive office, and the prevention and/or elimination of sexual harassment is integral with such a goal.

School Schedule - Employee

Probation Department employees are encouraged to attend school on their own time and outside normal work hours. Attending school during normal working hours is generally not allowed unless management determines that the department would directly benefit from an employee attending a specific class or classes. In those cases, the employee, subject to supervision review and approval, may use flex time, modify work hours, and seek shift assignments to accommodate the class schedule. Such approval is conditional upon the employee's work remaining current and standard throughout the semester.

Every effort will be made to accommodate approved school schedules, but if a conflict between work demands and school arises after the above-described approval is granted, the department retains the right to require that the employee report to work during his or her normal working hours.

Depending on the situation, tuition reimbursement is available through the Imperial County Personnel Department with final approval from the Chief Probation Officer. Questions regarding availability, qualifications, and guidelines for reimbursement should be directed timely to the Personnel Office.

Staff Deployment During Emergency or Disaster

In the event of an emergency or disaster which threatens or disrupts any or all of the essential services of the Imperial County Probation Department, it may become necessary for the Chief Probation Officer to place staff on emergency status under which:

1. All staff will make themselves available as directed for any assignment within the Department.
2. All on-duty Probation staff will remain at their work location and assignments until relieved or dismissed via the chain of command. In some instances, work schedules may need to be extended.
3. All Probation personnel are to remain out of the disturbance area unless directed otherwise.

It is essential during a period of such emergency, particularly one which is emotionally charged, that the work of the Department be completed with accuracy and efficiency and that all staff work together and perform in all capacities in a professional manner.

Threats, Harm, Danger to Employee and Others

Staff safety is a major concern, and it should be clearly understood that employees are not expected, during the performance of their duties, to place themselves in any situation which presents an unreasonable degree of peril to their lives or health. Employees shall endeavor to complete their normal work assignments utilizing methods designed to minimize, avoid, or reduce physical danger to themselves and their property, and to the safety and property of others. Employees are encouraged to seek assistance from other employees or outside agencies, as appropriate, in carrying out departmental responsibilities and performing job tasks which may be risky. Employees are to plan, and apply reasonable care and caution in all potentially dangerous situations, and to use good judgment in balancing the requirements of job performance and safety issues.

In the office and/or in the community, employees are not under any circumstances expected to place themselves in danger, or risk their lives, or those of other persons, in order to effect an arrest, or to halt an offense. When confronted, threatened, or assaulted by armed persons, or by a large group of people, employees may temporarily cooperate with the assailant(s) and/or separate themselves from the situation, if possible. As soon as the immediate danger is past, employees are to seek immediate police assistance, and provide them with all pertinent information to aid in the apprehension of the offender(s).

In the institutions operated by the Probation Department, employees must take a pro-active role, consistent with their job description and departmental procedures, to halt an offense, and to ensure safety to themselves and others. When confronted, threatened, or assaulted by armed person(s), or overwhelming groups of people in an institution, employees may temporarily cooperate with the assailant(s) until assistance arrives.

Employees shall notify the immediate supervisor if, as a result of employment with the Probation Department, the employee is assaulted, attacked, or such action is threatened, or the employee's family is assaulted, attacked, or threatened. Should such an incident occur, every effort shall be immediately made to prevent further or prolonged attack or injury, and to seek immediate medical attention for anyone injured or claiming injury. Actual assaults or injuries must be reported by the employee via the chain of command to the Chief Probation Officer.

In the event that there is a threat or anticipated attack upon an employee or the employee's family or property, as a result of the employee's position with the Probation Department, the employee will cooperate with the Department to develop a long range plan to minimize and/or eliminate the danger. Reasonable and legal short-term methods of protection pending the activation and completion of long-range plans will be initiated by the Department for the safety of the employee and/or the employee's family.

Threats, Harm, Danger to Employee and Others

When any employee in the conduct of Probation Department duties becomes aware of a serious threat against the life, safety, or property of others or of a threat being made by a ward or probationer against any other person, that employee shall immediately report the information to the appropriate deputy probation officer and his immediate supervisor.

When any deputy probation officer becomes aware of such a threat, any unsuspecting victim shall be given immediate and adequate notice of the impending danger in accordance with departmental procedures.

Use of Physical Restraint Corporal Punishment

Probation Department employees shall not use physical restraint as a method of control unless required by exceptional or emergency situation to prevent injury, serious damage, or escape from custody. When confronted with an escape situation, the employee shall decide whether to use physical restraint and what degree of physical restraint to use, based on general safety issues including danger to the community and the likelihood of physical injury to either the fleeing probationer or the involved employee(s).

Corporal punishment of any type is prohibited

An employee may use physical force or restraint to protect himself or others when under attack. The degree of force used may be only great enough to remedy or control the emergency, and the nature of the force must be reasonable in the context of the circumstances.

When physical restraint or force is unavoidable on the job, the employee(s) involved shall follow Department procedures for oral and written reports to management.

Peace Officer Status

The special limited status of all probation officers and juvenile officers at juvenile hall as peace officers is authorized by law under the special conditions and restrictions specified in the Welfare and Institutions Code, Penal Code and case law. The extent and manner in which peace officers employed by the Imperial County Probation Department may exercise their powers shall be at the sole discretion and direction of the Chief Probation Officer. Such discretion and direction is contained in other sections of this policy manual, in the procedure manuals of the Department, and in specific directives and memos issued by the Chief Probation Officer.

Handcuffs

Handcuffs may only be used for placing a person in custody, under arrest, while conducting a search of felons or high risk probationers, or while transporting a probationer or an arrestee who is lawfully detained in custody. Handcuffs shall not be used as a restraint device in other situations, and shall not be used as a threat or punishment.

Handcuffs must be used during an arrest and seat belts while transporting an arrestee, unless there is a compelling reason for not using handcuffs, and there is no apparent compromise to safety. When a person is restrained with handcuffs, the employee is responsible for the restrained person's safety.

When using handcuffs, employees shall consider:

1. The safety hazards to the employee, the handcuffed person, and other persons.
2. The emotional state of the person under arrest or in custody.
3. The potential for resistance by the person under arrest or for interference by other people present.
4. The availability of assistance.
5. The advisability of delay while seeking assistance from other Probation Department employees or local law enforcement officials.

Arrests

The Chief Probation Officer has been authorized certain specified and limited powers as a peace officer including the authority to arrest probationers and specifically identified non-probationers. The exercise of the arrest authority regarding probationers is generally limited by statute to the following situations:

1. Violation of the state law by any person in this state who is on probation.
2. Violation of conditions of probation by any person in this state on probation.
3. The escape of any inmate or ward from a state or local institution.
4. The transportation of inmates or wards.
5. The service of a warrant of arrest on a probationer or ward.

Adults being monitored in statutory diversion programs such as 1000 P.C. and minors on 654 W&I (informal probation) may not be arrested. Other methods (such as calendaring the case for a hearing) must be used to bring the person before the court.

By delegation, the Chief Probation Officer has empowered the Deputy Probation Officers, Supervising Probation Officers, Probation Division Directors and Chief Deputy Probation Officers of this department to effect the arrest of a probationer or ward with or without a warrant when this is the most desirable and appropriate action available under the circumstances. For the purposes of this policy item only, these classification shall be referred to as Deputy Probation Officers.

Employees in the Probation Assistant classification shall not make arrests within the scope of their employment unless so authorized by management.

Delegated peace officer authority to arrest probationers or wards and other persons is limited to those persons to whom the deputy probation officer has specific duties and responsibilities in the course of and arising out of the specific job assignment. Within the limits of this designated power, deputy probation officers may make an arrest or cause an arrest to occur under the circumstances described below if all the requirements for a lawful arrest are present. Such arrests much entail using procedures designed to ensure the safety of the community and all parties involved, and will occur:

1. To protect the community.
2. To protect the life and/or safety of the probation/ward or other person.
3. To ensure an appearance in court.
4. To implement the specific orders of the court.

Arrests

5. To implement the conditions of probation when no other avenues of action are available.
6. To those people who overtly interfere with the deputy probation officer carrying out his duties.

Utilization of the delegated powers of a peace officer to arrest a non-probationer is strictly limited to those circumstances wherein the violation of law arises in direct connection with the employment and duties of the deputy probation officer.

In planning and effecting an arrest, the deputy probation officer shall seek police assistance whenever time and circumstances permit and when in the deputy probation officer's judgment a safety hazard is present. Arrest shall not be made without police assistance when it appears that such an action may seriously jeopardize the physical safety of any officer, probationer, ward or any other party.

If, during an arrest, without police assistance, the deputy probation officer believes that his safety or the safety of others is in serious jeopardy, or that the arrest itself is significantly increasing the safety hazards, the deputy probation officer shall terminate efforts to effect the arrest, if this is possible. If it will calm the situation, the deputy probation officer shall leave the scene, if able to do so, and shall immediately seek follow-up assistance from the police. If such assistance cannot be immediately obtained, the deputy probation officer shall request a warrant of arrest from the court at the first available opportunity to be served by law enforcement.

