

Trinity County Probation Department

New Probation Manual

CHIEF'S PREFACE

This manual represents the values upon which the Trinity County County Probation Department operates. The policies included herein are predicated on the law, best practice, and sound judgment. They are meant to provide guidance and protection to the individual employee, as well as to the organization as a whole.

We work in a complex, dynamic environment which presents a multitude of challenges on a daily basis. Every decision you make has the potential to profoundly affect the lives of others. Please refer to this manual often, for it is a fundamental tool you can rely upon to help you do your job. But remember, ultimately it is your individual responsibility to perform your duties with honor and integrity.

Keep abreast of all revisions to this manual and remain knowledgeable as to its contents. Nothing in this manual is intended to, or shall supersede, Title 15 Regulations as they apply to the operation of the Trinity County County Juvenile Detention Facility. The overall success of our department will be measured by the degree to which we maintain the trust of the public, the Courts, and other allied agencies. Adhering to the policies contained within this manual will ensure that trust is warranted and that it endures.

Ruby Fierro

Chief Probation Officer

Trinity County Probation Department

New Probation Manual

PROBATION CODE OF ETHICS

As a peace officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other peace officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . peace officer.

Trinity County Probation Department

New Probation Manual

MISSION STATEMENT

The Trinity County Probation Department, as an integral part of the justice system, provides direct services to the court, community, and offenders.

Our mission is:

- To protect the community
- To strive to prevent and reduce the frequency, severity, and impact of criminal and delinquent behavior among adults and juveniles who come within the jurisdiction of the Probation Department.
- To enforce court orders
- To promote responsible behavior in offenders
- To provide information and recommendations to the courts
- To provide services to victims

Trinity County Probation Department

New Probation Manual

Table of Contents

Chief's Preface.	1
Probation Code of Ethics.	2
Mission Statement.	3
Chapter 1 - Probation Role and Authority.	12
100 - Probation Authority.	13
101 - Chief Probation Officer.	14
102 - Oath of Office.	15
103 - Policy Manual.	16
Chapter 2 - Organization and Administration.	19
200 - Organizational Structure and Responsibility.	20
201 - Departmental Directives.	23
202 - Emergency Plan.	24
203 - Training.	26
204 - Electronic Mail.	30
205 - Administrative Communications.	31
206 - Supervision Staffing Levels.	33
207 - Retiree Concealed Firearms.	34
Chapter 3 - General Operations.	39
300 - Use of Force.	40
301 - Use of Force Review Boards.	50
302 - Officer-Involved Shootings and Deaths.	53
303 - Firearms.	59
304 - Handcuffing and Restraints.	69
305 - Control Devices.	74
306 - Search and Seizure.	77
307 - Discriminatory Harassment.	80
307 - Mandatory Reporting.	86
308 - Victim and Witness Assistance.	90
309 - Information Technology Use.	92
310 - Department Use of Social Media.	96
311 - Report Preparation.	99
312 - Media Relations.	103
313 - Outside Agency Assistance.	105
314 - Major Incident Notification.	107
315 - Limited English Proficiency Services.	109
316 - Communications with Persons with Disabilities.	116
317 - Biological Samples.	124
318 - Child and Dependent Adult Safety.	127
319 - Volunteers and Student Internships.	131

Trinity County Probation Department

New Probation Manual

320 - Community Relations.	139
322 - Forced Entry.	141
323 - IV-E Claiming.	142
322 - Cash Handling, Security, and Management.	147
325 - Commercially Sexually Exploited Children (CSEC).	148
Chapter 4 - Intake, Orientation, and Supervision.	154
400 - Initial Intake to Probation Services.	155
401 - Risk and Needs Assessments.	158
402 - Supervision of Clients.	160
403 - Compliance Monitoring.	164
404 - Drug and Alcohol Testing.	169
405 - Modification of Conditions of Supervision.	173
406 - Violations.	175
407 - Subpoenas and Court Appearances.	178
408 - Interstate Transfer of Supervision.	181
409 - Interstate Transfer of Supervision of Juveniles.	183
410 - Prison Rape Elimination Act.	185
411 - Bias-Based Supervision.	189
Chapter 5 - Field and Special Operations.	191
500 - Crime Scene Integrity and Investigation.	192
501 - Ride-Alongs.	195
502 - Hazardous Material Response.	198
503 - Hostage and Barricade Incidents.	200
504 - Response to Bomb Threat Calls.	202
505 - Crisis Intervention Incidents.	206
506 - Civil Commitments.	211
507 - Rapid Response and Deployment.	216
508 - Immigration Violations.	219
509 - Field Training.	221
510 - Mobile Audio/Video.	224
511 - Public Recording of Probation Officer Activity.	229
512 - Medical Aid and Response.	232
513 - Suspicious Activity Reporting.	237
514 - Task Force.	239
515 - Operations Planning and Deconfliction.	241
516 - Transporting Persons in Custody.	246
517 - Clients as Informants.	250
Chapter 6 - Equipment.	251
600 - Department-Owned and Personal Property.	252
601 - Personal Communication Devices.	254
602 - Vehicle Use, Safety, and Maintenance.	258
603 - Personal Protective Equipment.	265
604 - Body Armor.	270
605 - Emergency Vehicle Operation.	272

Trinity County Probation Department

New Probation Manual

Chapter 7 - Support Services.	273
700 - Property.	274
701 - Records Maintenance and Release.	277
702 - Protected Information.	284
703 - Criminal Justice Information Management.	288
Chapter 8 - Personnel.	293
800 - Recruitment and Selection.	294
801 - Standards of Conduct.	299
802 - Performance Evaluations.	306
803 - Special Assignments and Promotions.	310
804 - Grievances.	312
805 - Anti-Retaliation.	314
806 - Reporting of Arrests, Convictions, and Court Orders.	318
807 - Drug- and Alcohol-Free Workplace.	320
808 - Sick Leave.	323
809 - Communicable Diseases.	325
810 - Smoking and Tobacco Use.	330
811 - Personnel Complaints.	331
812 - Seat Belts.	341
813 - Personnel Records.	343
814 - Request for Change of Assignment.	352
815 - Commendations and Awards.	353
816 - Fitness for Duty.	355
817 - Meal Periods and Breaks.	358
818 - Lactation Breaks.	359
819 - Payroll Records.	361
820 - Overtime Compensation.	362
821 - Outside Employment and Outside Overtime.	364
822 - Occupational Disease and Work-Related Injury Reporting.	368
823 - Personal Appearance Standards.	370
824 - Conflict of Interest.	374
825 - Badges, Patches, and Identification.	376
826 - Temporary Modified-Duty Assignments.	379
827 - Speech, Expression, and Social Networking.	383
828 - Illness and Injury Prevention.	387
829 - Line-of-Duty Deaths.	392
Chapter 9 - Juvenile Custody.	403
900 - Administration - Article 3 Training, Personnel and Management.	404
901 - Appointments and Qualifications - Article 3 Training, Personnel and Management.	406
902 - Staffing - Article 3 Training, Personnel and Management.	407
903 - Graveyard - Article 3 Training, Personnel and Management.	411
904 - Child Supervision Staff Training - Article 3 Training, Personnel and Management.	413
905 - Senior Corrections Counselor Job Description - Article 3 Training, Personnel and Management.	415

Trinity County Probation Department

New Probation Manual

906 - Corrections Counselor Job Description - Article 3 Training Personnel and Management.	418
907 - Transportation Officer Job Description - Article 3 Training, Personnel and Management.	421
908 - Fire and Life Safety - Article 3 Training, Personnel and Management.	422
909 - Policy and Procedures Manual - Article 3 Training, Personnel and Management.	423
910 - Fire Safety Plan - Article 3 Training, Personnel and Management.	426
911 - Security Review - Article 3 Training, Personnel and Management.	431
912 - Smoking/Tobacco Products - Article 3 Training, Personnel and Management.	432
913 - Dress and Appearance and Professional Conduct - Article 3 Training, Personnel and Management.	433
914 - Working With Youth of the Opposite Gender - Article 3 Training, Personnel and Management.	435
915 - Institution Control - Article 3 Training, Personnel and Management.	436
916 - Suicide Prevention Plan - Article 3 Training, Personnel and Management.	438
917 - Reporting of Legal Action - Article 4 Records and Public Information.	448
918 - Death of a Youth While Detained - Article 4 Records and Public Information.	449
919 - Population Accounting - Article 4 Records and Public Information.	451
920 - Juvenile Facility Capacity - Article 4 Records and Public Information.	452
921 - Logbook - Article 4 Records and Public Information.	453
922 - Youth's File Folder - Article 4 Records and Public Information.	455
923 - Tours - Article 4 Records and Public Information.	456
924 - Donations/Gifts - Article 4 Records and Public Information.	457
925 - Community Contact - Article 4 Records and Public Information.	458
926 - Child Abuse - Article 4 Records and Public Information.	459
927 - Release of Information - Article 4 Records and Public Information.	461
928 - Admission Procedures - Article 5 Classification and Separation.	463
929 - Release Procedures - Article 5 Classification and Separation.	468
930 - Classification - Article 5 Classification and Separation.	472
931 - Orientation - Article 5 Classification and Separation.	476
932 - Juvenile Hall Rules - Article 5 Classification and Separation.	479
933 - Separation - Article 5 Classification and Separation.	485
934 - Use of Safety Room - Article 5 Classification and Separation.	487
935 - Institutional Assessment and Plan - Article 5 Classification and Separation.	490
936 - Developmentally Disabled Placements - Article 5 Classification and Separation.	491
937 - Counseling Services - Article 5 Classification and Separation.	492
938 - Case Plan Procedures - Article 5 Classification and Separation.	495
939 - Use of Force - Article 5 Classification and Separation.	497
940 - Use of Physical Restraints - Article 5 Classification and Separation.	507
941 - Searches - Article 5 Classification and Separation.	512
942 - Grievance Procedures - Article 5 Classification and Separation.	517
943 - Reporting of Incidents - Article 5 Classification and Separation.	520
944 - Security Procedures - Article 5 Classification and Separation.	521
945 - Confiscated Narcotics and Controlled Substances - Article 5 Classification and Separation.	524
946 - Contraband - Article 5 Classification and Separation.	526

Trinity County Probation Department

New Probation Manual

947 - Collection of DNA Specimens, Samples and Impressions - Article 5 Classification and Separation.	528
948 - School Program - Article 6 Programs and Activities.	530
949 - Programs, Recreation and Exercise - Article 6 Programs and Activities.	534
950 - Religious Programs - Article 6 Programs and Activities.	538
951 - Work Program - Article 6 Programs and Activities.	540
952 - Visiting - Article 6 Programs and Activities.	541
953 - Correspondence - Article 6 Programs and Activities.	546
954 - Telephone Access - Article 6 Programs and Activities.	548
955 - Access to Legal Services - Article 6 Programs and Activities.	550
956 - Points System - Article 6 Programs and Activities.	551
957 - Variable Commitment Program - Article 6 Programs and Activities.	554
958 - Weekend Commitment Program - Article 6 Programs and Activities.	556
959 - Social Awareness Program - Article 6 Programs and Activities.	557
960 - School Wellness Program - Article 6 Programs and Activities.	558
961 - Discipline - Article 7 Discipline.	561
962 - Discipline Due Process - Article 7 Discipline.	567
963 - Medical Director's Roles and Responsibilities - Article 8 Health Services.	569
964 - Medical Services Audit - Article 8 Health Services.	570
965 - Health Care Procedures - Article 8 Health Services.	571
966 - Confidentiality - Article 8 Health Services.	574
967 - Communicable Diseases - Article 8 Health Services.	575
968 - Medical Separation - Article 8 Health Services.	578
969 - AIDS/HIV and Hepatitis B - Article 8 Health Services.	579
970 - Medical Treatment - Article 8 Health Services.	581
971 - First Aid Kit - Article 8 Health Services.	583
972 - Individualized Treatment Plans - Article 8 Health Services.	584
973 - Health Clearance for In-Custody Work and Program Assignments - Article 8 Health Services.	585
974 - Health Education - Article 8 Health Services.	586
975 - Reproductive Services - Article 8 Health Services.	587
976 - Intake Screening - Article 8 Health Services.	588
977 - Intoxicated and Substance Abusing Youth - Article 8 Health Services.	590
978 - Health Appraisals/Medical Examinations - Article 8 Health Services.	591
979 - Request for Health Care Services - Article 8 Health Services.	593
980 - Consent for Health Care - Article 8 Health Services.	594
981 - Dental Care - Article 8 Health Services.	595
982 - Prosthesis and Other Medical Apparatus - Article 8 Health Services.	596
983 - Mental Health Services - Article 8 Health Services.	597
984 - Pharmaceutical Management - Article 8 Health Services.	599
985 - Psychotropic Medication - Article 8 Health Services.	601
986 - Collection of Forensic Evidence - Article 8 Health Services.	603
987 - Sexual Assaults (See Article 12 - P.R.E.A.) - Article 8 Health Services.	604
988 - Urgent Care Transport - Article 8 Health Services.	605
989 - Optical Services - Article 8 Health Services.	606
990 - Bio-Hazard Waste - Article 8 Health Services.	607

Trinity County Probation Department

New Probation Manual

991 - Anaphylaxis and Anaphylactic Shock Use of Epi-Pen Auto Injector - Article 8 Health Services.	608
992 - Frequency of Meals - Article 9 Food.	610
993 - Diet - Article 9 Food.	611
994 - Therapeutic Diet - Article 9 Food.	612
995 - Food Handlers/Dish Washers - Article 9 Food.	613
996 - Kitchen Facilities, Sanitation and Food Storage - Article 9 Food.	614
997 - Food Serving - Article 9 Food.	615
998 - Staff Meals - Article 9 Food.	616
999 - Clothing and Bedding - Article 10 Clothing and Personal Hygiene.	617
1000 - Control of Vermin - Article 10 Clothing and Personal Hygiene.	620
1001 - Personal Hygiene and Care Items - Article 10 Clothing and Personal Hygiene.	621
1002 - Cleaning and Maintenance - Article 10 Clothing and Personal Hygiene.	623
1003 - Bedding and Linen Issue - Article 11 Bedding and Linens.	625
1004 - Bedding and Linen Exchange - Article 11 Bedding and Linens.	626
1005 - General Definitions - Article 12 Prison Rape Elimination Act (PREA) Prevention Planning.	627
1006 - Zero Tolerance of Sexual Abuse and Sexual Harassment - (PREA).	631
1007 - Contracting with Other Entities for the Confinement of Youth - (PREA).	633
1008 - Supervision and Monitoring - (PREA).	634
1009 - Limits to Cross-Gender Viewing and Searches - (PREA).	636
1010 - Youth with Disabilities and Youth Who are Limited English Proficient - (PREA).	637
1011 - Hiring and Promotion Decisions - (PREA).	638
1012 - Upgrades to Facilities and Technologies - (PREA).	640
1013 - Evidence Protocol and Forensic Medical Examinations - (PREA).	641
1014 - Ensuring Referrals of Allegations for Investigations - (PREA).	642
1015 - Employee Training - (PREA).	643
1016 - Volunteer and Contractor Training - (PREA).	644
1017 - Youth Education - (PREA).	645
1018 - Specialized Training Investigations - (PREA).	646
1019 - Specialized Training: Medical and Mental Health Care - (PREA).	647
1020 - Screening for Risk of Sexual Abuse - (PREA).	648
1021 - Placement of Youth in Housing, Bed, Program, Education and Work Assignments - (PREA).	649
1022 - Youth Reporting - (PREA).	650
1023 - Exhaustion of Administrative Remedies - (PREA).	651
1024 - Youth Access to Outside Support Services and Legal Representation - (PREA).	653
1025 - Third-Party Reporting - (PREA).	654
1026 - Staff and Department Reporting Duties - (PREA).	655
1027 - Department Protection Duties - (PREA).	656
1028 - Reporting to Other Confinement Facilities - (PREA).	657
1029 - Staff First Responder Duties - (PREA).	658
1030 - Coordinated Response - (PREA).	659
1031 - Preservation of Ability to Protect Youth from Contact with Abusers - (PREA).	660
1032 - Department Protection Against Retaliation - (PREA).	661
1033 - Post-Allegation Protective Custody - (PREA).	662
1034 - Criminal and Administrative Agency Investigations - (PREA).	663

Trinity County Probation Department

New Probation Manual

1035 - Evidentiary Standard for Administrative Investigations - (PREA).	665
1036 - Reporting to Youth - (PREA).	666
1037 - Disciplinary Sanctions for Staff - (PREA).	667
1038 - Corrective Action for Contractors and Volunteers - (PREA).	668
1039 - Interventions and Disciplinary Sanctions for Youth - (PREA).	669
1040 - Medical and Mental Health Screenings; History of Sexual Abuse - (PREA).	670
1041 - Access to Emergency Medical and Mental Health Services - (PREA).	671
1042 - Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers - (PREA).	672
1043 - Sexual Abuse Incident Reviews - (PREA).	673
1044 - Data Collection - (PREA).	674
1045 - Data Review for Corrective Action - (PREA).	675
1046 - Data Storage, Publication, and Destruction - (PREA).	676
1047 - Audits of Standards - (PREA).	677
1048 - Frequency and Scope of Audits - (PREA).	678
1049 - Audit Corrective Action Plan - (PREA).	679
1050 - Ambulance Transport - Emergency Procedures.	680
1051 - Bomb Threat - Emergency Procedures.	681
1052 - Earthquake - Emergency Procedures.	683
1053 - Emergency Services - Emergency Procedures.	684
1054 - Escape Procedures - Emergency Procedures.	685
1055 - Evacuation - Emergency Procedures.	687
1056 - Fire - Emergency Procedures.	689
1057 - Flood - Emergency Procedures.	691
1058 - Power Outage - Emergency Procedures.	693
1059 - Riots and Civil Disturbance - Emergency Procedures.	694
1060 - Suicide/Serious Suicide Attempts - Emergency Procedures.	696
1061 - Automated External Defibrillator - Emergency Procedures.	697
1062 - Storage, Issue, and Use of Defensive Weapons.	701
1063 - Transgender and Intersex Youth.	702
1064 - Room Confinement.	703
1065 - Active Shooter or Terrorist Attack.	705
1066 - Use of Restraint Devices Within the Facility.	706
Attachments.	707
Respirator Medical Clearance form (002).pdf.	708
Respiratory Medical Evaluation Form - fillable (002).pdf.	709
Field Training Checklist - JCO.pdf.	710
Field Training Checklist - Support Staff.pdf.	711
Check List New Employee Worksheet - All Employees.pdf.	712
Field Training Checklist - DPO.pdf.	713
Respiratory Protection Plan policy no 2020-01 (002).pdf.	714
Respiratory Protection Plan policy no 2020-01 Memo to DH 2020.pdf.	715
Respiratory Protection Plan - signature page (002).pdf.	716
2015 MOU - Ofcr. Inv. Critical Incid. Protocol - Reduced Size.pdf.	717
16-49.pdf.	718
Arming Application - Revised 2019-11.pdf.	719

Trinity County Probation Department

New Probation Manual

IIPP Revised 6.1.20 - COVID-19 Compliant.pdf.	720
Org Chart - Revised 2020-03-30.pdf.	721

Chapter 1 - Probation Role and Authority

Probation Authority

100.1 PURPOSE AND SCOPE

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

100.2 POLICY

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

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

This department does not tolerate abuse of authority.