Before seeking police assistance in effecting an arrest at a Probation Department facility, the probation officer shall first arrange for assistance from other staff to whom arrest authority has been delegated by the Chief Probation Officer. When making an arrest alone or with assistance from other staff to whom arrest authority has been delegated by the Chief Probation Officer, the deputy probation shall use handcuffs (see Policy D-4) and a County car if one is available, preferable with security equipment.

Transportation of Clients and Custody Transportation

Prior to transportation of clients, employees shall carefully plan the circumstances of the transportation, including assessment of potential problems when dealing with unstable or dangerous clients, securing of an appropriate vehicle, and acquiring assistance as appropriate. Unless it is absolutely unavoidable, employees shall not transport someone of the opposite sex alone. Arrangements shall be made for the assistance of another staff member of the same sex as the client to accompany them. The initiating employee will assume a direct responsibility for the client, and if possible shall not leave the assisting employee alone with the client.

Employees who have been authorized to drive their private vehicles while on County business and who have been authorized to transport clients, may use their personal vehicle for the general transportation of the client. When the transportation is to be "in custody" or an arrest situation, employees are expected to use a County car, if one is readily available.

In general, clients under arrest and/or being transported "in custody" shall be handcuffed and searched for weapons and contraband per department policy and procedure.

Firearms

No employee of the Imperial County Probation Department is permitted to carry any firearm on his person, or to have any firearm in the office or job location, or in his vehicle while on official business, except with prior and specifically expressed approval of the Chief Probation Officer. In the absence of the Chief Probation Officer, the Chief Deputy Probation Officers may temporarily authorize the carrying of a firearm. Should a reason or situation arise which suggests the necessity for authorizing an employee to possess a firearm on the job, the Chief Probation Officer shall be immediately notified via the chain of command. Authorization in writing to carry a firearm shall not be given by the Chief Probation Officer until after a thorough evaluation has been made of the situation giving rise to this request.

If a firearm has been confiscated as evidence it shall be disposed of by the employee in accordance with departmental procedure as soon as possible.

**Probation Department
Policy on OC (Pepper Spray)**

AUTHORITY:

Chief Probation Officer
Penal Code Sections 830.5, 12401-12404

PURPOSE:

To implement policy regulating the carrying and use of OC tear gas by field services Probation Department personnel.

RESPONSIBILITY:

It is the responsibility of all field services staff to be aware and comply with this policy.

GENERAL PROVISIONS:

OC tear gas may be used to control, restrain or subdue imminent or actual violent behavior where such behavior presents a clear danger to staff or other persons. OC tear gas shall never be used indiscriminately or in response to simple threats of violence, but may be used when there is a credible threat of violence coupled with the present ability to cause injury. Before using OC tear gas, staff should always consider the use of less noxious alternatives provided these remedies do not significantly increase the risk of danger to staff or others.

SPECIFIC PROVISIONS:

1. OC tear gas is a highly concentrated form of peppers or a similar synthetic substance, that affects the mucous membranes of humans. OC tear gas, when applied to the face, typically causes the following reactions: swelling of the mucous membranes; involuntary closing of the eyes; gagging; shortness of breath; and an intense burning sensation on exposed areas of skin. Most persons encountering OC involuntarily bend over at the waist or drop to their knees, regardless of their emotional or intoxicated state. These symptoms are temporary and will dissipate within 45 minutes and with treatment, the effects will dissipate within 15-20 minutes.

OC products must be used in hand held canister form. Maximum effectiveness is achieved when the target is at least six feet away, but is not more than ten feet away from the canister when sprayed. OC tear gas must contact the target's face to be effective. Spraying the person below the face will not cause the desired effects.

**Probation Department
Policy on OC (Pepper Spray)**

2. Authority to Use OC

The Imperial County Probation Officer authorizes field services and other designated staff, sworn officers to carry and use OC tear gas under the following conditions:

- A. Officer has completed the required Department training certified by P.O.S.T./STC.
- B. The officer is on duty.
- C. Has authorization of Chief Probation Officer.

3. USE OF OC:

- A. Caution should be taken prior to applying OC tear gas on resisting persons engaged physically with other officers or not isolated from bystanders.
- B. Caution should be taken prior to using OC tear gas in windy conditions. Target should always be downwind.
- C. Due to the close range of the encounter, it is extremely important that the officer spray the OC then immediately move laterally to sidestep attack.
- D. OC should be carried so that it is concealed from the targeted person when the officer stands in position of interview/advantage. Officers should seek the advantage by diverting the person's attention so that the OC is applied without giving the person time to react.
- E. OC canisters should be shaken once a month to ensure that the active ingredients are properly mixed.
- F. Officers should recognize the limitations of non-lethal chemical agents especially where persons are armed with deadly force.

4. AFTERCARE PROCEDURE:

The following procedure should be carefully followed after an individual has been sprayed with OC tear gas:

- A. Immediately restrain subject with handcuffs (behind back).
- B. Tell the person to calm down, to relax, and to try to breathe normally. Assure the person that the effects will diminish and dissipate shortly.

**Probation Department
Policy on OC (Pepper Spray)**

- C. As soon as practical, flush face and contaminated areas with cool water and wash with mild soap. This will reduce the time needed for the symptoms to dissipate.
- D. All symptoms should disappear within 15-45 minutes without after effects. Care should be taken when applying on individuals with emphysema and asthmatic conditions as OC may cause severe temporary effects on these persons.

If symptoms do not disappear within the 45 minute period or they worsen during this period, transport subject to nearest medical facility if necessary.

- E. If the subject is booked into Juvenile Hall or County Jail, the booking personnel shall be notified of the use of OC on the subject.

5. DOCUMENTATION:

A written report must be submitted to the Supervisor, with a copy to the Chief Probation Officer within 24 hours each time OC tear gas is used. The report must include the following:

- A. A sufficient description of the incident to justify the use of OC.
- B. A description of how OC was applied and the results obtained.
- C. A complete description of aftercare procedures employed including treatment administered by medical staff.

In addition to the above, a "CDOJ OLEORESIN CAPSICUM (OC) APPLICATION REPORT" form (Attachment A) must be completed and submitted to the Chief Probation Officer within five (5) working days. Said report will be forwarded to the California Department of Justice by Administration.

6. MISCELLANEOUS MATTERS:

- A. Oleoresin Capsicum tear gas is the only chemical agent approved for use by the Imperial County Probation Department. Officers, while on duty, may only use the OC products issued and approved by the Imperial County Chief Probation Officer.
- B. Each person issued security equipment including OC tear gas, shall be personally responsible for the proper care and use of this equipment.

**Probation Department
Policy on OC (Pepper Spray)**

C. If any canister becomes damaged or fails to function, or is emptied, the officer shall forward it to the Department's Weapons Officer with a request for new issue. All used canisters will be turned over to the Department's Weapons Officer for proper disposal.

7. OC Pepper Spray-Non Departmental Use:

Any employees using their departmental certification for purchasing OC (pepper spray) to carry off duty, will do so without Departmental Liability or approval. Thus, any employees using OC (pepper spray) outside the course of their designated hours of employment will be doing so with the understanding that the Probation Department of Imperial County has no Liability for their actions or misuse of their OC (pepper spray). Further the employees doing so will be acting as private citizens with all the legal obligations and responsibilities of private citizens in the use of OC (pepper spray).

The training and certification the Imperial County Probation Department has obtained for its officers are strictly for the use of OC (pepper spray) during the employees designated working hours at the Probation Department.

**Juvenile Hall
Policy on OC (Pepper Spray)**

Authority:

Chief Probation Officer
Penal Code Sections 830.5, 12401-12404.

Purpose:

To provide guidelines for use of OC tear gas in Imperial County Juvenile Hall Assessment Center.

Responsibility:

It is the responsibility of all Juvenile Institutions Officers utilizing OC tear gas to comply with this policy.

General Policy:

The basic policy of this institution is to provide for the physical safety and security of minors, staff, and visitors within the facility. Within that basic policy, when dealing with aggressive minors, it is necessary that we use only the level of physical intervention/restraint (defensive force control instruments) that is needed to immediately stop the aggressive behavior and ensure the safety of others. A physically aggressive minor will be first ordered to stop the behavior and "back off" before physical intervention/restraint is used. If physical intervention/restraint become necessary, staff should exert the level of physical intervention/restraint on the aggressive minor which is needed to bring the situation immediately under control and ensure that no further injuries are suffered by staff or by non-aggressive minors.

The immediate safety and security of staff and non-aggressive minors is our primary responsibility. The level of defensive force deployed should only be that level appropriate to control a resistive, aggressive, or violent minor and/or overcome said resistance, while ensuring the safety and security of staff, non-aggressive minors, and the involved minors. The primary objective in any deployment of defensive force and/or defensive force instruments is the safety of staff, non-aggressive minors, involved minors, and the security of the facility. All defensive force strategies and/or instruments will always be based upon what is reasonable, available and appropriate given the circumstances.

Defensive force should never be deployed for reasons of punishment or in retaliation for the violator's resistive, aggressive, or violent acts. When applying physical intervention/restraint, staff must not allow anger or emotion to cause a loss of control. It is important that all staff develop and utilize professional strategies that stress and reinforce emotional control, judgment, and decision making under stress.

**Juvenile Hall
Policy on OC (Pepper Spray)**

RESTRAINT/CONTROL POLICY:

In restraint and control situations, custody staff may utilize only those control and restraining techniques and devices which are approved and provided by the Corrections Services Agency by the Probation Department and in which the employee has received approved training. Minors will not be physically restrained in situations where control can be gained through the use of officer presence or dialogue/counseling. It is expected that officers will use good judgment, decision-making skills, and teamwork to control a situation.

At every level of the defensive force continuum, officers can always increase the level of force without going to another, higher level of force. For example, officer presence may be used by one officer and escalate it to include more than one officer. In another example, verbal negotiation may begin by giving instructions softly to a minor and escalate to giving orders in a loud voice.

When physical restraint is used, staff members must escalate or de-escalate the use of force as the minor's resistance or behavior changes.

Staff assigned to juvenile hall may control and/or restrain a minor under the following circumstances:

1. For reasons of self-defense.
2. For defense of another staff member or minor(s).
3. To prevent escape.
4. To overcome resistance, whether passive or active.
5. To protect a minor from self-inflicted injuries or suicide.
6. To effect an arrest.
7. During transportation of a minor from one location to another.
8. Where there is an articulated threat to the safety or security of staff or the facility as a result of a minor's actions.

Levels of defensive force deployed should always be based upon what is reasonable and appropriate, given the individual circumstances. Minors control, through their actions, what levels of defensive force are deployed.

Juvenile Hall Policy on OC (Pepper Spray)

Strategies for physical restraint and control involve partial or total control or immobilization of a person through the use of hands or defensive force control instruments. Defensive force or control instruments include, but are not limited to:

1. Officer presence, use of multiple officers.
2. Dialogue/counseling.
3. Verbal commands.
4. Oleoresin Capsicum (OC), Pepper aerosol sprays.
5. Soft hands (arrest, control, and search techniques to include discomfort compliance holds).
6. Mechanical restraints (soft and hard restraints).
7. Hard blocking and defensive striking techniques to include unarmed defensive tactics (UDT).

This listing is not to be construed as meaning that the force options are to be used only in the order listed. Circumstances may dictate that an employee begin at the first force, or even the last option.

Policy and Procedure Guidelines:

- A. Officer Presence: Officer presence is the first option to the maintenance of a good institutional facility and the prevention of situations requiring physical intervention. This option is the effect that staff's honesty, professionalism, integrity, pride, and reputation for fairness has on a minor's behavior. Rapport, cooperation, and respect are also necessary ingredients. These characteristics, to be effective, must be consistently maintained.
- B. Dialogue/Counseling: This option is the staff's ability to gain control of the situation through the use of verbalized statements. Dialogue properly used on a daily basis can become the only option necessary in most control situations. Dialogue, including counseling efforts, may also be the single most successful option available.
- C. Verbal Commands: During volatile situations, dialogue/counseling may not be sufficient to control a situation. Staff should give clear, direct orders to minors while employing command presence. Examples of verbal commands are, "Go to your room!" and "Drop to the floor!"
- D. OC: The use of OC is permitted under Section 12403 of the California Penal Code. Juvenile Hall staff may utilize the OC under the following conditions:

**Juvenile Hall
Policy on OC (Pepper Spray)**

1. OC may be used within the scope of staff peace officer authority to control, restrain, or subdue imminent or actual violent behavior or if such behavior presents a clear danger. Before OC may be used, consideration must first be given the gravity of the situation, the present danger of injury to persons and/or property, or the consequences that may reasonably occur if the behavior does not cease. OC will be used only after making a reasonable effort to verbally persuade voluntary compliance and after giving a clear warning that OC will be used if such voluntary compliance is not made. OC may be deployed only without warning during those occasions where the safety and security of staff, minors, and the institution are threatened.
2. OC shall not be dispensed within a moving vehicle. During transportation of minors, OC will be used only in the threatening situations.
3. The only exception to the above is when the behavior exhibited is of such nature that even momentary delay would result in further injury to a person. Then, OC may be applied without warning.
4. OC will ordinarily be utilized prior to employing empty hands (hands-on restraint), physical restraints, or mechanical restraints in order to gain control of an aggressive minor. Staff may elect to use empty hands, physical restraints, or mechanical restraints first if they can do so without risking injury to themselves or to the minors, or if OC is not quickly available.
5. OC shall not be used for punishment, retaliation, or disciplinary purposes. Staffs are to ensure that no greater amount of OC is used than is necessary to gain control of the situation and subdue the minor. OC shall not be used on minors who are resistive but not physically aggressive.
6. Whenever possible, staff should avoid deploying OC against minors who have the following medical histories or profiles:
 - a. Those who have any documented medical history of respiratory problems.
 - b. Those who have any documented medical history of heart disease or related problems.
 - c. Those who are taking any psychotropic, stimulant medication.
 - d. Those admitted who are under the influence of stimulant narcotics (cocaine, methamphetamine, PCP).
 - e. Those with a documented medical history of seizures.
 - f. Those who are medically obese.

**Juvenile Hall
Policy on OC (Pepper Spray)**

All individuals who admit to any of the above medical history or those who the arresting officer and/or a departmental officer identifies any of the above characteristics should document such information on the intake form. All reasonable efforts should be made to avoid spraying these minors with OC. However, because staff and non-aggressive minor safety is our primary responsibility, there may be occasions due to violent circumstances where OC may have to be used on medical alert minors to prevent serious injury.

7. The Division Manager or the DPO III of Imperial County Assessment Center Juvenile Hall shall designate those persons authorized to use CO within the scope of their staff employment at Juvenile Hall. The staff must:
 - a. Have completed the approved PC832 and Chemical Agents Course.
 - b. Be on duty and authorized through the chain of command to have possession of OC.
 - c. Have read and signed for this policy on OC.
8. Specifically, the following positions are authorized to possess and utilize OC while on duty after meeting the requirements of Section 7:
 - a. Court School teachers.
 - b. Juvenile Officers J.H.
 - c. Shift Supervisors J.H.
 - d. Division Manager.
 - e. Deputy Chief Probation Officer.
 - f. Chief Probation Officer.
9. Canisters of OC shall be controlled and accounted for as follows:
 - a. OC issued to the Juvenile Officers J.H. for the use of large group control becomes the responsibility of the Shift Supervisor while on duty. The Shift Supervisor is responsible for securing and accounting for these canisters.

**Juvenile Hall
Policy on OC (Pepper Spray)**

- b. Juvenile Officers will possess OC during their shift. Canisters will be part of the unit security count. Unit Canisters, which are not being carried, shall be securely stored within the shift supervisor secured locker.

Under no circumstances should anyone attempt to take their OC canister out of the building when they are off duty.

Each staff member receiving a canister is responsible to determine that it is more than half full and to keep the OC activated by shaking the canister once a month.

Specific Provisions:

OC tear gas is a highly concentrated form of peppers or a similar synthetic substance, that affects the mucous membranes of humans. OC tear gas, when applied to the face, typically causes the following reactions: swelling of the mucous membranes; involuntary closing of the eyes; gagging; shortness of breath; and an intense burning sensation on exposed areas of skin. Most persons encountering OC involuntarily bend over at the waist or drop to their knees, regardless of their emotional or intoxicated state. These symptoms are temporary and will dissipate within 45 minutes and with treatment, the effects will dissipate within 15-20 minutes.

OC products must be used in hand held canister form. Maximum effectiveness is achieved when the target is at least six feet away, but is not more than ten feet away from the canister when sprayed. OC tear gas must contact the target's face to be effective. Spraying the person below the face will not cause the desired effects. Precautions should be taken as follows:

1. Caution should be taken prior to applying OC tear gas on resisting persons engaged in physical confrontation or with other officers and are close to bystanders.
2. Caution should be taken prior to using OC tear gas on windy conditions. Target should always be downwind.
3. Due to the close range of the encounter, it is extremely important that the officer spray the OC then immediately move laterally to sidestep attack.
4. OC should be carried so that it is concealed from the targeted person when the officer stands in position of interview/advantage. Officers should seek the advantage by diverting the person's attention so that the OC is applied without giving the person time to react.
5. OC canisters should be shaken once a month to ensure that the active ingredients are properly mixed.