100.3 OFFICER AUTHORITY

Officers are authorized to supervise clients as provided in this manual, applicable court orders, and state law (Penal Code § 1202.8; Penal Code § 1203.71).

100.4 ARREST AND OTHER POWERS

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

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

100.5 CONSTITUTIONAL REQUIREMENTS

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

Chief Probation Officer

101.1 PURPOSE AND SCOPE

Chief Probation Officers employed within the State of California are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief Probation Officer of the Trinity County Probation Department, who is required to exercise the powers and duties of the office as prescribed by state law (Government Code § 27771).

101.2 POLICY

It is the policy of the Trinity County Probation Department that the Chief Probation Officer meets the minimum standards for exercising the authority granted by law.

101.3 CHIEF PROBATION OFFICER REQUIREMENTS

The Chief Probation Officer of this department, as a condition of employment, shall be appointed and retained by the County juvenile justice commission (Government Code § 27770).

Oath of Office

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

102.2 POLICY

It is the policy of the Trinity County Probation Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE

All department members shall take and subscribe to the oaths or affirmations applicable to their positions as determined by the Chief Probation Officer (Cal. Const. Art. 20, § 3).

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed in accordance with the established records retention schedule.

Policy Manual

103.1 PURPOSE AND SCOPE

The manual of the Trinity County Probation Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules, and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders, and regulations that conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders, and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and that circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Trinity County Probation Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the County, its officials, or department members. Violations of any provision of any policy contained within this manual shall only form the basis for administrative action, training, or discipline. The Trinity County Probation Department reserves the right to revise any policy content, in whole or in part.

103.3 AUTHORITY

The Chief Probation Officer shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state, and local laws. The Chief Probation Officer or the authorized designee is authorized to issue Departmental Directives, which shall modify those provisions of the manual to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

TCPD - The Trinity County Probation Department.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Policy Manual

Department - The Trinity County Probation Department.

Employee - Any person employed by the Department.

Manual - The Trinity County Probation Department Policy Manual.

May - Indicates a permissive, discretionary, or conditional action.

Member - Any person employed or appointed by the Trinity County Probation Department, including:

- Full- and part-time employees
- Volunteers

Officer - Those employees of the Trinity County Probation Department who engage in the supervision of clients.

On-duty- A member's status during the period when actually engaged in the performance of assigned duties.

Order - A written or verbal instruction issued by a superior.

POST - The Commission on Peace Officer Standards and Training.

Rank - The title of the classification held by any officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

STC - Standards and Training for Corrections.

Supervisor - A person in a position of authority that may include directing the work of other members, the authority to adjust grievances, and responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other members. The supervisory exercise of authority may not be merely routine or clerical in nature, but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead, or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank, or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

103.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy and Procedures Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief Probation Officer or the authorized designee.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Policy Manual

Each member shall acknowledge that the member has been provided access to and has had the opportunity to review the Policy and Procedures Manual and Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief Probation Officer, or authorized designee, will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that the member has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Supervising Deputy Probation Officer will ensure that members under the Supervising Deputy Probation Officer's command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Supervising Deputy Probation Officers, who will consider the recommendations and forward them to the command staff as appropriate.

103.8 POLICY EXEMPTIONS

The Chief Probation Officer has authority to exempt certain classes of employees within the department from specific policies and procedures that do not pertain to the employee's job classification, assignment, or essential duties. Any such exemption shall be specified in writing and contained only in this sub-section of the policy and procedures manual.

The following policy exemptions are approved:

- (a) Non-sworn staff who do not work in the juvenile hall are exempt from Section 9 - Juvenile Custody.

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

This policy establishes the organizational structure of the Department and defines general responsibilities of department members.

200.2 POLICY

The Trinity County Probation Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control, and guidance of the Department. Each position and assignment should have clearly identified responsibilities and a defined chain of command.

200.3 DIVISIONS

The Chief Probation Officer is responsible for administering and managing the Trinity County Probation Department. These are the divisions in the Department:

- Adult Division
- Juvenile Division
- Administrative Division
- Institutions Division
- Delinquent Collections

200.3.1 ADULT DIVISION

The Adult Division is commanded by the Supervising Deputy Probation Officer whose primary responsibility is to provide general management direction and control for that Division. The Adult Division consists of Adult Intake/Court Services, Adult Supervision Services and the Home Electronic Monitoring Program.

200.3.2 JUVENILE DIVISION

The Juvenile Division is commanded by the Assistant Chief Probation Officer whose primary responsibility is to provide general management direction and control for that Division. The Juvenile Division consists of the Juvenile Intake/Court Services, Juvenile Supervision Services and the Juvenile Home Electronic Program.

200.3.3 ADMINISTRATIVE DIVISION

The Administration Division commanded by the Chief Probation Officer and Assistant Chief Probation Officer whose primary responsibility is to provide general management direction and control for that Division. The Administration Division consists of the Chief Probation Officer, Fiscal Analyst, Administrative Coordinator, and Revenue Recovery Staff.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Organizational Structure and Responsibility

200.3.4 INSTITUTIONS DIVISION

The Institutions Division is commanded by an assigned manager, whose primary responsibility is to provide general management, direction, and control for the Institutions Division. The Institutions Division consists of detention and commitment housing, the day reporting center, and electronic monitoring.

200.3.5 DELINQUENT COLLECTIONS DIVISION

The Delinquent Collections Division is commanded by an assigned manager, whose primary responsibility is to provide general management, direction, and control for the Delinquent Collections Division. The Delinquent Collections Division consists of revenue recovery services and staffing.

200.4 COMMAND PROTOCOL

Established command protocol is critical in any organization in order to ensure that leadership and direction is available should the Chief be incapacitated, out of town, on vacation, on leave or otherwise unable to act. It is also necessary to have established command protocol for those unusual situations that may occur whereby there is a question or doubt as to who is in charge of any action or operation.

200.4.1 SUCCESSION OF COMMAND

The Chief Probation Officer exercises command over all members of the Trinity County Probation Department. During planned absences, the Chief Probation Officer will designate a manager to serve as the acting Chief Probation Officer. Except when designated as above, the order of command authority in the absence or unavailability of the Chief Probation Officer is:

- (a) Assistant Chief
- (b) Supervising Deputy Probation Officer
- (c) Senior Most Deputy Probation Officer

When the Chief is to be away from duty for an extended period of time, he/she shall notify the Presiding Judge and County Administrative Officer as to who is designated as his replacement during this absence. If possible, the exact dates of this temporary assignment should be specified.

200.4.2 CHAIN OF COMMAND

Department personnel will observe the chain of command detailed in the organizational chart to communicate within the department and as a basis for unity of command. The chain of command will only be usurped in the most extreme circumstances or when authorized by an immediate supervisor. Each officer will report directly to only one supervisor at any given time. Each organizational component is under the command of only one supervisor/commander.

[See attachment: Org Chart - Revised 2020-03-30.pdf](#)

200.4.3 AUTHORITY AND RESPONSIBILITY

Personnel shall be granted authority commensurate with their responsibility. Each employee is accountable for the use of delegated authority.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Organizational Structure and Responsibility

200.4.4 SUPERVISORY ACCOUNTABILITY

Supervisory personnel are accountable for the activities of employees under their immediate control.

Departmental Directives

201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for issuing Departmental Directives.

201.2 POLICY

Departmental Directives will be used to further clarify or add functional detail to existing policies of the Trinity County Probation Department when an immediate need exists, in order to best meet the mission of the Department. Applicable memorandums of understanding and other alternatives should be considered before a Departmental Directive is issued.

201.3 PROTOCOL

Departmental Directives will be incorporated into the Policy Manual, as required, upon approval. Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded if incorporated into the manual.

The Chief Probation Officer or the authorized designee shall ensure that all Departmental Directives are disseminated appropriately. Departmental Directives should be numbered consecutively and incorporate the year of issue. All members will be notified when a Departmental Directive is rescinded or has been formally adopted into the Policy Manual.

201.4 RESPONSIBILITIES

201.4.1 POLICY REVIEW TEAM

The Policy Review Team shall periodically review Departmental Directives to determine whether they should be formally incorporated into the Policy Manual and, as appropriate, will recommend necessary modifications to the Chief Probation Officer.

201.4.2 CHIEF PROBATION OFFICER

Only the Chief Probation Officer or the authorized designee may approve and issue Departmental Directives.

201.5 ACCEPTANCE OF DIRECTIVES

All members shall be provided access to the Departmental Directives. Each member shall acknowledge that the member has been provided access to and has had the opportunity to review the Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions they do not fully understand.

Emergency Plan

202.1 PURPOSE AND SCOPE

This policy clarifies the role of the Trinity County Probation Department and responsibilities of its members pertaining to large-scale emergencies and the State of California Emergency Plan.

202.2 POLICY

The Trinity County Probation Department will prepare for large-scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies.

The County Emergency Plan complies with the State of California's Emergency Services Act (Government Code § 8550 et seq.). This plan provides guidance for County emergency operations within and outside its borders as may be required.

202.2.1 TRINITY COUNTY PROBATION DEPARTMENT CODE/ORDINANCES

An emergency management organization has been established by the County by ordinance. This ordinance has been approved by the County Council (Government Code § 8610).

202.3 ACTIVATING THE EMERGENCY PLAN

The Emergency Plan can be activated in a number of ways. For the Trinity County Probation Department, the Chief Probation Officer or the highest-ranking on-duty officer may activate the Emergency Plan in response to a major emergency.

Upon activation of the plan, the Chief Probation Officer or the authorized designee should contact the State Office of Emergency Services to assist with mutual aid response from local, state, and federal law enforcement agencies.

202.3.1 RECALL OF PERSONNEL

In the event that the Emergency Plan is activated, all employees of the Trinity County Probation Department are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief Probation Officer or the highest-ranking on-duty supervisor.

Failure to promptly respond to an order to report for duty may result in discipline.

202.4 LOCATION OF THE EMERGENCY PLAN

Copies of the Emergency Plan are available in Administrative and in the Supervising Deputy Probation Officer's office. All supervisors should familiarize themselves with the Emergency Plan and the roles members will play when the plan is implemented. The Chief Probation Officer should ensure that department members are familiar with the roles they will play when the plan is implemented.

202.5 EMERGENCY PLAN REVIEW

The Chief Probation Officer or the authorized designee shall review the Emergency Plan at least once every two years and ensure the plan conforms to any revisions made by the National Incident

Trinity County Probation Department

New Probation Manual

New Probation Manual

Emergency Plan

Management System (NIMS). The Chief Probation Officer or the authorized designee should appropriately address any needed revisions.

202.6 TRAINING

The Department should provide annual training on the Emergency Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Plan and personnel responsibilities when the plan is implemented. Training should incorporate a full or partial exercise, tabletop exercise, or command discussion.

Training

203.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted, and documented (including basic, in-service, and outside training). This policy is not meant to address all specific training endeavors or identify every required training topic.

203.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local, and the California POST, Board of State and Community Corrections (BSCC), or Standards and Training for Corrections (STC) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

203.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of probation service to the public.
- (b) Increase the technical expertise and overall effectiveness of department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with STC rules and regulations concerning probation training.

203.4 TRAINING MANAGER

The Chief Probation Officer shall designate the Training Manager who is responsible for developing, reviewing, updating, and maintaining the department training plan so that required training is completed. The Training Manager should review the training plan annually.

203.4.1 TRAINING RESTRICTION

The Training Manager is responsible for establishing a process to identify officers who are restricted from training other officers for the time period specified by law because of a sustained use of force complaint (Government Code § 7286(b)).

203.5 TRAINING PLAN

The training plan should include the anticipated costs associated with each type of training, including attendee salaries and backfill costs. The plan should include a systematic and detailed method for recording all training for all members.

Updates and revisions may be made to any portion of the training plan at any time it is deemed necessary.

The plan will address all required training.

All new sworn staff and certain newly promoted staff must complete CORE training within a one-year period. The Training Manager will be responsible for locating and making arrangements for the CORE hours.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Training

203.5.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all-inclusive, identify training that is required under state laws and regulations. Additional required training may be identified in individual policies.

- (a) State-mandated minimum training for officers requires completion of the following:
 - 1. Annual STC in-service training shall be selected by the Training Manager based on agency or individual needs (15 CCR 184):
 - (a) Maintenance of first-aid and CPR certification.
 - (b) 40 hours of academic in-service training.
 - 2. No less than the minimum number of hours as established by the STC Probation Officer Core Course Manual:
 - (a) Agency specific training
 - (b) California justice system
 - (c) Current trends and practices
 - (d) Risk factors
 - (e) Juvenile detention decisions
 - (f) Information gathering
 - (g) Court reports and presentations
 - (h) Orientation, case planning, and supervision
 - (i) Supervision issues
 - (j) Priority setting
 - (k) Personal safety
 - (l) Use of force
 - (m) Restraints and searching
 - (n) Transportation
 - (o) Physical conditioning
 - (p) CPR
 - (q) First aid
 - (r) Peace Officer Standards and Training (POST) required training (Penal Code § 832)
- (b) Any other mandated training (e.g., National Incident Management System) as determined by the Trinity County Probation Department.

203.6 SPECIALIZED TRAINING

If a special need exists and there are not STC certified classes available or if there are not enough staff who might benefit from the class, an existing course may be given a "Special Certification."

Trinity County Probation Department

New Probation Manual

New Probation Manual

Training

In order for this to be done, the Training Unit must have the request prior to the beginning date of the course.

203.7 TRAINING ATTENDANCE

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to:
 - 1. Court appearances.
 - 2. Previously approved vacation or time off.
 - 3. Illness or medical leave.
 - 4. Physical limitations preventing the member's participation.
 - 5. Emergency situations or department necessity.
- (b) All members unable to attend training as scheduled shall notify their supervisors as soon as practicable, but no later than one hour prior to the start of training, and shall:
 - 1. Document the absence in a memorandum to the supervisor.
 - 2. Arrange through the supervisor or Training Manager to attend the required training on an alternate date.

203.8 TRAINING COMMITTEE

The Chief may establish a Training Committee, on a temporary or as-needed basis, which will assist with identifying training needs.

The Training Committee should comprise at least three members, with the senior-ranking member of the committee acting as the chairperson. Committee members should be selected based on their abilities related to post-incident evaluation and assessing related training needs. The Chief has the discretion to remove or replace members of the committee.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to an incident. Specific incidents the Training Committee should review include but are not limited to:

- (a) Any incident involving the death or serious injury of a member.
- (b) Incidents involving a high risk of death, serious injury, or civil liability.
- (c) Incidents identified by the Department to determine possible training needs.

The Training Committee should convene on a regular basis, as determined by the Training Manager, to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Training Manager. The recommendation should not identify specific facts of any incidents, such as identities of members involved or the date, time, and location of the incident, but should focus on the type of training being recommended.

The Training Manager will consider the recommendation of the committee and determine what training should be addressed, taking into consideration the mission of the Department and the

Trinity County Probation Department

New Probation Manual

New Probation Manual

Training

available resources. Training recommendations as determined by the Training Manager shall be submitted to the command staff for review.

203.9 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a web-accessed system that provides training on the Trinity County Probation Department Policy Manual and other important topics.

Members assigned to participate in DTBs shall only use the login credentials assigned to them by the Training Manager. Members should not share their password with others and should frequently change their password to protect the security of the system. After each session, members should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Members assigned to participate in the DTB program should complete each DTB at the beginning of their shifts or as otherwise directed by their supervisor. Members should not allow uncompleted DTBs to build up over time. Members may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any internet-enabled computer, members shall only take DTBs as part of their on-duty assignments, unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of those under their command to ensure compliance with this policy.

203.10 TRAINING RECORDS

The Training Manager is responsible for the creation, filing, and storage of all training records. Training records shall be retained in accordance with the established records retention schedule.

Electronic Mail

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department.

204.2 POLICY

Trinity County Probation Department members shall use email in a professional manner in accordance with this policy and current law (e.g., California Open Records Act).

204.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

204.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration, or practices of the Department.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing, or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire Department are only to be used for official business-related items that are of particular interest to all users. In the event that a member has questions about sending a particular email communication, the member should seek prior approval from a supervisor in the member's chain of command.

It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Members are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name, or password. Members who believe a password has become known to another person shall change the password immediately.

204.5 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the California Open Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Chief Probation Officer, or the authorized designee, shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

Administrative Communications

205.1 PURPOSE AND SCOPE

This policy sets forth the manner in which the Department communicates significant changes to its membership, such as promotions, transfers, hiring and appointment of new members and separations; individual and group awards and commendations; or other changes in status. This policy also provides guidelines for the professional handling of electronic and non-electronic administrative communications from the Department.

205.2 POLICY

The Trinity County Probation Department will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature, and disclaimer guidelines as applicable.

205.3 MEMORANDUMS

Memorandums may be issued periodically by the Chief Probation Officer or the authorized designee to announce and document all promotions, transfers, hiring and appointment of new members, separations; individual and group awards and commendations; or other changes in status.

205.4 CORRESPONDENCE

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on department letterhead. All department letterhead shall bear the signature element of the Chief Probation Officer. Official correspondence and use of letterhead requires approval of a supervisor. Department letterhead may not be used for personal purposes.

Official internal correspondence shall be on the appropriate department electronic or non-electronic memorandum forms.

Electronic correspondence shall contain the sender's department-approved signature and electronic communications disclaimer language.

205.5 SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief Probation Officer or the authorized designee.

205.6 OTHER COMMUNICATIONS

205.6.1 ADMINISTRATIVE DIRECTIVES

Departmental Directives and other communications necessary to ensure the effective operation of the Department shall be issued by the Chief Probation Officer or the authorized designee (see the Departmental Directives Policy).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Administrative Communications

205.6.2 DEPARTMENTAL SOCIAL MEDIA ACCOUNT

An official departmental social media account will be designated and approved by the Chief Probation Officer for the purpose of enhancing communication with the general public regarding departmental mission, function, and other needs. A Social Media Coordinator will be assigned by the Chief Probation Officer whose responsibility will be to monitor, post, and respond to messages related to this platform. All communications on social media and messaging applications are subject to the same disclosure guidelines as communications on more conventional mediums such as departmental email or text. Therefore, content will only be altered or deleted from this platform in accordance to the department's records retention schedule.