**Juvenile Hall
Policy on OC (Pepper Spray)**

6. Officers should recognize the limitations of non-lethal chemical agents especially where persons are armed with deadly force.

Aftercare Procedure:

The following procedure should be carefully followed after an individual has been sprayed with OC tear gas:

1. Immediately restrain minor with handcuffs (behind back) and leg shackles.
2. Tell the person to calm down, to relax, and to try to breathe normally. Assure the person that the effects will diminish and dissipate shortly.
3. As soon as practical, flush face and contaminated areas with cool water and wash with mild soap. This will reduce the time needed for the symptoms to dissipate. (This can be accomplished by placing the minor in the shower.)
4. All symptoms should disappear within 15-45 minutes without after effects. Care should be taken when applying on individuals with emphysema and asthmatic conditions as OC may cause severe temporary effects on these person.
5. Contact medical staff immediately and arrange for the minor to be examined as soon as possible. If there is no medical staff on duty at Juvenile Hall, the minor is to be transported to a Medical Center Emergency Room for an examination.

Documentation:

The use of OC shall be reported in writing on a special incident report. The individual applying the restraint shall be responsible for completing the incident report before the end of his/her shift during which the use occurred or before leaving the property.

The Shift Supervisor will approve the report and complete a use of OC report before the end of his/her shift during which the use occurred or before leaving the property. The Shift Supervisor will submit the incident report and the use of OC report to the Division Manager, and a copy to the Chief Probation Officer. and the Chief Deputy Probation Officer.

These reports shall depict:

1. A clear and factual justification for the use of restraint.

**Juvenile Hall
Policy on OC (Pepper Spray)**

2. A description of how the OC was utilized and the results obtained.
3. A complete description of aftercare procedures and/or medical referral/treatment.

In any case in which OC is deployed, the Department of Justice report on the use of OC must be completed by the individual who applied OC by the end of the employee's shift or before leaving the facility. The Shift Supervisor must approve the report and distribute it.

Referrals:

1. In any instance when a minor is physically restrained through the use of OC, a referral will be made to the medical staff.
2. In any instance when a minor is injured through the use of empty hands, physical restraint, or mechanical restraint, a referral will be made to the medical staff.
3. If as a result of any restraint, the minor appears to have significant injuries that cannot wait until he or she is seen by clinical staff, the Shift Supervisor will contact the doctor on call or transport minor to emergency room at hospital.

OC Pepper Spray-Non Departmental Use:

Any employees using their departmental certification for purchasing OC (pepper spray) to carry off duty, will do so without Departmental Liability or approval. Thus, any employees using OC (pepper spray) outside the course of their designated hours of employment will be doing so with the understanding that the Probation Department of Imperial County has no Liability for their actions or misuse of their OC (pepper spray). Further the employees doing so will be acting as private citizens with all the legal obligations and responsibilities of private citizens in the use of OC (pepper spray).

The training and certification the Imperial County Probation Department has obtained for its officers are strictly for the use of OC (pepper spray) during the employees designated working hours at the Probation Department.

Conference with a Judge or Referee

Any employee who receives a specific court order, directive, or request to appear in court shall comply. If a judge or referee requests a conference to discuss case-related issues, the employee will advise the immediate supervisor of the request as soon as possible, preferably before the meeting.

When an employee seeks a case-related conference with a judge or referee, the immediate supervisor will be advised as to the reason for the contact, preferably prior to the conference. Should policy or procedure issues arise, the employee will seek supervisorial/managerial involvement.

Adult Court Officers and Juvenile Court Officers have specific job assignments and duties that involve frequent, routine contact with the judges and commissioners. These employees shall carry out their routine required duties without limitations being imposed by this policy.

Subpoena, Summons, and Subpoena Duces Tecum

A subpoena is a written order requiring a person to appear at a place and time to testify. A summons is a legal notice that a party is being sued in a civil matter. In support of the court process, and as permitted by the County Memo of Understanding, the employee may appear on any subpoena during regular work hours at regular pay. Regular pay for answering a subpoena during non-regular work hours only applies when the subpoena is for a job-related case.

A subpoena or summons will be accepted for a specific employee according to departmental procedure, if it meets a variety of technical criteria, including submission of fees, and if it can be determined that the employee will be available (not on extended vacation, LOA, or sick leave).

On a personal subpoena, the employee must make arrangements with the immediate supervisor regarding the time required to appear and may appear on County time if the appearance is during his assigned work schedule.

Any fees earned by the employee for responding to a subpoena on County time will be paid to the County, exclusive of mileage. When an employee appears on a personal subpoena on his own time, any fees received shall be the property of the employee.

A subpoena duces tecum requires that books, documents, or other items under witness's control be produced as evidence. In response to a subpoena duces tecum, only items specified in the subpoena are to be released or taken to court. Prior approval from Management and/or County Counsel must be obtained.

Any other issues, questions, or situations lacking clarity, related to a subpoena or summons, are to be referred to Top Management.

Disclosure of Court Recommendations

Any officer who is preparing a dispositional or probation and sentencing report for the courts will generally inform the client of all potentially appropriate recommendations and dispositions for the pending court case. Any other officer or employee having contact with the client will use caution in commenting to the client regarding a likely recommendation, disposition, or sentence. Further, such employees will exercise care in making it clear to the client that no one can promise or guarantee a recommendation until immediately prior to the hearing. Similarly, no one can be certain of the exact disposition or sentence until the hearing is completed. The deputy probation officer preparing the report may advise the client and/or his legal representative of the recommendation for disposition or sentencing after the report has been filed with the court. However, the officer may elect not to advise the client who is represented by an attorney of the recommendation, depending upon the officer's professional evaluation of the case dynamics.

Clients with Legal Residence Out of County

At the time of the initial contact with any client referred to this Department, the assigned deputy probation officer is responsible for determining the location of the county and state of legal residence. Subsequently, all deputy probation officer will remain alert to any change in the location of the legal residence. Although all recommendations and treatment must take the location of legal residence into consideration, the location of legal residence should not be considered as a predominant issue. In providing service to our clients, the community, and the courts, the Department will strive to make consistent appropriate decisions. In no instance should general public safety or the welfare of the client be disregarded because of a residency issue. If it is determined that the client's legal residence is not in Imperial County, appropriate consideration should be given to the use of courtesy supervision, transfer of wardship to other counties, transfer per Section 1203.9 PC, use of Interstate Compact, or special treatment planning.

Advisement of Rights

All probationers - adult and juvenile - must be advised of their legal rights, preferably by the reading of a Miranda Advisement card, prior to questioning by an employee if criminal court action or prosecution could result from that questioning and client statements are to be court admissible.

In addition, statute requires that juveniles be advised of their legal rights when arrested by any deputy probation officer, even if not questioned.

All juveniles and at least one parent or guardian must be advised of the minor's legal rights at the beginning of each step of the court and probation process, prior to adjudication. The minor must waive his rights, with the concurrence and approval of the parent/guardian, prior to specific questioning.

Extradition

All recommendations to the court for extradition require review and approval by managerial staff. Because extradition is a costly complicated process, it is generally reserved for serious felony cases involving dangerous violent offenders or major, multiple-victim fraud/theft and loss. Cost of extradition should not be the deciding factor in such a recommendation, but the court should be made aware of those costs. A suitable recommendation will be made at the time of disposition/sentence to account for these costs.

Custody and Release of Clients

Prior to effecting an arrest or placement in custody of any client, probation staff must carefully consider applicable laws, departmental policy, protection of the community, the welfare of the client, and other relevant casework issues. While it is recognized that after a minor has been placed in a detention facility, a change in circumstances may justify a release by the deputy probation officer prior to the filing of a petition, the initial arrest or booking of the minor must be a legal act based on a decision made in good faith. The client shall not be taken into custody solely as an adjunct to treatment.

Any employee who becomes aware of new information, or a change in circumstances, which might affect the appropriateness of a continued detention or incarceration of any client must immediately follow the established procedure to effect consideration of this information, and an evaluation of the appropriateness of the release from custody.

Restitution

Restitution - reimbursement to victims for their loss or injury - is considered an important function of the justice system and an integral part of the client's rehabilitation and responsibility for one's actions. In all cases involving loss or injury, the restitution issue will be examined and a recommendation made, with an emphasis on obtaining the maximum amount of restitution which is responsible, appropriate, possible, and consistent with the orders and practice of the court.

In cases involving death or physical injury, the deputy probation officer will make personal contact with the victim(s) and/or the victim's family. Referred to the Victim/Witness Program and follow up should be done. To the extent possible, the deputy probation officer will include in the court reports the financial loss and the potential restitution involved, and the total impact of the offense on the victim(s) and/or the victim's family.

Funds collected are to be allocated first to restitution and then to penalties and fines unless court orders or the specific circumstances of an individual case would justify a departure from the rule. In those instances, the reason for the exception should be documented. Funds collected may not be allocated to such County cost items as legal fees, cost of probation, cost of incarceration, cost of pre-sentence reports, etc. Until restitution and penalty/fine obligations are collected in full. If restitution has not been collected as specifically established by the court, the matter will be returned to court prior to termination of probation supervision for violation or further action.

Volunteers in Probation (VIP's)

All employees are encouraged to use Volunteers in Probation (VIPs), when appropriate, to help meet the needs of adult and juvenile clients. VIPs may be utilized in a variety of roles to enhance, enrich, amplify, or supplement existing services. Specific VIP assignments shall not substitute for, or replace, the specific job functions of employees.

All employees who have contact with any member of the public wishing to work with, provide programs for, or cooperate with the Probation Department on an ongoing basis, will refer these people or agencies to the Community Services and Volunteer Program Unit. This unit will provide screening and training for VIPs, and will then certify individual people for specific types of assignments. Any information regarding a specific volunteer or agency that is collected or acquired by this unit during the course of screening will be maintained in confidence, and may only be disclosed as authorized and directed by the VIP and/or Top Management.

Any person or group wishing to participate in Probation Department programs that involve client contact must be processed and cleared as a VIP prior to any direct involvement with clients or any probation sponsored activity. Employees and members of their families may also become VIPs, but some employee categories may be restricted from job-related VIP assignments. When an employee is a VIP, increased sensitivity and judgment in their VIP assignment must be exercised to avoid any conflict with their work assignment and job performance must remain at standard or above and not be negatively effected by VIP participation.

All activities and assignments for VIPs must be consistent with the policies, procedures, and philosophy of the Probation Department to insure continuity of services to the court, the client, and the community.

Use of Resources and Volunteer in Probation for Minors
Parental Consent
Field Trips

All staff members will be aware of and utilize approved community resources, Volunteers in Probation (VIPs), field trips, and other appropriate community facilities and agencies in planning and putting into effect appropriate treatment, and rehabilitative and/or supervision plans for juvenile clients of the Probation Department who are located in the Imperial County juvenile institutions, private institutions and placements, or in the community.

Field trips will have enrichment, therapeutic, or instructional goals. Planning for such field trips will include an evaluation of the costs, location, transportation method, and safety of both the client and the community. Field trips will include only Probation Department employees, clients, and VIPs unless supervisory approval is obtained for inclusion of others. It is the responsibility of the person planning and arranging the field trip to provide appropriate information, structure, and guidelines to the VIPs in advance. No more than four clients will be supervised on a field trip by any one deputy probation officer, deputy probation counselor, or VIP. Smaller ratios may be elected after consideration is given to the nature of the outing, problems inherent in the project, and the protective and safety aspect of the client and the community. Larger ratios may be permitted with approval of managerial staff.

Out-of-county field trips require approval in advance from managerial staff. An exception to this is participation in out-of-county activities that are offered on an agency wide basis through the Community Services and Volunteer Program Unit. Such activities will have had prior administrative approval and so only require specific authorization for the activity by the immediate supervisor.

A written parental consent form must be completed and signed by the responsible parent before a minor is allowed to participate in a probation sponsored and/or probation supervised activity such as a field trip, religious program, hair cuts, or before the minor becomes involved with a VIP individually. If the whereabouts of the parent is unknown, a court order in lieu of the parental consent should be obtained. If a minor is to be taken out of the county, the involved employee or VIP shall possess a copy of the current Authorization for Medical Care form and a copy of the parental consent.

Some institutional activities involve the assistance of a VIP who enriches the opportunities provided to minors inside the institution. If such a VIP is not working in an individual capacity with a specific minor, a parental consent is not necessary for these minors, unless there are specific institutional directives or additional conditions which result in its requirement.

**Use of Community Resources,
Public and /or Private**

Public and private community resources that provide services to Probation Department clients are a positive adjunct to overall Probation Department services. As an integral part of any probation plan, the assigned deputy probation officer may make referrals to any appropriate, departmentally approved public and/or private community resource to meet the needs of the client, and/or to fulfill a specific court ordered condition of probation. To facilitate such referrals, the Program Division shall provide Probation Department employees with a directory of approved community resources. Deputy probation officers may refer clients to a single public or nonprofit resource, but shall strive to provide three referrals to private profit oriented community resources, to the extent that three such referrals can be identified that meet the client's needs.

Under no circumstances shall staff make referrals to resources that have been assessed by the Community Services and Volunteer Program Unit and found to be unsuitable for use by the Department. Referrals may be made to new resources, pending their assessment and approval, with prior approval of the appropriate Probation Division Director.

Guest Speakers

Guest speakers from either public or private agencies who appear before groups of Probation Department employees are recognized as a positive resource for the Department to provide training and knowledge of community groups, and to establish resource liaisons. Arrangements for guest speakers are to be coordinated with Top Management. They have the responsibility for assessing the employee group for whom the guest speaker would provide the greatest benefit, for determining whether attendance at the presentation should be voluntary or mandatory, and for the subsequent assessment of the presentation.

Similarly, the Probation Department may provide guest speakers to other groups, including public or private agencies, whose requests are deemed appropriate. All requests for speakers received by any employee within the Department shall be referred to Top Management via chain of command, for screening, designation of the speaker, and assistance in providing pertinent data to the speaker. Approval for employees to give such speeches will be evaluated with consideration for the cost to the Department, the appropriateness of the request, and the potential benefit to the Department.

Requests for Reference

RE: Employee or Probationers

All requests, verbal and written, for employment reference information about a present or former employee shall be referred to the Personnel Department.

An employee may supply a personal reference for a present or former employee or anyone else, as long as there is a clear statement that opinion expressed are personal, and not necessarily those of the Department, and the reference is not prepared using County time, resources, stationery, etc.

Reference requests that are seeking case-related information are to be referred to the last assigned deputy probation officer or supervisor. Any reply must comply with legal and departmental restrictions on release of information and confidentiality. Written references for clients or prior clients shall be addressed to a specific person for a specific use, and shall not be addressed "To Whom It May Concern".

Employees shall not give personal references regarding probationers or former probationers that are based on knowledge of the person acquired while the person was a probationer.

Probationers Acting as Informants

Acting as an informant or undercover agent is not in the best interests of a probationer's rehabilitation, or their safety, may place them in violation of the conditions of probation and is, therefore, discouraged. If a deputy probation officer becomes aware that a probationer - adult or juvenile - is acting in such a capacity, they will work with the agency involved to terminate the probationer's involvement. Requests for probationer's involvement in undercover or informant activities will be declined by the assigned deputy. Client involvement or requests for involvement will be reported to the appropriate Chief Deputy via the chain of command.

Exceptions can only be approved by Top Management and will rarely be granted, especially in juvenile cases.

Resolving Problems in Probationer's Employment Status

Employment is recognized as a contributing factor to success on probation and casework should, generally, not endanger a probationer's job. When, however, there is reason to believe that the nature of a probationer's employment situation will subject the community or employer to possible victimization by the probationer or endanger the probationer's rehabilitation, the assigned deputy must take appropriate steps to resolve the problem. Examples: A drug-addicted doctor or nurse working in a hospital with access to drugs; a convicted embezzler working as an accountant; a convicted child molester working in or near a preschool.

Although the assigned deputy probation officer will consider the probationer's right to privacy, the first priority is the protection of the community from further victimization, and potential threats to the probationer's rehabilitation. Therefore, when a probationer's employment position could endanger his own rehabilitation or pose a threat to the community, the assigned deputy will work with the probationer to reach a satisfactory resolution. Options include voluntarily changing employment to a more acceptable position or seeking reassignment with the current employer to remove any possibility of reoffending or the suspicion of reoffending. The probationer may wish to inform the employer of the prior criminal activity and include the employer in the rehabilitation plan.

Should the probationer be uncooperative or if the situation appears emergent, the probation officer may need to take immediate steps to protect the community. The court may also be approached for authorization to advise the employer of the probationer's status or convicted offense so that the employer can take the appropriate action.

Recommendations to the Court for Dispositions/Sentencing

Out-of-Home Placement or Commitments for 602 W&I Code and 300 W&I Code Minors.

All recommendations made by deputy probation officers for the purpose of negotiation, or court disposition or sentencing shall be approved by supervisory and management staff prior to submission. Officers whose job assignments are as juvenile court negotiators or adult court probation officers may make recommendations to the court without prior supervisory approval in accordance with their specific performance standards and directives. All recommendations will be made after considering the following issues:

1. The provisions of appropriate laws.
2. The protection of the community.
3. The circumstances of the offense.
4. The client's prior history.
5. The client's prior involvement in rehabilitative efforts.
6. The treatment and rehabilitative needs of the client.
7. The perspective of the victim.
8. The perspective of the client and/or client's family.
9. Any other requirements for dependency minors.