Supervision Staffing Levels

206.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that proper supervision is available to meet the needs of the Department and members.

206.2 POLICY

The Trinity County Probation Department will ensure that proper supervision is available to meet the needs of its members and to achieve the goals of the Department. The needs of its members should be balanced with the needs of the Department for flexibility and discretion in assigning members to meet supervisory needs. While balance is desirable, the paramount concern is to meet the needs of the Department.

206.3 MINIMUM SUPERVISION STAFFING LEVELS

Minimum staffing levels should be established by the Assistant Chief. The supervision staffing levels should support proper supervision, span of control, compliance with any collective bargaining agreement or memorandum of understanding, and activity levels to meet the needs of members and the goals of the Department.

206.3.1 TEMPORARY SUPERVISORS

To accommodate training and other unforeseen circumstances, another qualified member may be used as a temporary supervisor in place of a regularly assigned supervisor.

Retiree Concealed Firearms

207.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension, or revocation of Trinity County Probation Department identification cards to qualified former or retired law enforcement officers under the Law Enforcement Officers Safety Act (LEOSA) and California law (18 USC § 926C; Penal Code § 25455).

207.2 POLICY

It is the policy of the Trinity County Probation Department to provide identification cards to qualified former or retired officers to facilitate the lawful carrying of concealed weapons by those individuals.

207.3 LEOSA

The Chief Probation Officer may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as a peace officer for an aggregate 10 years or more or, if employed as a peace officer for fewer than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department in which the officer acknowledges disqualification to receive a firearms qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

207.3.1 LEOSA CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify the officer as having been employed as an officer.

If the Trinity County Probation Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active-duty standards for qualification to carry a firearm.

207.3.2 AUTHORIZATION

Any qualified former peace officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when:

- (a) In possession of photographic identification that identifies the individual as having been employed as a peace officer, and one of the following:
 1. An indication from the person's former probation agency that the person has, within the past year, been tested or otherwise found by the agency to meet

Trinity County Probation Department

New Probation Manual

New Probation Manual

Retiree Concealed Firearms

agency-established active-duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active-duty peace officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
 - (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
 - (c) Not prohibited by federal law from receiving a firearm.
 - (d) Not in a location prohibited by California law or entity on private property if such prohibition is permitted by California law.

207.4 CALIFORNIA IDENTIFICATION CARD

The Chief Probation Officer may issue an identification card with an endorsement to carry a concealed firearm to a person who (Penal Code § 26300):

- (a) Honorably retired following service as a full-time sworn officer of this department who was authorized to, and did, carry a concealed firearm during the course and scope of employment (Penal Code § 25455).
 1. Honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement, however, it shall not include any officer who retires in lieu of termination or who is retiring because of a psychological disability (Penal Code § 26305).
- (b) Honorably retired as a peace officer from any jurisdiction that this department now serves under the following conditions (Penal Code § 25905):
 1. The retiree's previous agency is no longer providing law enforcement services or the relevant government body is dissolved.
 2. This department is in possession of the retiree's complete personnel records or can verify the retiree's honorably retired status.
 3. The retiree is in compliance with all of the requirements of this department for the issuance of a Concealed Carry Weapon (CCW) Approved endorsement.
- (c) Was a qualified retired reserve officer who met the department requirements for a CCW Approved endorsement (Penal Code § 26300).

207.4.1 CALIFORNIA IDENTIFICATION CARD FORMAT

The card shall be 2 inches by 3 inches and minimally contain (Penal Code § 25460):

- (a) Photograph of the retiree.
- (b) Retiree's name and date of birth.
- (c) Date of retirement.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Retiree Concealed Firearms

- (d) Name and address of this department.
- (e) A stamped endorsement "CCW Approved" along with the date by which the endorsement must be renewed (not more than one year). In the case in which a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege."

207.4.2 QUALIFIED RETIREES FROM INCORPORATED JURISDICTION

The Trinity County Probation Department shall provide an identification card with a CCW Approved endorsement to honorably retired peace officers from any jurisdiction that this department now serves under the following conditions (Penal Code § 25905):

- (a) The retiree's previous agency is no longer providing law enforcement services or the relevant government body is dissolved.
- (b) This department is in possession of the retiree's complete personnel record or can verify the retiree's honorably retired status.
- (c) The retiree is in compliance with all of the requirements of this department for the issuance of a CCW Approved endorsement.

207.5 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Chief Probation Officer or authorized designee of an arrest or conviction in any jurisdiction, or that the individual is the subject of a court order, in accordance with the Reporting of Arrests, Convictions, and Court Orders Policy.

207.5.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable department policies and federal, state, and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that the individual is not prohibited by law from receiving or possessing a firearm.

207.5.2 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT

In order to maintain a CCW Approved endorsement on an identification card issued under California law, the retired officer shall (Penal Code § 26305):

- (a) Qualify annually with the authorized firearm at a course approved by this department at the retired officer's expense.
- (b) Remain subject to all applicable department policies and federal, state, and local laws.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Retiree Concealed Firearms

- (c) Not engage in conduct that compromises public safety.

207.6 DENIAL, SUSPENSION, OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended, or revoked, the former officer may request a review by the Chief Probation Officer. The decision of the Chief Probation Officer is final.

207.6.1 DENIAL, SUSPENSION, OR REVOCATION OF A CALIFORNIA CCW ENDORSEMENT CARD

A CCW endorsement for any officer retired from this department may be denied or revoked only upon a showing of good cause. The CCW endorsement may be immediately and temporarily revoked by the Assistant Chief when the conduct of a retired peace officer compromises public safety (Penal Code § 25470).

- (a) In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.
- (b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first-class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26315).
 1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
 2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).
 3. Failure to submit a timely written request for a hearing shall be deemed a waiver of such right.
- (c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department, one selected by the retiree or the retiree's employee organization, and one selected jointly (Penal Code § 26320).
 1. The decision of such hearing board shall be binding on the Department and the retiree.
 2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender the identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege" (Penal Code § 26325(b)).
- (d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Chief Probation Officer or the authorized designee as soon as practicable. The Assistant Chief should promptly take appropriate steps to look into

Trinity County Probation Department

New Probation Manual

New Probation Manual

Retiree Concealed Firearms

the matter and, if warranted, contact the retiree in person and advise the individual in writing of the following:

1. The retiree's concealed firearm CCW endorsement is immediately and temporarily suspended.
2. The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
3. The retiree will forfeit the right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.
4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Assistant Chief should attempt to make the above notice of temporary suspension through another law enforcement officer. For example, if a retiree was arrested or detained by a distant agency, the Assistant Chief may request that a law enforcement officer from that agency act as the agent of the Department to deliver the written notification.
5. Notification of the temporary suspension should also be promptly mailed to the retiree via first-class mail, postage prepaid, return receipt requested.
 - (a) The Assistant Chief should document the investigation, the actions taken, and, if applicable, any notification made to the former member. The memo should be forwarded to the Chief Probation Officer.

207.7 FIREARM QUALIFICATIONS

The Rangemaster may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used.

Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, members authorized to use force are expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Government Code § 7286).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Conducted Energy Devices policies.

Nothing in this policy is intended to limit members' lawful ability to defend themselves.

Retaliation prohibitions for reporting suspected violations are addressed in the Anti-Retaliation Policy.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code § 835a).

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person (Government Code § 7286(a)).

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when persons allow themselves to be searched, escorted, handcuffed, or restrained.

Serious bodily injury - A serious impairment of physical condition, including but not limited to the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (Penal Code § 243(f)(4)).

Totality of the circumstances - All facts known to the officer at the time, including the conduct of the officer and the subject leading up to the use of force (Penal Code § 835a).

300.2 POLICY

The use of force by officers authorized to use force is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force

Officers authorized to use force must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of duties.

The Trinity County Probation Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force in the performance of their duties requires monitoring, evaluation, and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE

Any officer present and observing another law enforcement officer or an employee using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, shall, when in a position to do so, intercede (as defined by Government Code § 7286) to prevent the use of unreasonable force.

When observing force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject (Government Code § 7286(b)).

300.2.2 FAILURE TO INTERCEDE

An officer who has received the required training on the duty to intercede and then fails to act to intercede when required by law may be disciplined in the same manner as the officer who used force beyond that which is necessary (Government Code § 7286(b)).

300.2.3 FAIR AND UNBIASED USE OF FORCE

Officers are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased (Government Code § 7286(b)).

300.2.4 DUTY TO REPORT EXCESSIVE FORCE

Any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary shall immediately report these observations to a supervisor (Government Code § 7286(b); Penal Code § 832.13).

As used in this section, “immediately” means as soon as it is safe and feasible to do so.

300.3 USE OF FORCE

Officers authorized by the Chief Probation Officer to use force in arresting a client or preventing a client from escaping custody shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance (Government Code § 7286(b)).

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the approved or authorized tools, weapons, or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 ALTERNATIVE TACTICS - DE-ESCALATION

As time and circumstances reasonably permit, and when community and officer safety would not be compromised, officers should consider actions that may increase officer safety and may decrease the need for using force:

- (a) Summoning additional resources that are able to respond in a reasonably timely manner.
- (b) Formulating a plan with responding officers before entering an unstable situation that does not reasonably appear to require immediate intervention.
- (c) Employing other tactics that do not unreasonably increase officer jeopardy.

In addition, when reasonable, officers should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)). Such alternatives may include but are not limited to:

- Attempts to de-escalate a situation.
- If reasonably available, the use of crisis intervention techniques by properly trained personnel.

300.3.2 USE OF FORCE TO EFFECT AN ARREST

Officers authorized by the Chief Probation Officer and California Penal Code § 830.5 may use objectively reasonable force to effect an arrest, to prevent escape, or to overcome resistance (Penal Code § 835).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force

An authorized officer who makes or attempts to make an arrest need not retreat or desist from the efforts by reason of resistance or threatened resistance on the part of the person being arrested; nor shall an officer be deemed the aggressor or lose the right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or to overcome resistance. Retreat does not mean tactical repositioning or other de-escalation techniques (Penal Code § 835a).

300.3.3 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit (Government Code § 7286(b)). These factors include but are not limited to:

- (a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time (Penal Code § 835a).
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The conduct of the involved officer leading up to the use of force (Penal Code § 835a).
- (e) The effects of suspected drugs or alcohol.
- (f) The individual's apparent mental state or capacity (Penal Code § 835a).
- (g) The individual's apparent ability to understand and comply with officer commands (Penal Code § 835a).
- (h) Proximity of weapons or dangerous improvised devices.
- (i) The degree to which the individual has been effectively restrained and the individual's ability to resist despite being restrained.
- (j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).
- (k) Seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.
- (l) Training and experience of the officer.
- (m) Potential for injury to officers, suspects, bystanders, and others.
- (n) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (o) The risk and reasonably foreseeable consequences of escape.
- (p) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (r) Prior contacts with the individual or awareness of any propensity for violence.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force

- (s) Any other exigent circumstances.

300.3.4 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.5 RESTRICTIONS ON THE USE OF CAROTID CONTROL HOLD

Officers of this Department are not authorized to use a carotid restraint hold. A carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person (Government Code § 7286.5).

300.3.6 USE OF FORCE TO SEIZE EVIDENCE

In general, authorized officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence.

In the instance when force is used to seize evidence, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration, or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Trinity County Probation Department for this specific purpose.

300.3.7 RESTRICTIONS ON THE USE OF A CHOKE HOLD

Officers of this Department are not authorized to use a choke hold. A choke hold means any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe (Government Code § 7286.5).

300.3.8 ADDITIONAL RESTRICTIONS

Terms such as "positional asphyxia," "restraint asphyxia," and "excited delirium" continue to remain the subject of debate among experts and medical professionals, are not universally recognized medical conditions, and frequently involve other collateral or controlling factors such as narcotics or alcohol influence, or preexisting medical conditions. While it is impractical to restrict an officer's use of reasonable control methods when attempting to restrain a combative individual, officers are not authorized to use any restraint or transportation method which might unreasonably

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force

impair an individual's breathing or respiratory capacity for a period beyond the point when the individual has been adequately and safely controlled. Once the individual is safely secured, officers should promptly check and continuously monitor the individual's condition for signs of medical distress (Government Code § 7286.5).

300.3.9 USE OF FORCE TO PREVENT INGESTION OF EVIDENCE

Officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband (see the Medical Aid and Response Policy).

300.4 DEADLY FORCE APPLICATIONS

Where feasible, the officer shall, prior to the use of deadly force, make reasonable efforts to identify as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts (Penal Code 835a).

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers shall evaluate and use other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably practical, officers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).

The use of deadly force by authorized members is only justified when the officer reasonably believes it is necessary in the following circumstances (Penal Code § 835a):

- (a) Officers may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury to the officer or another person.
- (b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

Officers shall not use deadly force against a person based on the danger that person poses to self, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or to another person (Penal Code § 835a).

An "imminent" threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the officer or another person. An officer's subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective and may involve additional considerations and risks. When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force

its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others (Government Code § 7286(b)).

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.4.2 DISPLAYING OF FIREARMS

Given that individuals might perceive the display of a firearm as a potential application of force, officers should carefully evaluate each tactical situation and use sound discretion when drawing a firearm in public by considering the following guidelines (Government Code § 7286(b)):

- (a) If the officer does not initially perceive a threat but reasonably believes that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed toward an individual.
- (b) If the officer reasonably believes that a threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed encounter), firearms may be directed toward such threat until the officer no longer perceives such threat.

Once it is reasonably safe to do so, officers should carefully secure all firearms.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why the officer believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

300.5.1 NOTIFICATION TO SUPERVISORS

Any use of force by an officer shall be reported immediately to a supervisor in circumstances, including but not limited to the following (Penal Code § 832.13):

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the conducted energy device (CED) or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force

- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

As used in this section, "immediately" means as soon as it is safe and feasible to do so.

300.5.2 REPORT RESTRICTIONS

Officers shall not use the term excited delirium to describe an individual in an incident report. Officers may describe the characteristics of an individual's conduct, but shall not generally describe the individual's demeanor, conduct, or physical and mental condition at issue as excited delirium (Health and Safety Code § 24402).

300.5.3 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2 (see the Records Maintenance and Release Policy).

300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, properly trained officers should promptly provide or procure medical assistance for any person injured or claiming to have been injured in a use of force incident (Government Code § 7286(b)).

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until medically assessed.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force

medical emergency should request medical assistance as soon as practicable and have medical personnel stage away (see the Medical Aid and Response Policy).

300.7 SUPERVISOR RESPONSIBILITY

A supervisor should respond to any reported use of force, if reasonably available. The responding supervisor is expected to (Government Code § 7286(b)):

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived *Miranda* rights, the following shall apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
 - 1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the individual may pursue civil litigation.
 - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.7.1 ASSISTANT CHIEF RESPONSIBILITY

The Assistant Chief shall review each use of force by any personnel within the Assistant Chief's command to ensure compliance with this policy and to address any training issues.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force

300.8 USE OF FORCE COMPLAINTS

The receipt, processing, and investigation of civilian complaints involving use of force incidents should be handled in accordance with the Personnel Complaints Policy (Government Code § 7286(b)).

300.9 TRAINING

Officers and supervisors will receive periodic training on this policy and demonstrate their knowledge and understanding (Government Code § 7286(b)).

Subject to available resources, the Training Manager should ensure that officers receive periodic training on de-escalation tactics, including alternatives to force.

Training should also include (Government Code § 7286(b)):

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly persons, pregnant individuals, and individuals with physical, mental, and developmental disabilities.
- (b) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10.

See the Training Policy for restrictions relating to officers who are the subject of a sustained use of force complaint.

300.10 USE OF FORCE ANALYSIS

At least annually, the Supervising Deputy Probation Officer should prepare an analysis report on use of force incidents. The report should be submitted to the Chief Probation Officer or the authorized designee. The report should not contain the names of officers, suspects, or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

300.11 POLICY REVIEW

The Chief Probation Officer or the authorized designee should regularly review and update this policy to reflect developing practices and procedures (Government Code § 7286(b)).

300.12 POLICY AVAILABILITY

The Chief Probation Officer or the authorized designee should ensure this policy is accessible to the public (Government Code § 7286(c)).

300.13 PUBLIC RECORDS REQUESTS

Requests for public records involving an officer's personnel records shall be processed in accordance with Penal Code § 832.7 and the Personnel Records, and Records Maintenance and Release policies (Government Code § 7286(b)).

Use of Force Review Boards

301.1 PURPOSE AND SCOPE

This policy establishes a process for the Trinity County Probation Department to review the use of force by its members.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or the evaluation of the use of force.

301.2 POLICY

The Trinity County Probation Department will objectively evaluate the use of force by its members to ensure that their authority is used appropriately and consistent with training and policy.

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

Generally, whenever a member's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that member will be placed in a temporary administrative assignment pending an administrative review. The Chief Probation Officer or the authorized designee may exercise discretion and choose not to place a member in an administrative assignment.

301.4 REVIEW BOARD

The Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another person.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the member was on- or off-duty, excluding training or recreational use.

The Chief Probation Officer or the authorized designee may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Chief Probation Officer or the authorized designee will convene the Use of Force Review Board as necessary. It will be the responsibility of the Assistant Chief or supervisor of the involved member to notify the Chief Probation Officer of any incidents requiring board review. The involved member's Assistant Chief or supervisor will also ensure that all relevant reports, documents, and materials are available for consideration and review by the board.

301.4.1 COMPOSITION OF THE BOARD

The Chief Probation Officer or the authorized designee should staff the Use of Force Review Board with at least three individuals from any of the following, as appropriate:

- Representatives of each Division
- Staff representative from the involved member's chain of command
- Training Manager

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force Review Boards

- Non-administrative supervisor
- A peer officer/department member
- A probation officer from an outside agency, as appropriate
- Department instructor for the type of weapon, device, or technique used

The senior-ranking staff representative who is not in the same Division as the involved member will serve as chairperson.

301.4.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information, and request the involved member to appear. The involved member will be notified of the meeting of the board and may choose to have a representative through all phases of the review process.

The board does not have the authority to recommend discipline.

The Chief Probation Officer or the authorized designee will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges, or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

Absent an express waiver from the involved member, no more than two designated board members may ask questions of the involved member. Other board members may provide questions to the designated board members.

The review shall be based on those facts that are reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures, and approved training to those facts. Facts later discovered but unknown to the involved member at the time shall neither justify nor call into question a member's decision regarding the use of force.

Any questioning of the involved member conducted by the board will be in accordance with Trinity County Probation Department disciplinary procedures, the Personnel Complaints Policy, the current memorandum of understanding, and any applicable state or federal law.