A placement screening committee will consider all out-of-home considerations. Out-of-home placement is the recommendation and action of last resort and should be avoided unless one or more of the above issues clearly justify it. If an out-of-home disposition is recommended for a minor in a county, state, private institution, or foster home placement, approved for use by this Department, priority shall be given to recommending the least restrictive commitment or placement which best meets the needs of the individual minor and the community. The primary consideration shall be to recommend the out-of-home disposition that seems most appropriate and best able to provide the highest quality of treatment for the minor, while taking into consideration all of the criteria listed above. If more than one ideal commitment or placement can be identified, then secondary consideration may be given to the apparent availability of bed space, and to the cost of such a commitment or placement.

Foster Home Placement with County Employees

To avoid any real or apparent conflict of interest, foster home placements are generally not to be made with employees of the Probation Department, immediate families of Probation Department employees, or other County employees assigned to the courts. Any exception to this policy will require approval by the Chief Probation Officer prior to effecting such a placement. Foster home placements may be made in licensed foster homes of employees of other County agencies with the approval of managerial staff.

Visits with Minors:

Juvenile Institutions;

Placements

Each institution or placement facility used by this agency has a plan that regulates visits to minors in their custody by parents and others. Such plans are established to enhance the program and treatment goals of the institution or placement. Exceptions to the visiting plan must be approved by managerial staff of the juvenile institution or by the supervisory staff of the placement units.

All parties will be advised of the visiting rules and regulations, and visitors who violate these rules may be denied any further rights to visit.

Wards in foster homes generally have no visits with their own families during the first 30 days. The parent(s) of a minor who has been placed in foster home or residential care facility need not always be informed of the whereabouts of the minor, if such information can be reasonably expected to be used to seriously disrupt the effectiveness of the placement, or to bring any type of harm to the minor.

No minor in placement, detention, or commitment shall be forced to have a visit with the parent(s). Such situations must be reported to the supervisory staff and continued visit refusal shall be reviewed and efforts made to reach resolution. In such instances, the reasons for this shall be documented and the decision shall be reached within the context of rehabilitation and family reunification goals.

Requests to visit minors in custody or placement by normally unauthorized visitors shall be referred to the assigned deputy probation officer for decision. Each facility shall establish special visit procedures. Final approval for special visitors recommended by a deputy probation officer shall rest with facility management as designed in procedure. Any specific or general visiting problems which cannot be resolved shall be referred to the Chief Deputy Probation Officer via the chain of command.

Notwithstanding the above, all employees shall cooperate in facilitating specific visits ordered or authorized by the court.

All visitors to the Imperial County juvenile institutions are forbidden to bring any contraband into the institutions. Visitors may not bring cameras or recording devices into an Imperial County juvenile institution unless prior written permission is granted by the institutional managerial staff. All visitors and their personal belongings are subject to search and seizure before admittance to any juvenile facility if reasonable suspicion is observed or warranted.

School Programs in Probation Department Juvenile Institutions

All minors in Probation Department juvenile institutions will participate in the school programs and/or vocational programs which are formulated in conjunction with the overall institutional program to best meet the individual minor's need. All Probation Department employees will cooperate with the school staff to support and facilitate the minor's participation in educational programs, and to facilitate as smooth a transition as possible between the educational program within the institution and the minor's community school. If the continuation of a minor in the educational program of the institution after his release from the institution appears to be in the best interest of the minor, for the efficient operation of the institutional education program, contact will be made with the appropriate school.

Religious Programs and Services at Probation Department Juvenile Institutions

The Probation Department recognizes and supports the rights of minors detained in juvenile institutions to exercise religious freedom. All minors detained in Probation Department juvenile institutions will have access to the religious programs and services of their choice providing that:

1. All staff will make themselves available as directed for any assignment within the Department.
2. All on-duty Probation staff will remain at their work location and assignments until relieved or dismissed via the chain of command. In some instances, work schedules may need to be extended.
3. All Probation personnel are to remain out of the disturbance area unless directed otherwise.

Participation by minors in religious programs and services must be voluntary, and/or with parental consent. Minors are not to be coerced (directly or by implication), or specifically rewarded by staff or volunteers to participate in religious programs.

In cooperation with the religious community, Catholic and non-denominational Protestant services are available, using religious volunteers (VIPs) who are screened and approved by this Department and supervised by the Chaplains. The Chaplains are also available to assist minors who have expressed an interest in participating in religious activities or who have specifically requested individual religious counsel. A minor may request contact with a representative of a specific religion or denomination that is not usually available through the Chaplain's Program. Every Effort will be made to comply with such requests.

The religious volunteer is limited to responding to requests from and working with minors only while they are in the institution. If a minor wants to continue religious activity after release, it is the minor's responsibility to initiate contact in his/her local area.

**Personal Property of Minors in Probation Department
Juvenile Institution**

The amount and type of personal property that a minor may have in an institution will be determined by the Probation Division Director of each institution subject to the approval of the Chief Deputy Probation Officer. Appropriate procedural safeguards will be established and maintained to insure the protection of the minor's property while the minor is in the institution.

The discovery of any contraband items in the personal property of any minor will be immediately brought to the attention of the Probation Division Director via the chain of command. Contraband items which are specifically forbidden within the institution, but whose possession is not, or does not appear to be illegal per se (such as money), will be confiscated and processed according to the established procedures of each institution. Contraband items whose possession would be illegal for any minor or any person (drugs, stolen goods, weapons), will be confiscated and processed according to the procedures of each institution in a manner designed to record and safeguard the chain of evidence pending subsequent investigation, prosecution and/or judicial action.

The discovery of any type of contraband item must be documented for the minor's file. When an application for petition is submitted, it must be accompanied by full documentation.

Tours of Probation Department Juvenile Institutions

The Probation Department will attempt to provide limited tours of juvenile institutions to individuals and/or groups who have a specific, legitimate, non-personal need to inspect, observe, or participate in the institutional programs. Tours may be accommodated as long as there is no inappropriate compromising or interfering with the institutional programs and staffing patterns. Tours will include specific directions regarding confidentiality.

Requests to inspect or tour any County juvenile institution should be submitted in writing on official stationery to the Probation Department. The request should include the reason for the request, size and age of the group, and other pertinent information that would justify the tour. The Chief Probation Officer is responsible for granting or denying tour requests.

Medical Examinations and Treatment for Juveniles

As soon as possible after a minor is admitted to, or committed to the Imperial County Juvenile Hall, the minor will be examined by the medical unit staff to evaluate the minor's health status and assess the minor's ability to participate in the normal institutional program. A medical screening will be completed prior to the admission of any minor to a County juvenile treatment institution or release to a placement facility. Specific minimal health and physical capability standards shall be established by each institution in conjunction with the medical unit staff and be required for participation by a minor in any juvenile institutional program. Minors in custody who appear to be ill, injured, or under the influence of drugs or intoxicants, must be screened immediately by either the medical unit and/or local medical emergency teams for evaluation and treatment. Immediate emergency care shall be provided by institutional staff pending arrival of, or delivery to, the medical unit and/or medical emergency teams, and/or a hospital.

Generally the initial medical examination upon admission to, or commitment to the Juvenile Hall and/or prior to placement in an Imperial County juvenile institutional treatment program or placement shall be provided by the medical unit at Juvenile Hall. Subsequent treatment and evaluation may be provided through the appropriate public or private medical resources.

All employees will cooperate with the medical staff in order to provide emergency and ongoing medical treatment. A minor's family is financially responsible for all subsequent examinations and treatment. Whenever possible and practical, the parents will be responsible for arranging for routine medical care and for providing transportation.

A medical screening will also be completed prior to the participation of any minor in the Juvenile Work Program to verify that the minor's health will allow complete participation in the program.

Juvenile Institutions

For a more detailed information concerning juvenile institutions, please refer to separate institutional manual for Imperial County Juvenile Hall and Betty Jo McNeece Receiving Home.

Appropriate Use of Facilities Occupied by Departmental Staff

Facilities occupied by departmental staff are to be used for Probation Department and County Business only. Exceptions require approval in advance by Top Management. Employees shall not engage in, nor allow others to engage in, any of the following in facilities occupied by departmental staff.

1. departmental staff in work-related activities;
2. departmental institutions;

Employees shall not engage in any activity which is, or which creates the appearance of being, a violation of the law or of departmental policies in any facility occupied by departmental staff. Employees shall appropriately intervene or seek supervisorial assistance if they observe such activity in a facility occupied by departmental staff.

Outlying Work Locations

Employees in certain job assignments are authorized and/or required to work in locations within the community other than County facilities. These include, but are not limited to, drop-in centers, area offices, schools, and work-crew locations. When working in these locations, Probation Department employees must apply all County and Departmental policies, procedures, and regulations that would normally apply if they were in a County facility or on County property. In addition, employees must abide by any regulations or requirements of the lessor or donor of the location.

Building Security and Safety

All Probation Department employees are to observe the procedurally outlined guidelines for building or office security. All employees are required to implement the departmental procedures, using common sense and general courtesy in attempting to secure the safety of the property of the Probation Department, including its buildings. It is the responsibility of all of the employees to immediately report any actual or potential safety or security problems relating to the building, property and/or files to the appropriate manager, as well as taking any immediately steps that seem reasonable and helpful. County vehicles should be parked in their designated parking space with the doors locked, and the communication radios turned off.

Smoking by Staff, Clients, and Minors

Smoking by employees, clients, and other visitors in Probation Department buildings is subject to the restrictions of the relevant Imperial County Policy.

Staff will not allow minors under the jurisdiction of the Department to smoke in any County institutions, in their office, on any Juvenile Court Work Program, or on any field trips under departmental auspices.

The following is a reprint of the Smoking Policy for the County of Imperial effective January 1, 1992:

POLICY

In order to promote public health by providing County employees and the public reasonably smoke-free environments within the County facilities, and to reduce the costs and causes of annoyance associated with tobacco smoking, it is the declared policy of the Board of Supervisors to prohibit smoking in certain areas which are used by or open to County employees and the public. All prior smoking resolutions or policies are hereby rescinded.

DEFINITION

"Smoke" or "Smoking" as defined in this policy shall mean the smoking of tobacco or similar substance. For purposes of this resolution, the term "facility" shall mean County property that is a building or other enclosed structure.

DETERMINATION AND DESIGNATION OF NON-SMOKING AND SMOKING AREAS

- (a) General: Smoking is prohibited in all County facilities, including vehicles, unless specified in (b) below.
- (b) Determination of Non-Smoking Areas: All County facilities, and vehicles, shall be determined and designated as non-smoking areas except the following:
 - 1. All patient use areas administered or supervised by the Director of Mental Health.
 - 2. All County property used as residential housing.

RESPONSIBILITIES AND ENFORCEMENT

- (a) Director or Personnel Services: The Director of Personnel Services shall have authority to resolve disputes and to enforce and interpret this policy.
- (b) Director of Buildings and Grounds: The Director of Buildings and Grounds shall be responsible for implementation of this policy, and shall be responsible for posting appropriate no smoking or smoking permitted signs in all County facilities.

- (c) Department Heads: Department Heads shall be responsible for implementation and enforcement of this policy in those areas occupied by their respective departments, and for the dissemination of information regarding this policy to their employees.
- (d) County Employees: County employees violating provisions of this smoking policy shall be subject to disciplinary action as set forth in Chapter 4.5 of the County Ordinances.
- (e) General Public: The general public shall conform to these rules wherever applicable.

Office Decor

All Probation Department facilities and work locations are public property. All employees must maintain a neat, professional, nonpolitical, and non-distracting decor or atmosphere at their work sites. Decorations and general office appearance are subject to supervisorial approval.

Consuming Food and Beverages at Work Site

Generally, it is expected that employees consume food in the staff lounge room. However, employees may consume food and/or beverages at their work station when this can be done while meeting the following conditions:

1. Clients are not present;
2. The work site or station is not within the general public view;
3. Safety or health hazards are not created for either the employee, other employees, clients, or the public;
4. The presence of food or beverage does not result in damage to County equipment or work product;
5. The employee assumes responsibility for disposing of all trash and refuse properly;
6. The employee assumes responsibility for replacing or repairing, at his own cost, any damage to County equipment or work products;
7. Remaining at work station during lunch and rest breaks does not violate Fair Labor Standards and related County/Departmental Policy.

Employees shall not extend a regular break or meal period by consuming food or beverages at their work site.

Distribution and Use of County Services, Supplies, and Equipment

All County services, supplies, equipment, including but not limited to stationery supplies and telephone services, are provided for official business purposes only. Their use for personal reasons is prohibited. Shared equipment or equipment checked out from a central pool is the responsibility of the employee to whom it is temporarily assigned. Every employee is responsible for operating County equipment properly and safely and for promptly reporting any damage to it or malfunction of it. If the appropriateness of use of equipment is unclear, it is the responsibility of the employee to secure the approval of the immediate supervisor in advance.

Every effort will be made to provide each employee with the appropriate supplies and equipment for the work assignment. Commensurate with the needs of each individual employee and specific job assignment, supplies, and equipment shall be distributed in one or a combination of the following manners:

1. By assignment directly to the function or position rather than to the employee;
2. By assignment to the employee;
3. By assignment to the work location;
4. By maintenance of a supply at a central location for shared use.

Accidents and Medical Emergencies

In the event of an accident or a medical emergency in a Probation Department building or institution, it is the responsibility of all employees to immediately assess the situation and seek appropriate professional medical assistance and, if properly trained, provide emergency first aid or CPR.

Sound judgment based upon an accurate and rapid appraisal of the situation is to be followed if it offers a better and/or more expeditious resolution of the situation than would strict adherence to the general procedures. In all cases, immediate steps will be taken to prevent further accidents or injuries and to assure that the employee, client, or visitor involved receives all appropriate follow-up assistance and information.

As soon as practical, Top Management and the Personnel Department should be advised of the incident and documentation completed per departmental procedures and any other direction.

Out-of-County Trips

Staff who have been authorized or are planning to request authorization to make out-of-county trips shall make every effort to coordinate their trips with other staff in an effort to eliminate or minimize duplication of time, effort, and expenditures.

Receipt for Funds

The Probation Department is strictly accountable for maintaining accurate, thorough, and current records on all incoming funds. "Funds" includes, but is not limited to, cash, checks, money orders, drafts, travelers checks, and cashier checks. Consistent with departmental procedures, employees will issue receipts immediately upon accepting funds and will take the necessary steps to ensure that the funds and receipts are processed.

IMPERIAL COUNTY PROBATION DEPARTMENT
POLICY MANUAL

Employees may use personal electronic equipment on the job subject to Department guidelines and director approval. "Personal electronic equipment" refers to such items as personal computers, word processors, printers, electric typewriters, calculators, and recorders.

Personal electronic equipment may be used to prepare rough drafts, personal notes, and inter-department correspondence but not for final documents or inter-department correspondence. Such use does not constitute additional duties but is considered a matter of personal choice as to the method used in completing normally assigned duties. Other than standard paper, department supplies, and software will not be used in personal equipment.

The presence of personal electronic equipment at the work site must not interfere with the work, movement, or safety of other employees, not require additional department furniture or other-than-standard electrical outlet and hookups.

The Department and County do not assume or accept responsibility or liability for damage or loss of such personal electronic equipment that may be used or stored at the work site. Security of such equipment is the employee's responsibility.

Confidential information shall not be entered into a personal computer or other electronic equipment unless it can be erased and is erased upon completion of the task. Such information must remain at the work site and must be given the same security as case files, personnel documents, and other confidential material.

IMPERIAL COUNTY PROBATION DEPARTMENT
POLICY MANUAL

INDEX

Accidents and Medical Emergencies	G-8
Activities,	
Non-Departmental	A-5
Political	A-18
Acting Positions – Temporary Promotions	C -9
Advisement of Rights	E-5
Affirmative Action	C-20
Appearance,	
Dress and	A-3
By Staff, Public	A-10
Appropriate Use of Facilities Occupied by Departmental Staff	G-1
Arrests	D-5
Assignments,	
Case	C-6
New-Orientation	C-7
Work.....	C-5
Assistance,	
To Candidates for Employment or Promotion.....	C-18
Requests for	A-8
Awards, Service and Community	A-11
Badge, Misuse of.....	C-17
Bereavement Leave	C-3
Beverages at Work Site, Consuming Food and.....	G-6
Building Security and Safety	G-3
Cameras Brought into Institutions	F-3, B-1
Candidate for Employment or Promotion, Assistance to.....	C-18
Case Assignments – Deputy Probation Officers	C-6
Case Confidentiality – Client’s Rights to Privacy	B-1
Case File Management and Security	B-3
Client Employment Status, Resolving Problems in	E-15
Clients,	
Custody and Release of	E-7
Requests for Reference re:.....	E-13
Right to Privacy	B-1
Smoking by	G-4
Staff Relationship with and gifts from	A-16
Transportation of.....	D-6
With Legal Residence Out-of-County	E-4
Work by and with	A-17

INDEX (cont'd)