The board shall make one of the following recommended findings:

- (a) The member's actions were within department policy and procedure.
- (b) The member's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the board. The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force Review Boards

appropriate. The board chairperson will submit the written recommendation to the Chief Probation Officer.

The Chief Probation Officer shall review the recommendation, make a final determination as to whether the member's actions were within policy and procedure, and determine whether any additional actions, investigations, or reviews are appropriate. Those findings will be forwarded to the involved member's Assistant Chief for review and appropriate action. If the Chief Probation Officer concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief Probation Officer.

Officer-Involved Shootings and Deaths

302.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of another action of an officer.

In other incidents not covered by this policy, the Chief Probation Officer may decide that the investigation will follow the process provided in this policy.

302.2 POLICY

The policy of the Trinity County Probation Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair, and impartial manner.

302.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation into policy compliance by involved officers.
- A civil investigation to determine potential liability.

302.3.1 CRIMINAL INVESTIGATIONS

The Chief Probation Officer should request that the law enforcement agency in whose jurisdiction the conduct occurred perform a criminal investigation into both the involved officer and the suspect.

302.3.2 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the Trinity County Probation Department should conduct an administrative and civil investigation of each involved officer.

A Trinity County Multi-Agency Officer Involved Critical Incident Protocol has been developed and entered into by the Probation Department to coordinate and assist investigations of critical incidents involving law enforcement agency personnel for possible presentation to the District Attorney for determination of whether criminal liability exists. This protocol ensures that all investigations of this nature are performed in a manner which provides for a thorough and professional inquiry that avoids conflicts of interest. This protocol is not intended to interfere with an employing agency's policy of providing peer support, family notifications, or other personal needs to an officer involved in a critical incident. [See attachment: 2015 MOU - Ofcr. Inv. Critical Incid. Protocol - Reduced Size.pdf](#)

302.4 INVESTIGATION PROCESS

These procedures are guidelines used in the investigation of an officer-involved shooting or death.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Officer-Involved Shootings and Deaths

302.4.1 OFFICER RESPONSIBILITIES

The officer should, as appropriate:

- (a) Notify a supervisor.
- (b) Notify the appropriate local law enforcement agency.
- (c) Request appropriate emergency medical services.
- (d) Request additional resources from the Department or other law enforcement agencies.

302.4.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the Trinity County Probation Department supervisor should ensure completion of the duties outlined above, plus:

- (a) In the event a law enforcement investigator has not arrived, attempt to obtain a brief overview of the situation from any uninvolved officers.
 1. In the event there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) Each involved Trinity County Probation Department officer should be given an administrative order not to discuss the incident with other involved officers or Trinity County Probation Department members pending further direction from a supervisor.
- (c) As soon as practicable, in coordination with the supervising officer of the law enforcement investigator in charge of the criminal investigation, request that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 1. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that the officer is provided with appropriate security.

302.4.3 NOTIFICATIONS

The supervisor is responsible for notification to the following persons as soon as practicable:

- Chief Probation Officer
- District Attorney
- County Counsel
- Outside agency investigators
- Psychological/peer support personnel
- Clergy, if requested
- Presiding judge
- Involved officer's agency representative, if requested

Trinity County Probation Department

New Probation Manual

New Probation Manual

Officer-Involved Shootings and Deaths

302.4.4 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal representation will be accommodated.
 - 1. Involved Trinity County Probation Department officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with employee groups will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist should be provided by the Department to each involved Trinity County Probation Department officer. A licensed psychotherapist may also be provided to any other affected Trinity County Probation Department members, upon request.
 - 1. Interviews with a licensed psychotherapist will be considered privileged.
 - 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, the involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 - 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer (Government Code § 8669.4).

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until law enforcement investigators or lab personnel can properly retrieve it.

Each involved Trinity County Probation Department officer should be given reasonable paid administrative leave after an officer-involved shooting or death. It shall be the responsibility of the Chief Probation Officer to make schedule adjustments to accommodate such leave.

302.5 CRIMINAL INVESTIGATION

The District Attorney's Office is responsible for the determination as to whether criminal charges are filed as a result of any officer-involved shooting involving injury or death.

Criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

- (a) Trinity County Probation Department supervisors should not participate directly in any voluntary interview of Trinity County Probation Department officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Officer-Involved Shootings and Deaths

- (b) Any voluntary statement provided by an involved officer will be made available for any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

302.5.1 REPORTS BY INVOLVED TRINITY COUNTY PROBATION DEPARTMENT OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved Trinity County Probation Department officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

While the involved Trinity County Probation Department officer may write the report, it is generally preferred that such reports be limited to the report completed by the criminal investigators.

Nothing in this section shall be construed to deprive an involved Trinity County Probation Department officer of the right to consult with legal counsel prior to completing any such criminal report.

302.6 ADMINISTRATIVE INVESTIGATIONS

In addition to all other investigations associated with the incident, this department will conduct an internal administrative investigation of involved Trinity County Probation Department officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Chief Probation Officer or the authorized designee and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws (see the Personnel Complaints Policy).

- (a) Any involved officer may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
 1. If further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of the prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Officer-Involved Shootings and Deaths

1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative collectively or in groups prior to being interviewed (Government Code § 3303(i)).
3. Administrative interviews should be recorded by the investigator. The officer may also record the interview (Government Code § 3303(g)).
4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, the officer should be given *Lybarger* or *Garrity* rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
5. The assigned investigator shall compile all relevant information and reports necessary for the Chief Probation Officer to determine compliance with policies.
6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings to whether there was compliance with the Use of Force Policy.
7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

302.7 AUDIO AND VIDEO RECORDINGS

Any officer involved in a shooting or death may be permitted to review any video or audio recordings prior to providing a recorded statement or completing reports.

Upon request, non-department witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available video or audio recordings with the approval of assigned investigators or a supervisor.

Any video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or County Counsel, as appropriate.

302.8 DEBRIEFING

The Trinity County Probation Department should conduct both a critical incident stress debriefing and a tactical debriefing.

302.8.1 CRITICAL INCIDENT STRESS DEBRIEFING

A critical incident stress debriefing should occur as soon as practicable. The Supervising Deputy Probation Officer is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Officer-Involved Shootings and Deaths

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law, or a valid court order.

Attendance at the debriefing should only include those members of the Department directly involved in the incident. Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory personnel and personnel assigned to conduct administrative investigations of this incident.

302.8.2 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief Probation Officer should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to the criminal and/or administrative investigators.

302.9 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the investigating law enforcement agencies. Releases will be available to the Chief Probation Officer and assigned investigators in the event of inquiries from the media.

No involved Trinity County Probation Department officer shall comment to the media unless authorized by the Chief Probation Officer and the assigned law enforcement agency.

302.10 REPORTING

If the death, or shooting, of an individual occurs in any incident involving an officer of the Trinity County Probation Department and qualifies to be reported to the state, the Chief Probation Officer will ensure that the Custodian of Records is provided with enough information to meet the reporting requirements (Government Code § 12525.2; Government Code § 12525).

Firearms

303.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance, and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized by law and the Chief Probation Officer to carry firearms.

303.2 POLICY

The Trinity County Probation Department may authorize and equip certain members with firearms for specified duties. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

303.3 LEGAL AUTHORITY TO CARRY AND USE A FIREARM

The peace officer status of deputy probation officers is created in Penal Code § 830.5: "The following persons are peace officers whose authority extends to any place in the state while engaged in the performance of the duties of their respective employment and for the purpose of carrying out the primary function of their employment or as required under Sections 8597, 8598, and 8617 of the Government Code. Except as specified in this section, these peace officers may carry firearms only if authorized and under those terms and conditions specified by their employing agency: (emphasis added)..., deputy probation officer or deputy. The deputy probation officer's use of peace officers powers is defined and limited to on-duty hours by statute, court decisions and opinions of the California Attorney General's Office. Penal Code § 830.5 (a) reads in part, "Except as otherwise provided in this subdivision, the authority of these deputy probation officers shall extend only as follows: (a) To conditions of parole or of probation by any person in this state on parole or probation. (b) To the escape of any inmate or ward from a state or local institution. (c) To the transportation of persons on parole or probation. (d) To violations of any penal provisions of law that are discovered while performing the usual or authorized duties of his or her employment. (e) To the rendering of mutual aid to any other law enforcement agency. Deputy Probation Officers authority to carry and use firearms on-duty shall be consistent with these provisions of the Penal Code and shall be limited by the terms and conditions specified by this policy. Deputy Probation Officers authorized to carry firearms on duty are required, pursuant to 830.5(d) of the Penal Code, to meet the training requirements of 832 P.C. and to qualify with the firearm at least quarterly. Nothing in this policy shall be considered or construed as conferring on the authority beyond that granted by the Penal Code. Deputy Probation Officers authorized to carry firearms shall comply with the requirements of the Penal Code and these policies. Under the provisions of Section 830.5 of the Penal Code, a deputy probation officer holds peace officer "status" at all times and may therefore carry a personal, concealed firearm during off-duty hours without being in violation of Section 12025 of the Penal Code. The "authority" to act as a peace officer however, only extends

Trinity County Probation Department

New Probation Manual

New Probation Manual

Firearms

to on-duty hours while the deputy probation officer is engaged in the performance of his/her duties. A deputy probation officer who carries or uses any firearm off-duty therefore does so as a private citizen.

Any consequences of liability of any kind arising out of any act or incident involving the use or carrying of any firearm during off-duty hours shall be the sole, personal responsibility of the deputy probation officer. The County assumes no liability or responsibility for such, off-duty use of a firearm by a deputy probation officer, and any act or incident shall not be deemed an official or permitted act or incident or the exercise of peace officer "authority." Any misuse of a firearm off-duty by a deputy probation officer may subject that deputy probation officer to disciplinary action up to and including termination, in addition to any civil or criminal action to which the deputy probation officer may be subjected.

303.4 AUTHORIZATION TO CARRY A FIREARM ON DUTY

The Department will not order a deputy probation officer to be armed and may restrict duty assignments accordingly. Deputy Probation Officers that want to be armed must complete the Arming Application (303.5) and submit to the Chief Probation Officer for consideration. Deputy Probation Officers authorized to carry a firearm are encouraged to carry their weapon at all times while on duty. In any event, armed personnel should have their firearms and all authorized safety equipment readily available to them while on duty. The Arming Authorization shall be in writing and shall be signed by the Chief Probation Officer. No deputy probation officer shall carry a firearm on his/her person at any time or have a firearm in his/her possession in the office or any other job location or in his/her vehicle without the prior written authorization of the Chief Probation Officer obtained pursuant to these policies and procedures. The signed Arming Authorization form shall be kept in the deputy probation officer's personnel file. The authorization to carry a firearm shall be subject to ongoing periodic review by the Chief Probation Officer. The Chief Probation Officer may approve or deny any request by a deputy probation officer to be armed on a case-by-case basis subject to any terms and limitations deemed appropriate within the sole discretion of the Chief Probation Officer. The Chief Probation Officer may, at any time, for any reason or without cause, revoke the authority of any deputy probation officer to carry a firearm on duty. The deputy probation officer shall immediately be informed of the revocation and, if necessary, transferred to an assignment not requiring arming. A copy of the written revocation shall be delivered to the deputy probation officer within five (5) working days, and a copy shall be placed in the deputy probation officer's personnel file.

303.5 ARMING APPLICATION

All requests by officers to be armed on duty will be submitted to the Chief Probation Officer using this form:

303.6 AUTHORIZED FIREARMS, AMMUNITION, AND OTHER WEAPONS

Members may carry firearms consistent with the written authorization of the Chief Probation Officer identifying when a firearm may be carried and any limitations.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Firearms

Authorized members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Rangemaster. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized range.

All other weapons not provided by the Department, including but not limited to edged weapons, chemical or electronic weapons, impact weapons, or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the Chief Probation Officer. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

303.6.1 HANDGUNS

The authorized handguns are department issued.

The probation officer shall be issued a department firearm.

The probation officer shall be issued a department holster and three magazines.

303.6.2 SHOTGUN/RIFLE DEPLOYMENT

If approved and issued, members should deploy a shotgun or rifle only in circumstances when the member can articulate a reasonable expectation that a shotgun or rifle may be needed. Members participating on a specialized team should refer to the Task Force Policy regarding authorization for specific operations.

Examples of some general guidelines for deployment of a shotgun or rifle may include but are not limited to:

- Situations when the member reasonably anticipates an armed encounter or an encounter with an individual wearing body armor.
- Situations when a member reasonably expects the need to meet or exceed an individual's firepower or may require long-range accuracy.
- When authorized or requested by a supervisor.
-

303.6.3 AUTHORIZED SECONDARY HANDGUN

Members authorized by the Chief Probation Officer to carry a firearm in the performance of their duties who desire to carry a secondary handgun must receive written approval from the Chief Probation Officer and are subject to the following restrictions:

- (a) The handgun shall be in good working order and approved by the Chief.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Firearms

- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge, or loss of physical control.
- (e) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief Probation Officer or the authorized designee shall approve the ammunition.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (h) Members shall provide written notice of the make, model, color, serial number, and caliber of a secondary handgun to the Rangemaster, who will maintain a list of the information.

303.6.4 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member's firearms qualification at minimum annually. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

303.6.5 LESS THAN LETHAL

- (a) Members shall wear a less than lethal option any time they are in a situation where they could reasonably be expected to take enforcement action, including, but not limited to when they are participating in field supervision activities.
- (b) Members are not required to wear a less than lethal option when they are functioning primarily in an administrative or support capacity and would not reasonably be expected to take enforcement action.
- (c) Member may be excused from wearing a less than lethal option when they are involved in undercover or plainclothes work that their supervisor determines could be compromised or when a supervisor determines that other circumstances make it inappropriate to mandate.

303.7 EQUIPMENT

Firearms shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Firearms

303.7.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Rangemaster.

Any repairs or modifications to the member's personally owned firearm shall be done at the member's expense and must be approved by the Rangemaster.

303.7.2 HOLSTERS

Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

303.7.3 TACTICAL LIGHTS

If so approved and issued by the Chief, tactical lights may only be installed on a firearm after they have been examined and approved by the Rangemaster. Except in an approved training situation, a member may only utilize a mounted tactical light when the member would otherwise be justified in pointing a firearm at the target.

303.7.4 OPTICS OR LASER SIGHTS

If so approved and issued by the Chief, optics or laser sights may only be installed on a firearm after they have been examined and approved by the Rangemaster. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

303.8 SAFE HANDLING, INSPECTION, AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.
- (c) Members shall not clean, repair, load, or unload a firearm anywhere or in any manner where there is a reason to believe an unintentional discharge could cause injury to others.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Firearms

- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into a custodial facility when securing or processing an arrestee, but shall instead place all firearms in a secured location.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas, or other type of chemical weapon or firearm except with approval of the Chief Probation Officer.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

303.8.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition.

Personally owned firearms may be safely stored in lockers at the end of the shift. Department-owned firearms shall be stored in the appropriate equipment storage room or individual office gun safes. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles shall be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

The Range Master shall inspect all firearms and duty ammo annually.

303.8.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles, or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil and criminal liability (Penal Code § 25100).

303.8.3 STORAGE IN VEHICLES

When leaving a handgun in an unattended vehicle, members shall ensure that it is locked in the trunk, or in a locked container that is placed out of view, or in a locked container that is permanently affixed to the vehicle's interior and not in plain view, or in a locked toolbox or utility box permanently affixed to the vehicle (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Firearms

If the vehicle does not have a trunk or a locked container, the firearm should be locked within the center utility console that can be locked with a padlock, keylock, combination lock, or other similar locking device (Penal Code § 25140).

Officers are exempt from these requirements during circumstances requiring immediate aid or action in the course of official duties (Penal Code § 25140).

303.8.4 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member's senses or judgment.

303.9 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete training quarterly with their duty firearms. All members will qualify at least quarterly with their duty firearms. Members will also qualify with off-duty and secondary firearms at least quarterly. Training and qualifications must be on an approved range course (Penal Code § 830.5).

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations, including low-light shooting.

303.9.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status, or scheduling conflict, that member shall submit a memorandum to the immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for:
 1. Unauthorized range make-up.
 2. Failure to meet minimum standards or qualify after remedial training.

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

303.10 FIREARMS DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to the member's supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional

Trinity County Probation Department

New Probation Manual

New Probation Manual

Firearms

statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall file a written report with the Assistant Chief or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, the member shall file a written report or provide a recorded statement no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

303.10.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., presence of local law enforcement or animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

A member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical (Penal Code 597.1(e)). A member shall attempt to gain approval of a supervisor prior to euthanizing an animal. Injured animals (with the exception of dogs and cats) may only be euthanized after a reasonable search to locate the owner has been made (Penal Code 597.1(b)). Injured dogs and cats found without their owners shall be taken to an appropriate veterinarian for determination of whether they should be treated or humanely destroyed.

303.10.2 WARNING AND OTHER SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective, and reasonably safe.

303.11 RANGEMASTER DUTIES

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training Manager after each range date. Failure of any member to sign in and out with the Rangemaster may result in non-participation or non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Firearms

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to the personally owned firearm; it will not be returned to service until it has been inspected and approved by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning, and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit to the Training Manager documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided, and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance, or other records as directed by the Training Manager.

303.12 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Trinity County Probation Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature, and the signature of the Chief Probation Officer or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).
- (c) The Trinity County Probation Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Trinity County Probation Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief Probation Officer authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail the itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Firearms

- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of the officer's assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on the officer's person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative, or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft or within eight hours prior to boarding an aircraft.

303.13 STOLEN OR LOST FIREARMS

- (a) A deputy probation officer shall file a report with the appropriate law enforcement agency immediately upon discovery that his/her on-duty firearm is missing.
- (b) A deputy probation officer shall also immediately report a lost or stolen firearm to his/her supervisor, who will notify the Chief Probation Officer via the chain of command.
- (c) The deputy probation officer will file a written report regarding the matter with their supervisor by the end of the assigned shift. The written report shall be submitted to the Chief Probation Officer through the chain of command.
- (d) The deputy probation officer may be required to reimburse the Department in the event that a Department-owned firearm and related equipment is lost through negligence of the deputy probation officer as per County policy. This requirement may be imposed in addition to any disciplinary action imposed by the Department for the deputy probation officer's negligence.
- (e) Arrangements may be made for the temporary or permanent issuance of another firearm if the Chief Probation Officer or Assistant Chief Probation Officer authorizes such issuance. The deputy probation officer shall qualify with the newly issued firearm before authorization to carry the firearm on-duty shall become effective.

Handcuffing and Restraints

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

This policy does not address the handcuffing and restraint of juveniles appearing in court or those already detained in, or committed to, a local secure juvenile facility, camp, ranch, or forestry camp.

304.2 POLICY

The Trinity County Probation Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, and department training. Restraint devices shall not be used to punish, to display authority, or as a show of force.

304.3 USE OF RESTRAINTS

Only members who have successfully completed Trinity County Probation Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime or violation leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing in the front to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

304.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion on the detainee.

304.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure herself or others, or damage property.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Handcuffing and Restraints

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others.

304.3.3 RESTRAINT OF JUVENILES

A juvenile younger than 14 years of age should not be restrained unless the juvenile is suspected of a dangerous felony or when the officer reasonably suspects that the juvenile may resist, attempt escape, self-injure, injure the officer, or damage property.

Mechanical restraint devices, other than handcuffs, shall not be used unless circumstances exist that indicate a heightened risk of physical harm to the juvenile or another person, or due to a substantial risk of flight. In all cases in which mechanical restraint devices other than handcuffs are used on a juvenile, a transport log sheet shall be completed indicating the reason for the additional restraint device(s) (Welfare and Institutions Code § 210.6)

304.3.4 NOTIFICATIONS

Whenever an officer transports a person in restraints other than handcuffs, the officer shall inform the detention facility staff upon arrival at the facility that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the detention facility.

304.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department unless required by law, other policy, or facility regulations. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed regardless of the circumstances.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Handcuffing and Restraints

304.5 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon a person in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and so that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations when the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head, and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after use.

304.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, but while permitting adequate movement, comfort, and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

304.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, officers should consider:

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.
- (b) Whether it is reasonably necessary to protect the person from the person's own actions (e.g., hitting head against the interior of the agency vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at the windows of the vehicle).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Handcuffing and Restraints

304.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints, the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be laid face-down for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain prone in a face-down position.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by emergency medical services, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

304.8 REQUIRED DOCUMENTATION

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report. The officer should include, as appropriate:

- (a) How handcuffs were applied (e.g., double-locked and gapped).
- (b) The amount of time the person was restrained.
- (c) How the person was transported and the position of the person during transport.
- (d) Observations of the person's behavior and any signs of physiological problems.
- (e) Any known or suspected drug use or other medical problems.
- (f) Any complaint regarding restraints being too tight and how the complaint was resolved.

In all cases in which mechanical restraint devices other than handcuffs are used on a juvenile, a transport log sheet shall be completed indicating the reason for the additional restraint device(s) (Welfare and Institutions Code § 210.6)

304.9 TRAINING

Subject to available resources, the Training Manager should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Handcuffing and Restraints

- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

Control Devices

305.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

This policy does not address the application of a control device on a juvenile who has already been detained.

305.2 POLICY

In order to control individuals who are violent or who demonstrate the intent to be violent, the Chief Probation Officer may authorize officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

305.3 ISSUING, CARRYING, AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief Probation Officer or the authorized designee.

Only those members who have been authorized by the Chief Probation Officer and who have successfully completed department-approved training on this policy and the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain, or arrest a person who is violent or who demonstrates the intent to be violent and using the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

305.4 RESPONSIBILITIES

305.4.1 RANGEMASTER RESPONSIBILITIES

The Rangemaster shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated, or expended control devices are properly disposed of, repaired, or replaced.

Every control device will be periodically inspected by the Rangemaster or the designated instructor for a particular control device. The inspection shall be documented.

305.4.2 USER RESPONSIBILITIES

All normal maintenance, charging, or cleaning shall remain the responsibility of personnel using the devices.

Any damaged, inoperative, outdated, or expended control devices, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Documentation shall also be forwarded through the chain of command, when appropriate, explaining the cause of damage.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Control Devices

305.5 BATON GUIDELINES

If so approved and issued by the Chief, officers shall carry the baton as authorized and in accordance with the needs of their assignments or at the direction of their supervisors.

The need to immediately control a subject must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys, and groin should not be intentionally targeted except when the officer reasonably believes the subject poses an imminent threat of serious bodily injury or death to self or others.

305.6 OLEORESIN CAPSICUM GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray may be considered for use to bring under control an individual engaging in, or about to engage in, violent behavior. OC spray should not be used against individuals who do not reasonably appear to present a risk to the safety of department members or the public.

305.6.1 TREATMENT FOR EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those who complain of further severe effects shall be examined by appropriate medical personnel.

305.7 POST-APPLICATION NOTICE

Whenever OC has been introduced into a residence, building interior, vehicle, or other enclosed area, the owners or available occupants should be provided with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that cleanup will be at the owner's expense. Information regarding how and when the notice was delivered and the individuals notified should be included in related reports.

305.8 TRAINING FOR CONTROL DEVICES

The Training Manager shall ensure that those members who are authorized to carry a control device (which includes OC Spray) have been properly trained and certified to carry the specific control device and are retrained or re-certified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the member's training file.
- (c) All staff are to receive initial training in a control device prior to issuance and approval for carry and use.
- (d) All staff will receive biennial training on the use of authorized control devices.
- (e) Members who fail to demonstrate proficiency with the control device or knowledge of the Use of Force Policy will be provided remedial training. If a member cannot demonstrate proficiency with a control device or knowledge of the Use of Force Policy after remedial training, the member will be restricted from carrying the control device and may be subject to discipline.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Control Devices

305.9 REPORTING USE OF CONTROL DEVICES

Any application of a control device shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Search and Seizure

306.1 PURPOSE AND SCOPE

Both the federal and state constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Trinity County Probation Department personnel to consider when dealing with search and seizure issues.

306.2 POLICY

It is the policy of the Trinity County Probation Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards, and prosecutorial considerations regarding specific search and seizure situations.

306.3 SEARCHES GENERALLY

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions to the rule that permit a warrantless search.

Examples of probation supervision activities that are exceptions to the general warrant requirement include but are not limited to searches pursuant to:

- Authorization under the terms or conditions of a person's release or supervision.
- Valid consent.
- Incident to a lawful arrest.
- Vehicle searches under certain circumstances.
- Exigent circumstances.

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and the member's familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Search and Seizure

306.3.1 PROBATION SEARCHES

All probation searches shall be conducted in accordance with this policy in a thorough and professional manner that demonstrates consideration for the rights and property of the clients.

All searches shall be related to a proper probation purpose. This includes searches done to deter further offenses by the probationer and searches to ascertain whether the probationer is complying with the terms of probation. Searches shall be consistent with the scope of the probation order and shall not be conducted for harassment or for arbitrary and capricious reasons (*People v. Bravo*).

Any Peace Officer may apply the search and seizure condition of probation if authorized by the Court order granting probation. The deputy probation officer shall verify the existence of a valid search condition upon request from any law enforcement agency. If a law enforcement agency contacts the department during duty hours requesting assistance for a probation search, the deputy probation officer should advise the supervisor of the request. A copy of the Court order that includes the search condition should be faxed to the requesting law enforcement agency. The deputy probation officer should document the date and time, the name of the officer to whom the information was provided, and the agency. If for any reasons it is unclear whether a valid search can be conducted, the supervisor shall either contact the District Attorney's Office or refer the requesting law enforcement agency to the District Attorney's Office.

Probation searches are limited to areas and property governed by the search order. Within those areas, probation searches are permitted of the probationer's property and those areas that the probationer jointly controls (*People v. Palmquist*). Consent of the probationer or any other person sharing occupancy or ownership is not required, but should be sought and obtained if practical.

Neither the probationer's presence nor the presence of any other common occupant or owner is necessary for the search of the residence, vehicle, or property of the probationer (*People v. Lilienthal*). The probationer must be given notice of the reason and purpose of the search in advance of the search only if the probation condition actually requires such advance notice (*People v. Mason*). For purposes of deputy probation officer safety, the probationer or any person present may be handcuffed during the search.

For residential searches, Section 1531 and Section 844 PC prescribe "knock and notice" rules which permit entry in the absence of any occupant and which permit entry of any residence without consent for good cause.

Officer safety is the controlling factor during any search. In the event of a perceived threat to life or limb, when practical, deputy probation officers are directed to withdraw and seek assistance from local law enforcement.

Unarmed deputy probation officers conducting residential searches should be accompanied either by armed deputy probation officers or local law enforcement.

All planned searches by Probation personnel shall be referred to the supervisor.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Search and Seizure

306.4 SEARCH PROTOCOL

Although conditions will vary, and officer safety and other exigencies must be considered in every search situation, these guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations, or access codes when a search of locked property is anticipated.
- (e) Preventative searches similar to those used at school events and other such functions should only be performed by an officer specially assigned to work within the schools (i.e. School Intervention Officer or SRO). Non school-assigned officers may perform stand-by duty for preventative searches conducted by school staff or other non-peace officer persons but may not directly participate in preventative searches.
- (f) Whenever practicable, a search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.
- (g) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, these guidelines should be followed:
 1. Another officer or a supervisor should witness the search.
 2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing, or clothing that could not reasonably conceal a weapon.

306.5 DOCUMENTATION

Officers are responsible for documenting any search and ensuring that any required reports are sufficient, including, at a minimum, documentation of:

- Reason for the search.
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys).
- What, if any, injuries or damage occurred.
- All steps taken to secure property.
- The results of the search, including a description of any property or contraband seized.
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witnesses.

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented, and that current legal requirements and department policy have been met.

Discriminatory Harassment

307.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law (Government Code § 12940(k); 2 CCR 11023).

307.2 POLICY

The Trinity County Probation Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

See Procedures Manual on Discriminatory Harassment for further information.

- [DISCRIMINATORY HARASSMENT PROCEDURES](#)

307.3 DEFINITIONS

Definitions related to this policy include:

307.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or

Trinity County Probation Department

New Probation Manual

New Probation Manual

Discriminatory Harassment

pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

307.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

307.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

307.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and California Civil Rights Council guidelines.
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with County or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

307.4 RESPONSIBILITIES

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief Probation Officer, the Director of Human Resources, or the County Administrative Officer.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Discriminatory Harassment

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

307.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Chief Probation Officer, the Director of Human Resources, the County Administrative Officer, or the California Civil Rights Department for further information, direction, or clarification (Government Code § 12950).

307.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Chief Probation Officer or the Director of Human Resources in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

307.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline, in a manner that is consistent with established procedures.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Discriminatory Harassment

307.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation, or harassment shall be fully documented, and promptly and thoroughly investigated.

307.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

307.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief Probation Officer, the Director of Human Resources, or the County Administrative Officer.

307.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

307.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Chief Probation Officer. The outcome of all reports shall be:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Discriminatory Harassment

- (a) Approved by the Chief Probation Officer, the County Administrative Officer, or the Director of Human Resources, depending on the ranks of the involved parties.
- (b) Maintained in accordance with the established records retention schedule.

307.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

307.7 WORKING CONDITIONS

The Chief Probation Officer or the authorized designee should be responsible for reviewing facility design and working conditions for discriminatory practices. This person should collaborate with other County employees who are similarly tasked (2 CCR 11034).

307.8 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The members shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

307.8.1 STATE-REQUIRED TRAINING

The Training Manager should ensure that employees receive the required state training and education regarding sexual harassment, prevention of abusive conduct, and harassment based on gender identity, gender expression, and sexual orientation as follows (Government Code § 12950.1; 2 CCR 11024):

- (a) Supervisory employees shall receive two hours of classroom or other effective interactive training and education within six months of assuming a supervisory position.
- (b) All other employees shall receive one hour of classroom or other effective interactive training and education within six months of their employment or sooner for seasonal or temporary employees as described in Government Code § 12950.1.
- (c) All employees shall receive refresher training every two years thereafter.

If the required training is to be provided by the Civil Rights Department online training courses, the Training Manager should ensure that employees are provided the following website address to the training course: <https://calcivilrights.ca.gov/> (Government Code § 12950; 2 CCR 11023).

307.8.2 TRAINING RECORDS

The Training Manager shall be responsible for maintaining records of all discriminatory harassment training provided to members. Records shall be retained in accordance with established records retention schedules and for a minimum of two years (2 CCR 11024).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Discriminatory Harassment

307.8.3 REQUIRED POSTERS

The Department shall display the required posters regarding discrimination, harassment, and transgender rights in a prominent and accessible location for members (Government Code § 12950).

Mandatory Reporting

307.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for notification to the appropriate social services entities and local law enforcement in the case of encountered, reported, or suspected abuse.

This policy also addresses documentation specific to the discovery of abuse.

307.2 POLICY

It is the policy of the Trinity County Probation Department to ensure documentation and notification to the proper entity, as may be required by law, in the case of encountered, reported, or suspected abuse.

307.3 CHILD ABUSE

307.3.1 NOTIFICATION

Members of this department who are mandated reporters of child abuse pursuant to Penal Code § 11165.7 shall notify law enforcement or the County Welfare Office when the member has knowledge of or observes a child who the member knows or reasonably suspects has been the victim of child abuse or neglect (Penal Code § 11165.9; Penal Code § 11166).

When the Trinity County Probation Department receives a report of abuse or neglect, notification shall be made to the law enforcement agency having jurisdiction and the County Welfare Office.

The District Attorney's office shall also be notified in all instances of known or suspected child abuse or neglect reported to the Trinity County Probation Department, except the following (Penal Code § 11166; Penal Code § 11165.2; Penal Code § 11165.13).

- (a) A report of general neglect by a person who has the care or custody of a child to provide adequate food, clothing, shelter, medical care, or supervision, and where there is no physical injury to the child.
- (b) A report of a positive toxicology screen at the time of the delivery of an infant, unless there is an indication of maternal substance abuse.

When the abuse or neglect occurs at a licensed facility or is alleged to have resulted from the actions of a person who is required to have a state license (e.g., foster homes, group homes, day care), notification shall also be made to the California Department of Social Services or other applicable licensing authority. When the alleged abuse or neglect involves a child of a minor parent or a dependent adult, notification shall also be made to the attorney of the minor or the dependent adult within 36 hours (Penal Code § 11166.1; Penal Code § 11166.2).

For purposes of notification, abuse or neglect includes physical injury or death inflicted by other than accidental means upon a child by another person; sexual abuse (Penal Code § 11165.1); neglect (Penal Code § 11165.2); willful harm or injury to a child or endangering the person or health of a child (Penal Code § 11165.3); and unlawful corporal punishment or injury (Penal Code § 11165.4). Child abuse or neglect does not include a mutual affray between minors, nor does it

Trinity County Probation Department

New Probation Manual

New Probation Manual

Mandatory Reporting

include an injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of employment as a peace officer.

307.3.2 NOTIFICATION PROCEDURE

Notification should occur as follows (Penal Code § 11166):

- (a) When the member is making an initial notification:
 - 1. Notification shall be made immediately, or as soon as practicable, by telephone.
 - 2. A written follow-up mandated report shall be forwarded by fax or electronic transmission within 36 hours of receiving the information concerning the incident. See [California Department of Justice Child Abuse Report for Mandated Child Abuse Reporters](#).
- (b) When the Trinity County Probation Department is making notification:
 - 1. Notification shall be made immediately, or as soon as practicable, by telephone, fax, or electronic transmission.
 - 2. A written report shall be forwarded by fax or electronic transmission within 36 hours of receiving the information concerning the incident.
 - 3. For cases involving the commercial sexual exploitation of a child who is receiving child welfare services, notification shall be made as soon as possible and no longer than within 24 hours to a law enforcement agency that has jurisdiction over a case.
 - 4. For cases involving a child who is receiving child welfare services who is reasonably believed to be the victim of commercial sexual exploitation and is missing or has been abducted, notification shall be made to the appropriate law enforcement authority as soon as possible and no longer than within 24 hours for entry into NCIC and to the National Center for Missing and Exploited Children.

307.3.3 EMERGENCY REMOVAL

An officer may take temporary custody of a minor without a warrant when the officer reasonably believes that the minor (Welfare and Institutions Code § 300; Welfare and Institutions Code § 305):

- (a) Is in immediate need of medical care.
- (b) Is in immediate danger of physical or sexual abuse.
- (c) Is in a physical environment that poses an immediate threat to the minor's health or safety.
- (d) Is left unattended, posing an immediate threat to the minor's health or safety.
 - 1. Officers shall attempt to contact the parent or guardian to take custody of the unattended child.
 - 2. If contact with the parent or guardian of the unattended minor cannot be made, the County Welfare Office shall be contacted to assume custody of the minor.
- (e) Is in the hospital and release to the parent poses an immediate threat to the minor's health or safety.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Mandatory Reporting

- (f) Is a dependent of the juvenile court and the officer reasonably believes that the juvenile has violated an order of the court.
- (g) Has left any placement ordered by the juvenile court.
- (h) Requires medical or other care after having been found suffering from injury or sickness in a public place.

307.4 ELDER AND ADULT DEPENDENT ABUSE

307.4.1 NOTIFICATION

Members of this department who are mandated reporters of elder or dependent adult abuse pursuant to Welfare and Institutions Code § 15630 shall notify the county adult protective services agency of known, suspected, or alleged instances of abuse when the member reasonably suspects, has observed, or has knowledge of an incident that reasonably appears to be abuse of an elder or dependent adult, or are told by an elder or dependent adult that the individual has experienced abuse.

For purposes of notification, a dependent adult is an individual between 18 and 64 years of age who has physical or mental limitations that restrict the ability to carry out normal activities or to protect the individual's rights, including but not limited to persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. This also includes those admitted as inpatients to a 24-hour health facility, as defined in state law (Welfare and Institutions Code § 15610.23). An elder adult is an individual residing in this state who is age 65 or older (Welfare and Institutions Code § 15610.27).

For purposes of notification, abuse is physical abuse, abandonment, abduction, isolation, financial abuse, or neglect. Physical abuse includes any assault or sex crime (Welfare and Institutions Code § 15610.63). Financial abuse includes taking personal or real property by undue influence or intent to defraud (Welfare and Institutions Code § 15610.30).

Because additional notifications may also be required, depending on where the alleged abuse occurred, the supervisor is responsible for ensuring that proper notifications are made to the District Attorney's Office and any other regulatory agency that may be applicable (e.g., care facility, hospital) (Welfare and Institutions Code § 15630).

307.4.2 NOTIFICATION PROCEDURE

Notification should occur as follows (Welfare and Institutions Code § 15630):

- (a) Notification shall be made immediately, or as soon as practicable, by telephone, fax, or electronic transmission. See [Suspected Dependent/Elder Abuse Report form](#).
- (b) A written report shall be forwarded within two working days.

307.5 DOCUMENTATION

In all encountered, reported, or suspected cases of abuse, officers should, after making the notifications above, document the notification and the circumstances surrounding discovery of the abuse.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Mandatory Reporting

307.6 CONFIDENTIALITY OF REPORTS

Information related to incidents of abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Penal Code § 11167.5; Welfare and Institutions Code § 15633).