Collateral Activities – Corrections Related, Employee Participation in	A-13
Communications Within the Probation Department	A-4
Community Resources, Use of	E-11
Comp Time and Work Schedules	C-4
Complaints Regarding Staff Performance.....	C-14
Compliments or Complaints Regarding Staff Performance	C-14
Conduct, On-duty, Employee.....	C-16
Off-duty, Employee	C-17
Conferences with a Judge or Commissioner	E-1, A-1
Confidentiality, Client’s Right to Privacy, Case	B-1
Inter – and Intra-Agency.....	B-2
Conflicts of Interest (general)	A-15
Consuming Food and Beverages at a Work Site.....	G-6
Contact with News Media.....	A-9
Corporal Punishment.....	D-2
Correspondence, Response to	A-7
Corrections Organizations, Employee Participation in.....	A-13
County Employees, Foster Home Placements with	F-2
County Services, Use of.....	G-8
Court, Directives that Violate Policy and Procedures.....	A-1
Court Recommendations, Disclosure of.....	E-3
Criminal Misconduct (Employee)	C-17
Custody and Release of Clients	E-7
Custody Transportation.....	D-6
Danger to Employees and Others	D-1
Décor, Office	G-5
Definition of Terms	iv
Department Representatives, Employees as.....	A-6
Departmental and Personal Philosophies	A-2
Departmental and Private Property, Use of Distribution Via Publications, Speeches, Public Appearances	A-10
Disaster, Staff Deployment During	C-24
Disclosure of Court Recommendations.....	E-3
Distribution and Use of County Services, Supplies and Equipment	G-7
Donations.....	A-12
Dress and Appearance.....	A-3
Duty of Officer or Officer of the Day.....	C-10

INDEX (cont'd)

Electronic Equipment, Use of Personal	G-12
Emergencies, Medical	G-8
Emergency, Staff Deployment During	C-24
Employee,	
Conduct Off-duty	C-17
Conduct On-duty	C-16
Participation in Corrections Related Organizations and Collateral Activities	A-13
Reference and Requests re:	E-13
Employees,	
As Volunteers in Probation	E-9
As Departmental Representatives	A-6
Threats, Harm, Injury, and Danger to	D-1
Employers,	
Releasing Information Regarding Client's Probation Status.....	E-15
Employment,	
Assistance to Candidates for	C-18
Non-Probation Department	A-5
Standards – Law Violations.....	C-17
Status, Maintaining	C-1
Equipment, Distribution and Use of	G-7
Evaluations, Performance	C-12
Extradition	E-6
Facility Occupied by Departmental Staff, Appropriate Use of	G-1
Field Trips, Use of Volunteers in Probation.....	E-10
File Management and Security, Case	B-3
Firearms	d-8
Food and Beverages at a Work Site, Consuming.....	G-6
Force, Use of	D-2
Force, Receipt for	G-11
Gifts from Clients and to Clients	A-16
Grievance Resolution	C-21
Guest Speakers	E-12
Handcuffs	D-4
Handcuffs, Use of Transportation.....	D-6
Harm to Employees and Others	D-1
Harassment, Sexual	C-22
Identification, Misuse of	C-17
Informants, Probationers acting as.....	E-14
Injury to Employees and Others	D-1
Inter-and Intra –Agency Confidentiality	B-2

INDEX (cont'd)

Interdepartmental Transfer.....	C-13
Institutions,	
Juvenile	F-9
Minor/Staff Contact after Release from Juvenile	A-16
Personal Property of Minor in Juvenile	F-6
Religious Programs in Juvenile.....	F-5
School Programs in Juvenile	F-4
Tours of Juvenile	F-7
Visits with Minors in Juvenile.....	F-3
Intoxicants	c-15
Judge or Commissioner, Conference with.....	E-1
Juvenile Institutions (Refer to Institutions)	
Juveniles, Medical Examinations and Treatment for	F-8
Jury Duty Leave	C-3
Law Violation (Employee)	C-17
Leave of Absence: Jury Duty, Witness, Bereavement, Medical, Personal, Parenthood, Military, Workers' Compensation, OCEA Business	C-3
Liability	A-19
Liaison List.....	A-6
Lying to Court or Staff.....	A-1
Maintaining Employment Status	C-1
Management and Security, Case file	B-3
Media, Contact with News.....	A-9
Medical Examinations and Treatment for Juveniles	F-8
Medical Emergency	G-8
Military Leaves.....	C-3
Minor/Staff Contact after Release from a County Juvenile Institution	A-16
Minors,	
Smoking by	G-4
Visits within Juvenile Institutions and Placement	F-3
Miranda (Advisement of Rights).....	E-5
New Assignment – Orientation.....	C-7
Non-Probation Department Employment and Activities.....	A-5
OCEA Business Leave.....	C-3
Office Décor	G-5
Officer of the Day or Duty Officer	C-10
Orientation, New Assignment.....	C-7
Outlying Work Locations.....	G-2
Out-of-Home Commitments for Minors	F-1
Out-of-Home Placement for Minors.....	F-1
Overtime and Work Schedule.....	C-4

INDEX (cont'd)

Parental Consent and Use of Volunteers in Probation Department	
Juvenile Institutions	F-6
Personnel Records	C-11
Philosophies, Departments and Personal	A-2
Physical Restraint, Use of	D-2
Placements, Visits with Minor in	F-3
Placements with County Employees, Foster Home	F-2
Policy, Procedures and Law	A-1
Political Activities	A-18
Priority Work	C-8
Privacy, Clients Right to – Case Confidentially	B-1
Private Community Resources, Use of	E-11
Probation Department Suggestion Box	C-19
Probationers Acting as Informants	E-14
Problem Resolution	C-21
Promotions, Assistance to candidates for	C-18
Promotions, Temporary-Acting Positions	C-9
Property of Minors in Probation Juvenile Institutions, Personal	F-6
Public Appearance by Staff	A-10
Public Community Resources, Use of	E-11
Punishment Corporal	D-2
Receipt for Funds	G-11
Recommendations to the Court for Dispositions/Sentencing	
Out-of-Home Placement or Commitments for Minors	F-1
Records, Personnel	C-11
Reference, Requests for – Employee or Probationer	E-13
Reimbursement for Meals and Lodging	G-10
Release of Client	G-10
Religious Programs and Services at Probation Department Juvenile	
Institutions	F-5
Requests for Information and Assistance	
(Except Media Requests, See A-10)	A-8
Requests for Reference	E-13
Residence Out of County, clients with Legal	E-4
Resignations	C-13
Resolving Problems in Client Employment Status	E-15
Resources and Volunteers-in-Probation for Minors, Use of	E-10
Response to Telephone Calls and Correspondence	A-7
Restitution	E-8
Restraint, Use of Physical	D-2
Retirement	C-13
Right to Privacy, Clients – Case Confidentiality	B-1
Rights, Advisement of (Miranda)	E-5
Safety, Building Security and	G-3
Schedules, School (employee)	C-23
School Programs in Probation Department Juvenile Institutions	F-4

INDEX (cont'd)

School Schedules (employee)	C-23
Searches, Transportation of Clients	D-6
Security and Safety, Building	G-3
Security, Case File Management and	B-3
Seniority in Vacation Schedules	C-2
Sensitive Cases	B-4
Service Awards, Community Awards	A-11
Severance Through Retirement, Resignation, Termination, or Inter-Departmental Transfer	C-13
Sexual Harassment	C-22
Sick Leaves and Work Schedules	C-4
Smoking by Staff, Clients and Minors	G-4
Speakers, Guest	E-12
Staff	
Performance, Compliments or Complaints Regarding	C-14
Relationships with Clients, Gifts	A-16
Smoking by	G-4
Subpoena, Summons and Subpoena Duces Tecum	E-2
Supplies and Equipment, Distribution and Use of	G-7
Suggestion Box, Probation Department	C-19
Tear Gas – Probation	D-9
Tear Gas – Juvenile Hall	D-10
Telephone Calls, Response to	A-7
Temporary Promotion	C-9
Terminations	C-13
Threats, Harm, Danger to Employees and Others	D-1
Tours of Probation Department Juvenile Institutions	F-7
Training	A-14
Transportation,	
Custody	D-6
Of Clients	D-6
Transfers (Work Assignments)	C-5
Travel, Out of County	G-9
Treatment for Juveniles, Medical Examinations and	F-8
Trips, Out of County	G-9
Use of Community Resources, Public and/or Private	E-11
Use of Facilities Occupied by Department Staff, Appropriate	G-1
Use of Juvenile Wards as Informants	E-14
Use of Personal Electronic Equipment	G-12
Use of Physical Restraint, Corporal Punishment	D-2
Use of Resources and Volunteers in Probation for Minors; Consent; Field Trips	E-10
Vacations	C-2
Visits with Minors; Juvenile Institutions; Placements	F-3

INDEX (cont'd)

Volunteers in Probation (VIPs) for Minors, Use of	E-9
Witness Leave	C-3
Work Assignments	C-5
Work by and with Clients	A-17
Work Location, Outlying	G-2
Work Priorities	C-8
Work Schedules	
and School Schedules	C-23
and Subpoenas / Summons.....	E-2
overtime, Comp Time and Sick Leave.....	C-4
Work Site, Consuming Food and Beverages at.....	G-6
Workers' Compensation Leave	C-4