Victim and Witness Assistance

308.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that members address victim- and witness-related issues appropriately.

308.2 POLICY

The Trinity County Probation Department recognizes the difficulties faced by victims and witnesses of crime. The members of the Trinity County Probation Department will treat victims with compassion and provide them the services required by law.

308.3 RESPONSIBILITIES

Member responsibilities include the following:

- (a) Members preparing a pre-sentence/social study investigation are expected to include available information regarding the impact of the offense on the victim and the victim's family and any sentencing/disposition recommendations from the victim as required by California Constitution Article I § 28.
- (b) Officers who supervise a client requesting a transfer to another county shall provide written notice of the date, time, and place set for hearing on the motion to the victim, if a victim exists (Cal. Rules of Court, Rule 4.530).
- (c) Members should follow county protocol as applicable regarding notice to witnesses who were threatened by the offender following the offender's arrest and each victim or next of kin of the victim of a violent offense of their right to request and receive a release notification (Penal Code § 679.03).
- (d) Officers should provide victims, or the parents or guardians of the victim if the victim is a minor, or the next of kin of the victim if the victim has died written material containing their rights pursuant to Penal Code § 1191.1 and Penal Code § 1191.2.
- (e) Members will notify a victim of domestic violence or abuse, or a victim of stalking of the offender's current community of residence or proposed community of residence when the offender is being placed on or being released on probation when the victim has requested notification and provided the department with a current address for notification (Penal Code § 679.06).

308.4 VICTIM SAFETY

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct the person to the proper written department material or available victim resources.

Officers should report all known allegations of victim intimidation to the appropriate local law enforcement agency and prosecutor as soon as practicable.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Victim and Witness Assistance

308.5 VICTIM INFORMATION

Written victim information materials should include:

- (a) Shelters and other community resources for victims, including domestic violence and sexual assault victims.
- (b) An advisement that a person who was arrested may be released on bond, probation, or other forms of release and that the victim should not rely upon such status or supervision as a guarantee of safety.
- (c) A clear explanation of relevant court orders and how they can be obtained.
- (d) Information regarding available compensation for qualifying victims of crime.
- (e) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an adult offender's custody status and to register for automatic notification when a person is released from jail.
- (f) Notice regarding U visa and T visa application processes.
- (g) Resources available for victims of identity theft.
- (h) Victims' rights provided in Penal Code § 1191.1 and Penal Code § 1191.2, including:
 - 1. Their right to attend all sentencing or disposition proceedings.
 - 2. Adequate notice of all sentencing or disposition proceedings.
 - 3. Information concerning the victim's right to civil recovery against the offender.
 - 4. The requirement that the court order restitution for the victim.
 - 5. The victim's right to receive a copy of the restitution order from the court and to enforce the restitution order as a civil judgment.
 - 6. The victim's responsibility to furnish the probation department, district attorney, and court with information relevant to any losses.
 - 7. The victim's opportunity to be compensated from the Restitution Fund if eligible. This information shall be in the form of written material prepared by the Judicial Council in consultation with the California Victim Compensation Board, shall include the relevant sections of the Penal Code, and shall be provided to each victim for whom the probation officer has a current mailing address.

308.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that the witness's identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should report all known allegations of witness intimidation to the appropriate local law enforcement agency and prosecutor as soon as practicable.

Information Technology Use

309.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software, and systems.

309.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented, or licensed by the Trinity County Probation Department that are provided for official use by its members. This includes all access to, and use of, internet service providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes but is not limited to computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), pagers, modems, or any other tangible computer device generally understood to comprise hardware.

Software - Includes but is not limited to all computer programs, systems, and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file, or file - Any electronic document, information, or data residing or located, in whole or in part, on the system, including but not limited to spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs, or videos.

309.2 POLICY

It is the policy of the Trinity County Probation Department that members shall use information technology resources, including computers, software, and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Personnel Department](#)

309.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy regarding emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any department computer system.

The Department reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or

Trinity County Probation Department

New Probation Manual

New Probation Manual

Information Technology Use

reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network, and/or any information placed into storage on any department system or device. This includes records of all keystrokes or web-browsing history made at any department computer or over any department network. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices, or networks.

The Department shall not require a member to disclose a personal username or password for accessing a personal social media account or to open a personal social website; however, the department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

309.4 RESTRICTED USE

Members shall not access computers, devices, software, or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software, or systems by another member to their supervisor.

Members shall not use another person's access passwords, login information, and other individual security data, protocols, and procedures unless directed to do so by a supervisor.

309.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes, in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software on any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief Probation Officer or the authorized designee.

No member shall knowingly make, acquire, or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems, or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as a part of the automated maintenance or update process of department- or County-approved or installed programs by the original manufacturer, producer, or developer of the software. Any other introduction of software requires prior authorization from IT staff members and a full scan for malicious attachments.

309.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems

Trinity County Probation Department

New Probation Manual

New Probation Manual

Information Technology Use

shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

309.4.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include but are not limited to adult forums, pornography, gambling, chat rooms, and similar or related internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information from the internet shall be limited to messages, mail, and data files.

309.4.4 OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email, or any other off-the-clock work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

309.5 PROTECTION OF SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off, and password protections enabled whenever the user is not present. Access passwords, login information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to a supervisor.

309.6 INSPECTION AND REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and

Trinity County Probation Department

New Probation Manual

New Probation Manual

Information Technology Use

any contents thereof, whether such inspection or review is in the ordinary course of supervisory duties or based on cause.

Reasons for inspection or review may include but are not limited to computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

Department Use of Social Media

310.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Speech, Expression, and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a compliance monitoring (see the Compliance Monitoring Policy).

310.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

310.2 POLICY

The Trinity County Probation Department may use social media as a method of effectively informing the public about department services, issues, investigations, recruitment, and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all people.

310.3 AUTHORIZED USERS

Only members authorized by the Chief Probation Officer or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief Probation Officer may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

310.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission, and that conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Department Use of Social Media

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings, or disaster information.
- (f) Traffic information.
- (g) Media releases.
- (h) Recruitment of personnel.

310.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy, and frequent updates are paramount, the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Assistant Chief.

310.5 PROHIBITED CONTENT

Content that is prohibited from posting includes but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory, or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal, or local laws.
- (c) Any information that could compromise an investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation, or professionalism of the Trinity County Probation Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, client, or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that the member believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

310.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Department Use of Social Media

310.6 MONITORING CONTENT

The Chief Probation Officer will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content, and the resolution of any issues.

310.7 RETENTION OF RECORDS

The Custodian of Records should establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

310.8 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, and dissemination and retention of information posted on department sites.

Report Preparation

311.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Department who complete reports as a part of their duties.

311.2 POLICY

It is the policy of the Trinity County Probation Department that members shall act with promptness and efficiency in the preparation and processing of all reports. Reports shall document sufficient information to refresh the member's memory and shall provide enough detail for follow-up investigation and successful prosecution.

311.3 EXPEDITIOUS REPORTING

Incomplete reports, unorganized reports, or reports that are delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or to a special priority necessary under exceptional circumstances.

311.4 REPORT PREPARATION

Reports should be sufficiently detailed for their purpose and free from errors prior to submission and approval. Members are responsible for completing and submitting all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be held.

All reports shall accurately reflect the identity of the persons involved; all pertinent information seen, heard, or assimilated by any other sense; and any actions taken. Members shall not suppress, conceal, or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such.

311.4.1 HANDWRITTEN OR TYPED REPORTS

County, state, and federal agency forms may be block printed unless the requirement for typing is apparent. Supervisors may require block printing or typing of reports of any nature for department consistency.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting member will be required by the reviewing supervisor to promptly make corrections and resubmit the report

311.4.2 NOTATION OF INFORMATION RECEIVED FROM THIRD PARTIES

When information included in a report was received from a third party that is not an identified law enforcement, probation, parole, or corrections agency, the member authoring the report should state which specific information was obtained from a third party and whether it was independently confirmed by a member from the Department.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Report Preparation

311.5 EVENTS REQUIRING A REPORT

311.5.1 CRIMINAL ACTIVITY AND VIOLATION CONDUCT

When a member becomes aware of any activity where a crime or violation of probation or supervised release has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in an incident or arrest report includes:

- (a) All violations of probation or supervised release.
- (b) Arrests made, Flash Incarceration used.
- (c) Incidents involving threats or stalking behavior regardless of arrest status.
- (d) Situations covered by the Use of Force Policy.

311.5.2 NON-CRIMINAL ACTIVITY AND NON-VIOLATION CONDUCT

Non-criminal activity to be documented includes:

- (a) Any found property or found evidence.
- (b) All protective custody and welfare detentions.
- (c) Any time a person is reported missing, regardless of jurisdiction.
- (d) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (e) Suspicious incidents that may place the public or others at risk.
- (f) Any use of force by members of this department against any person (see the Use of Force Policy).
- (g) Any firearm discharge (see the Firearms Policy).
- (h) Any time a member points a firearm at any person.
- (i) Any traffic accidents, involving department vehicles or members involved in County business, above the minimum reporting level (see the Vehicle Use, Safety, and Maintenance Policy).
- (j) Whenever the member believes the circumstances should be documented or at the direction of a supervisor.

311.5.3 MISCELLANEOUS INJURIES

Any injury reported to this department shall require an incident report when:

- (a) The injury is the result of drug overdose.
- (b) There is an attempted suicide.
- (c) The injury is major or serious and potentially fatal.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to document the event.
- (e) The injury is to a person in a member's custody or care.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Report Preparation

311.6 ADULT REQUIRED REPORTING

In all of the following situations, members shall complete reports using the appropriate department-approved forms and reporting methods, unless otherwise approved by a supervisor.

The reporting requirements are not intended to be all-inclusive. A member may complete a report if the member deems it necessary or as directed by a supervisor.

311.6.1 REPORTS TO THE COURT

As appropriate and necessary, officers should prepare and file with the court the following reports:

- (a) A pretrial diversion report, if requested by the court, as to the suitability of a person for pretrial diversion (Penal Code § 1000.1(5)(b)).
- (b) A presentence report for adult clients upon referral of a felony conviction from the court (Penal Code § 1203).
 1. The report should include a recommendation of whether the client should be granted probation and recommended conditions of probation, if granted (Penal Code § 1203).
 2. The report should be consistent with the requirements of Penal Code 1203(a) and Court Rule 4.411.5 (Penal Code §1203).
- (c) A conduct and worktime credit estimate to be filed with the court at the time of sentencing (Penal Code § 1191.3).
 1. The estimate shall also be provided to the victim.
- (d) A domestic violence report if a client has been granted probation for a violation of the domestic violence code (Penal Code § 1203.097(b)).
 1. The report should include recommendations of an appropriate batterer's program for the client.

311.7 JUVENILE REPORTING

Officers may be required to complete reports relating to juvenile clients in any of the following scenarios. Officers should complete reports consistent with the appropriate department forms and reporting methods, unless otherwise approved by a supervisor. The reports referenced herein are not intended to be all-inclusive.

311.7.1 SOCIAL STUDY REPORT

Officers shall prepare and file with the court a social study, prepared pursuant to the requirements of Welfare and Institutions Code § 706.5, as follows (Welfare and Institutions Code § 727.4):

- (a) At least 10 days before a permanency hearing held pursuant to Welfare and Institutions Code § 727.3.
- (b) At least 10 days before a placement review hearing held pursuant to Welfare and Institutions Code § 727.2.
- (c) After any hearing during which the court has ordered a minor into the supervision of the officer for placement (Welfare and Institutions Code § 727).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Report Preparation

311.7.2 ADDITIONAL REPORTS

Officers should also:

- (a) Prepare and file periodic reports and special reports, as appropriate, with the Department of Youth and Community Restoration pursuant to the requirements of, and on forms provided by, the Department of Youth and Community Restoration (Welfare and Institutions Code § 284).
- (b) Make periodic reports to the Attorney General pursuant to the requirements of the Attorney General (Welfare and Institutions Code § 285).
- (c) Prepare and file with the court written reports and recommendations as requested by the court with regard to custody, status, or welfare of a minor. Reports shall be prepared consistent with the requirements of Welfare and Institutions Code § 281.

311.8 COUNTY PERSONNEL OR PROPERTY

Incidents involving County personnel or property shall require a report when:

- (a) An injury occurs as the result of an act of a County employee or on County property.
- (b) There is damage to County property or equipment.

311.9 REVIEW AND CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete a correction form stating the reasons for rejection.

The original report and the correction form should be returned to the reporting member for correction as soon as practicable. It shall be the responsibility of the originating member to ensure that any report returned for correction is processed in a timely manner.

311.9.1 CHANGES AND ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Custodian of Records for filing and distribution shall not be modified or altered except by way of a supplemental report.

Reviewed reports not yet submitted to the Custodian of Records may be corrected or modified by the authoring member only with the knowledge and authorization of the reviewing supervisor.

Media Relations

312.1 PURPOSE AND SCOPE

This policy provides guidelines for the release of official department information to the media.

312.2 POLICY

It is the policy of the Trinity County Probation Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect inter- or intra-agency investigations will not be released.

312.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief Probation Officer. In situations not warranting immediate notice to the Chief Probation Officer and in situations where the Chief Probation Officer has given prior approval, staff designated by the Chief may prepare and release information to the media in accordance with this policy and applicable laws regarding confidentiality.

312.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of department members and other persons, advance information about planned actions by probation personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief Probation Officer.

Any exceptions to the above should only be considered for the furtherance of legitimate probation purposes. Prior to approving any exception, the Chief Probation Officer will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual or prejudice the rights of any person or is otherwise prohibited by law.

312.5 MEDIA REQUESTS

Any media request for information or access to department members shall be referred to the Public Information Officer, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:

- (a) At no time shall any member of this department make any comment or release any official information to the media without prior approval from a supervisor or the Public Information Officer.
- (b) In situations involving multiple agencies or government departments, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comment to the media regarding any probation incident not involving this department without

Trinity County Probation Department

New Probation Manual

New Probation Manual

Media Relations

prior approval of the Chief Probation Officer. Under these circumstances the member should direct the media to the agency handling the incident.

312.6 CONFIDENTIAL OR RESTRICTED INFORMATION

It shall be the responsibility of the PIO to ensure that confidential or restricted information is not inappropriately released to the media. When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

312.6.1 EMPLOYEE INFORMATION

The identities of officers involved in shootings or other critical incidents may only be released to the media upon the consent of the involved officer or upon a formal request filed.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of officers involved in shootings or other critical incidents, shall be referred to the PIO.

Requests should be reviewed and fulfilled by the Custodian of Records or, if unavailable, the Chief Probation Officer or the authorized designee. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and public records laws (e.g., California Public Records Act).

312.7 RELEASE OF INFORMATION

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents, or requests for public assistance in solving crimes or identifying suspects or clients with warrants. This information may also be released through the department website or other electronic data sources.

Outside Agency Assistance

313.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or assistance from a law enforcement agency.

313.2 POLICY

It is the policy of the Trinity County Probation Department to respond to requests for mutual aid or assistance by law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

313.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from a law enforcement agency should be routed to the Assistant Chief's office for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

Mutual aid or assistance may be provided by this department when a law enforcement agency requests assistance. The Assistant Chief may authorize an appropriate number of available officers to assist. Officers rendering assistance shall comply with applicable laws and the policies of this department.

Only officers who have been approved by the Chief Probation Officer to respond to requests for mutual aid or assistance are authorized to participate in any response. Officers who respond to a request for assistance shall notify a supervisor of their activity as soon as practicable.

313.3.1 EMERGENCY ASSISTANCE

Officers should not respond to any emergency calls except as authorized in this policy. If an officer believes that an emergency response is required in any other situation, the officer should immediately request a response by local law enforcement.

Officers should only respond to a request for assistance as an emergency response when dispatched and when authorized by this agency to operate an emergency vehicle under emergency circumstances. Officers responding should notify a supervisor as soon as reasonably practicable. Officers responding to an emergency request for assistance from a law enforcement agency shall proceed immediately as appropriate and shall operate the emergency vehicle lighting and siren as required by law (Vehicle Code § 21055; Vehicle Code § 21056).

Officers not responding to a request for assistance as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren. Officers responding to a request for assistance as an emergency response in a vehicle that is not equipped with lights and siren should observe all traffic laws.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Outside Agency Assistance

313.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from an outside agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

313.5 REPORTING REQUIREMENTS

Incidents of outside assistance shall be documented in a general case report or as directed by the Supervising Deputy Probation Officer.

313.6 SHARED EQUIPMENT AND SUPPLIES

A plan should be prepared by the Assistant Chief or the authorized designee regarding equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies.

The plan should include:

- (a) An itemization of the equipment.
- (b) The conditions relative to sharing.
- (c) The training requirements for:
 - 1. The use of the equipment and supplies.
 - 2. The members trained in the use of the equipment and supplies.
- (d) Any other requirements for use of the equipment and supplies.

Copies of the plan should be provided to the Assistant Chief to ensure use of the equipment and supplies complies with the sharing agreements.

The Training Manager should see that appropriate members have received the required training on the plan.

Major Incident Notification

314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Trinity County Probation Department in determining when, how, and to whom notification of major incidents should be made.

314.2 POLICY

The Trinity County Probation Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed. Additional information regarding media inquiries is addressed in the Media Relations policy.

314.3 CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief Probation Officer, the affected Supervising Deputy Probation Officer, and the appropriate County administrators. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Officer-involved shooting, whether on- or off-duty (see the Officer-Involved Shootings and Deaths Policy for special notification)
- Homicides, suspicious deaths, or other deaths related to probation activity
- Crimes or other behavior by clients of unusual violence, or circumstances that may include hostages, barricaded persons, home invasions, armed robbery, or sexual assaults involving clients
- In-custody deaths or in-custody serious injuries related to clients
- Traffic accidents with fatalities or severe injuries involving department members or clients
- Significant injury to or death of a member of the Department, whether on- or off-duty
- Arrest of a member of the Department
- Equipment failures, utility failures, and incidents that may affect staffing or pose a threat to basic probation services
- Any other incident that has attracted or is likely to attract significant media attention

314.4 ASSISTANT CHIEF RESPONSIBILITIES

The Assistant Chief is responsible for making the appropriate notifications. The Assistant Chief shall make reasonable attempts to obtain as much information on the incident as possible before notification and shall attempt to make the notifications as soon as practicable. Notification should be made by using the call notification protocol that should be posted in a readily available location.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Major Incident Notification

314.4.1 CHIEF PROBATION OFFICER NOTIFICATION

In the event an incident occurs as identified in the Criteria for Notification section above, the Chief Probation Officer shall be notified along with the affected Assistant Chief and the supervisor of the affected division.

314.4.2 INVESTIGATOR NOTIFICATION

If the incident requires that an investigator respond from home, the Chief Probation Officer or the authorized designee shall be notified and will then assign the appropriate investigator (e.g., internal affairs investigations).

314.4.3 MEDIA RELATIONS

The Chief Probation Officer or the authorized designee should assign the Public Information Officer or an officer to respond to requests for information if it appears the media may have a significant interest in the incident.

Limited English Proficiency Services

315.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

315.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficiency (LEP) individual - Any individual whose primary language is not English and who has a limited ability to read, write, speak, or understand English. These individuals may be competent in certain types of communication (e.g., speaking, understanding) but still exhibit LEP for other purposes (e.g., reading, writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting, but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Trinity County Probation Department, designated by the Department, who has the ability to communicate fluently, directly, and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

315.2 POLICY

It is the policy of the Trinity County Probation Department to reasonably ensure that LEP individuals have meaningful access to probation services, programs, and activities while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights, or programs based on national origin or any other protected interest or right.

315.3 LEP COORDINATOR

The Chief Probation Officer shall delegate certain responsibilities to an LEP coordinator. The coordinator shall be appointed by, and directly responsible to, the Administrative Supervising Deputy Probation Officer or the authorized designee.

The responsibilities of the coordinator include but are not limited to:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Limited English Proficiency Services

- (a) Coordinating and implementing all aspects of the Trinity County Probation Department's LEP services to LEP individuals.
- (b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.
- (c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Supervising Deputy Probation Officer. The list should include information regarding:
 - 1. Languages spoken.
 - 2. Contact information.
 - 3. Availability.
- (d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.
- (e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.
- (f) Annually assessing demographic data and other resources, including contracted language services utilization data and data from community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.
- (g) Identifying standards and assessments to be used by this department to qualify individuals as qualified bilingual members or authorized interpreters.
- (h) Periodically reviewing the department's efforts in providing meaningful access to LEP individuals, and, as appropriate, developing reports, developing new procedures, or recommending modifications to this policy.
- (i) Receiving and responding to complaints regarding department LEP services.
- (j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs, and activities.

315.4 FOUR-FACTOR ANALYSIS

Because there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of the following four factors, which are:

- (a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of this department or a particular geographic area.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Limited English Proficiency Services

- (b) The frequency with which LEP individuals are likely to come in contact with department members, programs, or services.
- (c) The nature and importance of the contact, program, information, or service provided.
- (d) The cost of providing LEP assistance and the resources available.

315.5 TYPES OF LEP ASSISTANCE AVAILABLE

Trinity County Probation Department members should never refuse service to an LEP individual requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will use all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include but are not limited to the assistance methods described in this policy.

315.6 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

315.7 AUDIO RECORDINGS

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals representative of the community being served.

315.8 QUALIFIED BILINGUAL MEMBERS

Bilingual members of this and other county departments may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members who provide LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence, or conveying rights or responsibilities.

315.9 AUTHORIZED INTERPRETERS

Designated county employees authorized to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective

Trinity County Probation Department

New Probation Manual

New Probation Manual

Limited English Proficiency Services

translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP coordinator that demonstrates their skills and abilities in the following areas:

- (a) The competence and ability to communicate information accurately in both English and in the target language.
- (b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.
- (c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (d) Knowledge of the ethical issues involved when acting as a language conduit.

315.9.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other County departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

315.9.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted above), and have been approved by the Department to communicate with LEP individuals.

When qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called on when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Limited English Proficiency Services

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

315.10 CONTACT AND REPORTING

Although all probation contacts, services, and individual rights are important, this department will use the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation that involves a situation in which interpretation services were provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services used and whether the individual elected to use services provided by the Department or some other identified source.

315.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Trinity County Probation Department will take reasonable steps and will work with the Department of Human Resources to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

315.12 FIELD SUPERVISION

Field supervision will generally include such contacts as home, school, or work visits and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and use the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information, and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

315.13 INVESTIGATIVE FIELD INTERVIEWS

In any situation where an interview may reveal information that could be used as the basis for revocation of probation or supervised release, or arrest, or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses, and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the

Trinity County Probation Department

New Probation Manual

New Probation Manual

Limited English Proficiency Services

interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

An LEP individual's bilingual friends, family members, children, neighbors, or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

315.14 CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal case. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter. To ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible.

315.15 COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during a complaint investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

315.16 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional probation duties. This department will continue to work with community groups, local businesses, and neighborhoods to provide equal access to such programs and services.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Limited English Proficiency Services

315.17 TRAINING

To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

The Training Manager shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Training Manager shall maintain records of all LEP training provided and will retain a copy in each member's training file in accordance with the established records retention schedule.

315.17.1 TRAINING FOR AUTHORIZED INTERPRETERS

All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

Members on the authorized interpreter list must receive refresher training annually or they will be removed from the authorized interpreter list. This annual training should include language skills competency (including specialized terminology) and ethical considerations.

The Training Manager shall be responsible for coordinating the annual refresher training and will maintain a record of all training the interpreters have received.

Communications with Persons with Disabilities

316.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

316.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include but are not limited to using gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

Qualified interpreter - A person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters, and intermediary interpreters.

316.2 POLICY

It is the policy of the Trinity County Probation Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects, and arrestees, have equal access to probation services, programs, and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights, or programs based upon disabilities.

316.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Chief Probation Officer shall delegate certain responsibilities to an ADA coordinator (28 CFR 35.107). The coordinator shall be appointed by and directly responsible to the Chief Probation Officer or the authorized designee.

The responsibilities of the coordinator include but are not limited to:

- (a) Working with the County ADA coordinator regarding the Trinity County Probation Department's efforts to ensure equal access to services, programs, and activities.
- (b) Developing reports or new procedures or recommending modifications to this policy.
- (c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs, and activities.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communications with Persons with Disabilities

- (d) Ensuring that a list of qualified interpreter services is maintained and available to each member of the department. The list should include information regarding:
 - 1. Contact information.
 - 2. Availability.
- (e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.
- (f) Ensuring signage is posted in appropriate areas indicating that auxiliary aids are available free of charge to individuals with disabilities.
- (g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs, and activities.

316.4 FACTORS TO CONSIDER

Because the nature of any probation contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs, and activities. These factors may include but are not limited to:

- (a) Members should not always assume that effective communication is being achieved. That an individual appears to be nodding in agreement does not always mean the individual completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate understanding.
- (b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
- (c) The nature of the probation contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- (d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

316.5 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various probation encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communications with Persons with Disabilities

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length, and complexity of the involved communication.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, is hard of hearing, or has impaired speech must be handcuffed while in the custody of the Trinity County Probation Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

316.6 TYPES OF ASSISTANCE AVAILABLE

Trinity County Probation Department members shall never refuse an available service to an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall it require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to disabled individuals through a variety of services.

Disabled individuals may choose to accept department-provided auxiliary aids or services, or they may choose to provide their own.

Department-provided auxiliary aids or services may include but are not limited to the assistance methods described in this policy.

316.7 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form (e.g., a personnel complaint form) or provide forms with enlarged print.

316.8 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect, or arrestee) if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communications with Persons with Disabilities

interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time but in no event longer than one hour if requested.
- (b) Experienced in providing interpretation services related to probation matters.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide an interpreter (28 CFR 35.160).

316.9 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking, attorney contacts), members must also provide those who are deaf, are hard of hearing, or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

316.10 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communications with Persons with Disabilities

316.11 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect/client/person on supervised release).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.
- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

316.12 REPORTING

Whenever any member of this department is required to complete a report or other documentation and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

316.13 FIELD SUPERVISION

Field supervision will generally include such contacts as home, work, or school visits, street contacts, community encounters, and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity, and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information, and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communications with Persons with Disabilities

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

316.13.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, depending on the circumstances, include such simple things as:

- (a) Hand gestures or visual aids with an individual who is deaf, is hard of hearing, or has impaired speech.
- (b) Exchange of written notes or communications.
- (c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.
- (d) Use of computer, word processing, personal communication device, or similar device to exchange texts or notes.
- (e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

316.14 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, are hard of hearing, or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that the individual understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided by a qualified interpreter or by providing a written *Miranda* warning card to suspects who are deaf or hard of hearing.

To ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible.

316.15 ARRESTS AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, are hard of hearing,

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communications with Persons with Disabilities

have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, to protect the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information should be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

316.16 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the ADA coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this department.

316.17 TRAINING

To ensure that all members who may have contact with disabled individuals are properly trained, the Department will provide periodic training that should include:

- (a) Awareness and understanding of this policy and related procedures, related forms, and available resources.
- (b) Procedures for accessing qualified interpreters and other available resources.
- (c) Working with in-person and telephone interpreters and related equipment.

The Training Manager shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including those who are deaf, are hard of hearing, have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Training Manager shall maintain records of all training provided and will retain a copy in each member's training file in accordance with the established records retention schedule.

316.17.1 TTY OR TDD TRAINING

Training should be mandatory for all members who have contact with probationers who are deaf, are hard of hearing, or have impaired speech. Refresher training should occur every six months. Such training and information should include:

- (a) ASL syntax and accepted abbreviations.
- (b) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls and using proper syntax, abbreviations, and protocol when responding to TTY or TDD calls.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communications with Persons with Disabilities

- (c) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

Biological Samples

317.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from those individuals required by California law to provide a biological sample to the Trinity County Probation Department as a result of a qualifying conviction or adjudication.

This policy does not apply to biological samples in conjunction with a criminal investigation, nor does it apply to biological samples collected from those required to register, for example, as sex offenders or arson offenders. Biological samples collected for purposes of drug and/or alcohol testing (e.g., urine, blood) are addressed in the Drug and Alcohol Testing Policy.

317.2 POLICY

The Trinity County Probation Department will assist in the collection of required biological samples from clients and individuals subject to post-release community supervision or mandatory supervision in accordance with the laws of this state, including out-of-state transfer cases.

317.3 INDIVIDUALS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

The following individuals who are on probation or under supervision for any felony or misdemeanor offense are required by California law to submit a biological sample to an officer of the Trinity County Probation Department if the individual has a prior felony conviction or adjudication, including a conviction or adjudication for an equivalent out-of-state offense (Penal Code § 296.1):

- (a) Adults and juveniles subject to probation/supervised release supervision
- (b) Individuals subject to post-release community supervision
- (c) Individuals subject to mandatory supervision pursuant to Penal Code § 1170(h)(5)

In addition, individuals who are accepted for supervision by this department from another jurisdiction and who are not confined are required to submit a biological sample if the individual has a prior felony conviction or adjudication, including a conviction or adjudication for an equivalent out-of-state offense (Penal Code § 296.1(a)(5)).

317.4 PROCEDURE

When an individual is required to provide a biological sample to a probation officer, subsequent to conviction, a probation officer of the Trinity County Probation Department should:

- (a) Verify the individual is required to provide a sample pursuant to California law.
 1. Verification includes querying the individual's criminal history record for a DNA collection flag or, during regular business hours, contacting the California Department of Justice (DOJ) designated laboratory to determine whether a biological sample has previously been collected from the individual. There is no need to obtain a sample if one has been previously obtained.
- (b) Notify the individual of the time and location to appear to submit a sample.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Biological Samples

1. The date to appear shall be, when practicable, within five days of notification to the individual of the requirement to submit a sample (Penal Code § 296.1).
 2. Collections from an individual accepted for supervision from another jurisdiction shall occur at a county jail facility located in the county where the person resides (Penal Code § 296.1).
 3. All other collections may occur at a county jail facility or at any other city, state, local, or private facility designated by the California DOJ for the collection of a sample (Penal Code § 296.1).
- (c) Provide or use the collection kit designated by the California DOJ for the collection of the sample.
 - (d) Provide for a witness to be present at the collection of the sample.
 - (e) Document in the individual's file that the sample was taken.
 - (f) Forward the sample to the California DOJ as soon as practicable.

317.5 USE OF FORCE TO OBTAIN SAMPLES

If a client refuses to cooperate with the sample collection process, members should attempt to identify the reason for refusal and seek voluntary compliance without resorting to the use of force. Force will not be used in the collection of samples except as authorized by court order.

Methods to consider when seeking voluntary compliance include:

- (a) Communicating the possible consequences of a refusal.
- (b) Contacting the District Attorney to seek additional charges against the individual for failure to comply pursuant to Penal Code § 298.1 or bring the refusal before the appropriate court.
- (c) Notifying the court at the client's next court appearance, if any.
- (d) Contacting the client's attorney, if known.
- (e) Filing a violation report pursuant to the Violations Policy.

A Supervising Deputy Probation Officer shall review and approve any plan to use additional actions to compel a sample. Both the supervising officer and the Supervising Deputy Probation Officer should document the client's refusal to submit a sample and the steps taken in any attempt to obtain voluntary compliance.

317.5.1 USE OF FORCE DOCUMENTATION

A Assistant Chief shall prepare prior written authorization for the use of any force (Penal Code § 298.1). The written authorization shall include information that the individual was asked to provide the requisite specimen, sample, or impression and refused, as well as the related court order authorizing the force.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Biological Samples

317.5.2 VIDEO RECORDING

A video recording should be made any time force is used to obtain a biological sample. The recording should document all persons participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the client's file or otherwise retained in accordance with the established records retention schedule.

317.6 BLOOD SAMPLES

A blood sample should only be obtained under this policy when (Penal Code § 295; Penal Code § 298):

- (a) The California DOJ requests a blood sample and the subject consents.
- (b) A court orders a blood sample following a refusal.

The withdrawal of blood may only be performed in a medically approved manner by health care providers trained and qualified to draw blood. A California DOJ collection kit shall be used for this purpose (Penal Code § 298).

Child and Dependent Adult Safety

318.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult abuse investigation. These are covered in the Mandatory Reporting Policy.

318.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Trinity County Probation Department will endeavor to create a strong, cooperative relationship with local, state, and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

318.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases, this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the client has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider asking witnesses, neighbors, friends, and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should consider reasonable alternatives to arresting a parent, guardian, or caregiver in the presence of a child or dependent adult.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be nonproductive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that appropriate care will be provided.

318.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Child and Dependent Adult Safety

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases, the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
 - 1. Officers should consider allowing the person to use the person's cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
- (b) Unless there is evidence that it would not be in the dependent person's best interest (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends who the person knows and trusts because familiarity with surroundings and consideration for comfort, emotional state, and safety are important.
 - 1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian, or caregiver.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify Child Protective Services or the Adult Protective Services, if appropriate.
- (e) Notify the field supervisor or Assistant Chief of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

318.3.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee should be allowed to make telephone calls to arrange for the care of any child or dependent adult.

If an arrestee is unable to arrange for the care of any child or dependent adult through this process, or circumstances prevent them from making such arrangements (e.g., their behavior prevents reasonable accommodations for making necessary calls), a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county, or state services agency.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Child and Dependent Adult Safety

318.3.3 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting member will document the following information:
1. Name
 2. Sex
 3. Age
 4. Special needs (e.g., medical, mental health)
 5. How, where, and with whom or which agency the child was placed
 6. Identities and contact information for other potential caregivers
 7. Notifications made to other adults(e.g., schools, relatives)
- (b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:
1. Name
 2. Sex
 3. Age
 4. Whether the person reasonably appears able to engage in self-care
 5. Disposition or placement information if the person is unable to engage in self-care

318.3.4 SUPPORT AND COUNSELING REFERRAL

If the handling officers believe the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate, or a crisis response telephone number, they should provide appropriate referral information.

318.3.5 SELF-SURRENDER

If an officer allows a client to self-surrender, the officer should, where practicable, allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate.

318.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service agency to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the Probation facility, transported in a marked law enforcement vehicle, or taken into formal protective custody.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Child and Dependent Adult Safety

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

318.5 TRAINING

The Training Manager is responsible for ensuring that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian, or caregiver is arrested.

Volunteers and Student Internships

319.1 PURPOSE AND SCOPE

This policy establishes guidelines for using Trinity County Probation Department volunteers, including student interns, to supplement and assist department personnel in their duties. Trained volunteers and/or student interns are members who can augment department personnel and help complete various tasks.

319.1.1 DEFINITIONS

Definitions related to this policy include:

Student intern - A college, university, or graduate student gaining practical experience in the intern's field while under supervision.

Volunteer - An individual who performs a service for the Department without promise, expectation, or receipt of compensation for services rendered. This may include unpaid chaplains and student interns.

319.2 POLICY

The Trinity County Probation Department shall ensure that volunteers and student interns are properly appointed, trained, and supervised to carry out specified tasks and duties in order to create an efficient department and improve services to the community.

319.3 ELIGIBILITY

Requirements for participation as a volunteer or student intern for the Department may include but are not limited to:

- (a) Residency in the County of Trinity.
- (b) Being an enrolled student in a college, university, or other approved educational entity.
- (c) Being at least 18 years of age.
- (d) Possession of a valid driver's license if the position requires operating a vehicle.
- (e) Possession of liability insurance for any personally owned equipment, vehicles, or animals utilized during student intern or volunteer work.
- (f) No conviction of a felony, any crime of a sexual nature or against children, any crime related to assault or violence, any crime related to dishonesty, or any crime related to impersonating a law enforcement officer.
- (g) No conviction of a misdemeanor or gross misdemeanor crime within the past 10 years, excluding petty misdemeanor traffic offenses.
- (h) No mental illness or chemical dependency condition that may adversely affect the person's ability to serve in the position.
- (i) Ability to meet physical requirements reasonably appropriate to the assignment.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Volunteers and Student Internships

- (j) A personal background history and character suitable for a person representing the Department, as validated by a background investigation.
- (k) Provide a clean urinalysis taken by, or at the direction of, the Department.

The Chief Probation Officer may allow exceptions to these eligibility requirements based on organizational needs and the qualifications of the individual.

319.4 RECRUITMENT, SELECTION, AND APPOINTMENT

The Trinity County Probation Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral, and professional standards set forth by this department.

319.4.1 RECRUITMENT

Volunteers and student interns should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity and nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public.

Requests for volunteers and student interns should be submitted in writing by interested department members to the volunteer coordinator or student intern coordinator through the requester's immediate supervisor. A complete description of the duties and a requested time frame should be included in the request. All department members should understand that the recruitment of volunteers and student interns is enhanced by creative and interesting assignments. The volunteer coordinator or student intern coordinator may withhold assignment of any volunteers or student interns until the requester is prepared to make effective use of them.

319.4.2 SELECTION

Volunteer and student intern candidates shall successfully complete the following process before appointment:

- (a) Submit the appropriate written application.
- (b) Interview with the volunteer coordinator or student intern coordinator.
- (c) Successfully complete an appropriate-level background investigation.

319.4.3 APPOINTMENT

Service as a volunteer or student intern with the Department shall begin with an official notice of acceptance or appointment by the Chief Probation Officer or the authorized designee. Notice may only be given by an authorized representative of the Department, who will normally be the volunteer coordinator or student intern coordinator.

No volunteer or student intern should begin any assignment until the individual has been officially accepted for that position and has completed all required screening and paperwork.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Volunteers and Student Internships

At the time of final acceptance, each volunteer and student intern should complete all required enrollment paperwork and will receive a copy of the position description and agreement of service with the Department.

All volunteers and student interns shall receive a copy of the orientation materials and shall be required to sign a volunteer or student intern agreement. Volunteers and student interns should be placed only in assignments or programs that are consistent with their knowledge, skills, and abilities and the needs of the Department.

Volunteers and student interns serve at the discretion of the Chief Probation Officer.

319.5 IDENTIFICATION

As representatives of the Department, volunteers and student interns are responsible for presenting a professional image to the community. Volunteers and student interns shall dress appropriately for the conditions and performance of their duties. Necessary safety equipment will be provided. Identification symbols worn by volunteers and student interns shall be different and distinct from those worn by officers or other members of this department.

Volunteers and student interns will be issued Trinity County Probation Department identification cards, which must be carried at all times while working. The identification cards will be the standard Trinity County Probation Department identification cards, except that "Volunteer" or "Student Intern" will be indicated on the cards.

319.6 PERSONNEL WORKING AS VOLUNTEERS OR STUDENT INTERNS

Qualified regular department personnel, when authorized, may also serve as volunteers or student interns. However, this department shall not utilize the services of volunteers or student interns in such a way that it would violate employment laws or collective bargaining agreements (e.g., an officer participating as a volunteer for reduced or no pay). or memorandums of understanding. Therefore, the program coordinator should consult with the Department of Human Resources before allowing regular department personnel to serve in a volunteer or student intern capacity (29 CFR 553.30).

319.7 PROGRAM COORDINATOR FOR VOLUNTEER AND STUDENT INTERNS

The program coordinator for volunteers and/or student interns shall be appointed by and directly responsible to the Assistant Chief or the authorized designee.

The function of the program coordinator is to provide a central coordinating point for effective and/or student intern volunteer management within the Department, and to direct and assist efforts to jointly provide more productive volunteer and student intern services. Under the general direction of the Chief Probation Officer or the authorized designee, volunteers and student interns shall report to the program coordinator and/or Assistant Chief.

The program coordinator may appoint a senior volunteer or student intern or other designee help coordinate volunteer or student interns and their activities.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Volunteers and Student Internships

The responsibilities of the program coordinator or the authorized designee include but are not limited to:

- (a) Recruiting, selecting, and training qualified volunteers and student interns.
- (b) Conducting volunteer and student intern meetings.
- (c) Establishing and maintaining a volunteer and student intern callout roster.
- (d) Maintaining records for each volunteer and student intern.
- (e) Tracking and evaluating the contribution of volunteers and student interns.
- (f) Maintaining a record of volunteer and student intern schedules and work hours.
- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Maintaining a liaison with other community programs that use volunteers and student intern assisting in community-wide efforts to recognize and promote volunteering student internships.
- (j) Maintaining a liaison with high schools, colleges and universities that provide student interns to promote the intern program with both students and the educational institution.
- (k) Maintaining volunteer and student intern orientation and training materials and outlining expectations, policies, and responsibilities for all volunteers and student interns.

An evaluation of the overall use of volunteers and student interns will be conducted annually by the program coordinator.

319.8 DUTIES AND RESPONSIBILITIES

Volunteers and student interns assist department personnel as needed. Assignments of volunteers and student interns will usually be to augment the Administration Division, but volunteers may be assigned to other areas within the Department as needed. Volunteers and student interns should be placed only in assignments or programs consistent with their knowledge, skills, and abilities and the needs of the Department. Student interns and student interns should be assigned to areas that meet the needs of both their educational program and the Department.

All volunteers and student interns will be assigned to duties by the volunteer coordinator or the authorized designee.

319.8.1 COMPLIANCE

Volunteers and student interns shall be required to adhere to all department policies and procedures. A copy of the policies and procedures will be made available to each volunteer and student intern upon appointment.

Volunteers and student interns shall become thoroughly familiar with these policies and procedures.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Volunteers and Student Internships

Whenever a rule, regulation, or guideline in this Policy Manual refers to regular department personnel, it shall also apply to volunteers and student interns, unless by its nature it is inapplicable.

Volunteers and student interns are required by this department to meet department-approved training requirements as applicable to their assignments.

319.8.2 VOLUNTEER AND STUDENT INTERN MEETINGS

All volunteers and student interns are required to attend scheduled meetings. Any absences must be satisfactorily explained to the program coordinator.

319.9 TASK-SPECIFIC TRAINING

Task-specific training is intended to provide the required instruction and practice for volunteers and student interns to properly and safely perform their assigned duties. The training should correspond to the assignment as determined by the program coordinator.

Volunteers and student interns will be provided with an orientation program to acquaint them with the policies of the Department and probation procedures applicable to their assignments.

Volunteers and student interns should receive position-specific training to ensure they have adequate knowledge and skills to complete the required tasks. They also should receive ongoing training as deemed appropriate by their supervisors or the volunteer or student intern coordinator.

Training should reinforce to volunteers and student interns that they shall not intentionally represent themselves as, or by omission give the impression that they are, officers or other full-time members of the Department. They shall always represent themselves as volunteers or student interns.

All volunteers and student interns shall comply with the standards of conduct and with all applicable orders and directives, whether oral or written, issued by the Department.

319.9.1 VOLUNTEER AND STUDENT INTERN TRAINING MATERIALS

All new volunteers and student interns will be issued training materials. The materials outline the subject matter and skills necessary to properly function as a volunteer or student intern with the Trinity County Probation Department. Volunteers and student interns shall become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.

319.10 SUPERVISION

Each volunteer or student intern must have a clearly identified supervisor who is responsible for the volunteer or student intern's direct management. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer or student intern and should be available for consultation and assistance.

Functional supervision of volunteers and student interns is the responsibility of the supervisor in charge of their assigned duties. The following are some considerations that supervisors should keep in mind while supervising volunteers and student interns:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Volunteers and Student Internships

- (a) Take the time to introduce volunteers and student interns to members on all levels.
- (b) Ensure volunteers and student interns have workspace and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give volunteers and student interns assignments or tasks that will utilize these valuable resources.

A volunteer or student intern may be assigned as a supervisor of other volunteers or student interns, provided that the supervisor is under the direct supervision of a member of the Trinity County Probation Department.

319.10.1 EVALUATIONS

While in training, volunteers and student interns should be continuously evaluated using standardized daily and weekly observation reports. A volunteer or student intern will be considered a trainee until satisfactorily completing training. Volunteers and student interns who have completed their training should be evaluated annually using performance dimensions applicable to the duties and authorities granted to them.

319.10.2 FITNESS FOR DUTY

No volunteers or student interns shall report for work or be at work when their judgment or physical condition has been impaired due to illness or injury, or by alcohol or drugs, whether legal or illegal.

Volunteers and student interns shall report to their supervisors any change in status that may affect their ability to fulfill their duties. This includes but is not limited to:

- (a) Driver's license.
- (b) Medical condition.
- (c) Arrests.
- (d) Criminal investigations.
- (e) All law enforcement contacts.

319.11 INFORMATION ACCESS

Volunteers and student interns should not have access to or be in the vicinity of criminal histories, investigative files, or information portals. Unless otherwise directed by a supervisor, the duties of the position, or department policy, all such information shall be considered confidential. Only that information specifically identified and approved by authorized members shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by department policy and supervisory personnel.

A volunteer or student intern whose assignment requires the use of, or access to, confidential information will be required to submit fingerprints to the Criminal Information Index (CII) to obtain clearance. Volunteers or student interns working this type of assignment will receive training in data practices and be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any confidential information verbally, in writing, or by any other means by a volunteer or a student intern is grounds for immediate dismissal and possible criminal prosecution.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Volunteers and Student Internships

Volunteers and student interns shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to newspapers or other periodicals, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

319.11.1 RADIO USAGE

Volunteers and student interns shall successfully complete state and federal database access training and radio procedures training before using probation radios and shall comply with all related provisions. The program coordinator should ensure that radio and database access training is provided for them whenever necessary.

319.12 EQUIPMENT

Any property or equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer or student intern shall remain the property of the Department and shall be returned at the termination of service.

319.12.1 VEHICLE USE

Any volunteer or student intern who operates any vehicle while acting in the capacity of a volunteer or student intern shall receive training in safe driving and defensive driving. The specific training and course of study shall be determined by the program coordinator.

Volunteers and student interns assigned to duties that require the use of a vehicle must first complete:

- (a) A driving safety briefing and department-approved driver safety course.
- (b) Verification of a valid driver's license.
- (c) Verification of current vehicle insurance.

The coordinator should ensure that all volunteers and student interns receive safety briefing updates and license and insurance verification at least once a year.

When operating department vehicles, volunteers and student interns shall obey all rules of the road, including seat belt requirements.

Volunteers or student interns should not operate a marked probation vehicle unless there is a prominently placed sign indicating that the vehicle is out of service.

Volunteers and student interns are not authorized to operate department vehicles while using the vehicle's emergency equipment (e.g., emergency lights, siren).

319.13 DISCIPLINARY PROCEDURES/TERMINATION

If volunteers or student interns have a personnel complaint made against them or become involved in an internal investigation, the matter shall be investigated in compliance with the Personnel Complaints Policy. If a student intern is the subject of or is involved in an internal investigation, the coordinator of the educational program that sponsors the intern should be notified.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Volunteers and Student Internships

Volunteers and student interns are considered at-will and may be removed from service at the discretion of the Chief Probation Officer, with or without cause. Volunteers and student interns shall have no property interest in their continued appointments. However, if volunteers or student interns are removed for alleged misconduct, they will be afforded an opportunity through a liberty interest hearing solely for name-clearing purposes, which shall be limited to a single appearance before the Chief Probation Officer or the authorized designee.

Volunteers and student interns may resign from service with the Department at any time. It is requested that a volunteer or student intern who intends to resign provide advance notice and a reason for the decision.

319.13.1 EXIT INTERVIEWS

The program coordinator should conduct exit interviews when possible. These interviews should ascertain why the volunteer or student intern is leaving the position and should solicit their suggestions on improving the position. When appropriate, an exit interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

Community Relations

320.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Suspicious Activity Reporting Policy.

320.2 POLICY

It is the policy of the Trinity County Probation Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making available relevant policy and operations information to the community in a transparent manner.

320.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

- (a) Make casual and consensual contacts with community members to promote positive community relationships.
- (b) Become reasonably familiar with the schools, businesses, community treatment programs, service providers, and faith-based organizations in their supervision areas.
- (c) Work with community members to identify issues and solve problems related to community relations and public safety.
- (d) Conduct periodic field contacts to facilitate interaction with community members. Officers carrying out field contacts should notify an appropriate supervisor or authorized designee of their status (i.e., on-field supervision) and location before beginning and upon completion of field supervision.

320.4 INFORMATION SHARING

The Chief may designate staff to develop methods and procedures for the convenient sharing of information (e.g., significant changes in department operations, comments, feedback, positive events) between the Department and community members. Examples of information-sharing methods include:

- (a) Community meetings.
- (b) Social media (see the Department Use of Social Media Policy).
- (c) Department website postings.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Community Relations

Information should be regularly refreshed to inform and engage community members continuously.

320.5 TRANSPARENCY

The Department should periodically publish statistical data and analysis regarding the department's operations. The reports should not contain the names of officers, clients, or case numbers. The Chief should identify information that may increase transparency regarding department operations.

320.6 TRAINING

Subject to available resources, members should receive training related to this policy, including training on topics such as:

- (a) Effective social interaction and communication skills.
- (b) Cultural, racial, and ethnic diversity and relations.
- (c) Building community partnerships.
- (d) Probation supervision and problem-solving principles.
- (e) Probation actions and their effects on community relations.

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

Forced Entry

322.1 PURPOSE AND SCOPE

The use of forced entry to enter a residence or other dwelling to accomplish an arrest or detention will not be routinely done. However, there may be occasions when this tactic is the only reasonable alternative available. Forced entry is permitted in situations where the safety of the probationer or others is in immediate jeopardy or the instant circumstances otherwise require immediate arrest or detention. Situations that may require forced entry include, but are not necessarily limited to, the following:

- (a) The probationer's life is in danger as a result of a suicide attempt or accidental drug overdose.
- (b) The probationer's activities are such that his/her or other's safety is in immediate jeopardy.
- (c) If an arrest or detention is not immediately accomplished, the safety of others, including the probationer, will be jeopardized.
- (d) If the probationer is believed to be in the process of destroying evidence.

KNOCK AND NOTICE: Before forced entry can be accomplished, Section 844 of the Penal Code requires that the Deputy Probation Officer must knock, demand entrance, and explain the purpose before entering the residence by force. This requirement can be waived if knocking and announcing will increase the danger of the risk of evidence being destroyed. If the need to force entry is anticipated, prior approval of the unit supervisor is to be obtained and other law enforcement agencies more accustomed to such practices are to be asked to assist.

IV-E Claiming

323.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in identifying and documenting administrative costs related to Title IV-E foster care candidacy.

323.2 POLICY

It is the policy of the Trinity County Probation Department to ensure compliance with federal law and state requirements regarding the claiming for Title IV-E foster care candidacy.

323.3 DEFINITIONS

The Federal definition of a candidate for foster care is a child at "imminent" or "serious" risk of removal when placement in foster care is the planned arrangement. There are certain youth for whom the probation department provides supervision to while in the youth's own home who may meet the requirement of a candidate for a foster care. A youth may not be considered a candidate solely because of the probation department's involvement with the youth and their family or there is a Child Protective Services (CPS) referral. In order for the youth to be considered a candidate for foster care, the probation department must be involved for the specific purpose of either removing the child or youth from the home or referring them to services, such that if the services are unsuccessful, the plan is to remove the child or youth from the home and place him/her into a foster care placement that licensed or approved and qualifies for Title IV-E reimbursement. This licensing or approval requirement may include placement with family members.

A youth is not a candidate for foster care when the planned out-of-home placement for the youth is an arrangement outside of foster care, such as a detention facility, psychiatric facility, or any otherwise unlicensed or unapproved placement setting. However, if placement in a detention facility for a youth otherwise planned for out-of-home foster care placement results from the youth's commission of current delinquent action, that youth remains an eligible candidate if the detention does not result in a change in the youth's out-of-home placement plan upon the youth's release from detention.

323.4 RESPONSIBILITIES

Probation Officer(s) and Probation Assistant(s) - will ensure that cases are screened for possible eligibility under IV-E guidelines and department policy, ensure that proper documentation including assessment of imminent risk forms, case plans, court orders, CWS/CMS data entry, case notes, and time studies are completed in a timely manner consistent with federal guidelines and departmental policy, and lastly will ensure that cases are re-screened or removed from eligibility due to changes in the case including regular six month reviews, case plan completion, re-arrest, and other significant changes that necessitate re-evaluation of the youth's eligibility status.

Clerical and Support Staff - will ensure that probation officers providing direct service to IV-E eligible youth receive front office support in for the form of document preparation and submission,

Trinity County Probation Department

New Probation Manual

New Probation Manual

IV-E Claiming

data entry, statistical analysis, and other forms of assistance that allow maximization of time and assistance for at-risk youth by the probation officer(s).

The department fiscal officer will ensure that documentation supporting financial claiming is in order, and submissions for reimbursement are processed in accordance with the California Department of Social Services.

Chief Probation Officer will oversee the IV-E program and processes within the probation department, including updating policy and procedure to remain current on new requirements and/or expectations of the California Department of Social Services (CDSS) and the Chief Probation Officers of California (CPOC).

323.5 METHOD OF DOCUMENTING CANDIDACY

In order to accurately identify a candidate, an Evaluation of Imminent Risk tool that identifies why and how a child or a youth is considered a candidate must be completed. If the child or youth is clearly identified as a candidate then a Case Plan must be developed and, documented within it, that the plan for the youth is placement into foster care unless preventive services are provided and effective.

323.6 REQUIRED ELEMENTS THAT MUST BE CONTAINED IN EACH CASE PLAN

When using the Case Plan to determine reasonable candidacy, the probation officer must identify in the Case Plan the concerns that will necessitate removal of the child or youth from the home unless they are satisfactorily addressed. As a result, the Case Plan shall contain all of the following elements:

- Description of circumstances including but not limited to behavioral issues that place the child or youth at imminent risk of removal from the home absent the indicated services. This cannot be solely a list of problems, but must include why these issues will result in out-of-home placement if services are not provided. This will include behavioral issues and obstacles related to the parents or guardian.
- Types of services needed for the child or youth to remain safely in his/her home. This must include any services aimed at the parents or guardians.
- Statement that absent the effectiveness of services, foster care is the planned arrangement for the child or youth and identify the type of planned placement setting.

A youth may be placed in-home and under the supervision of the probation department and be provided services both formally and informally and not be a Title IV-E candidate. However, when a subsequent change or an emerging issue results in his/her imminent or serious risk of removal from the home and placement in foster care, the probation officer shall document the candidacy status by completing the "Evaluation of Imminent Risk and Reasonable Candidacy" document and the Case Plan. Once all required parties have signed the Case Plan, the probation department may begin claiming Title IV-E administrative costs for allowable activities.

There is no maximum length of time a child or youth may be considered a reasonable candidate; however, the probation officer must complete a new Case Plan every six months while the child or

Trinity County Probation Department

New Probation Manual

New Probation Manual

IV-E Claiming

youth remains a reasonable candidate. The new Case Plan shall document the reasons the child or youth continues to be a candidate. Likewise, if services provided have eliminated the need for a plan that would place the child in foster care, the probation officer must document this in the Case Plan and cease claiming because the child or youth no longer meets the candidate for foster care criteria. It is the responsibility of the probation officer to ensure that preventative services are actually being provided and that the services in fact are effective in reducing the risk of the child's or youth's removal. If the risk of the child's or youth's removal is not being reduced as a result of receipt of the preventative services established in the Case Plan, this must be reflected in a revised Case Plan. In addition, if the six month re-determination of reasonable candidacy is not made (meaning a new Case Plan that includes the aforementioned requirement), the department must stop claiming administrative costs (Social Security Act, section 472(i)(2)).

323.7 REDETERMINATION

Requirements for redetermination include:

- (a) If a child or youth who is in foster care returns home with his parent(s) but circumstances warrant imminent risk of removal again, that child or youth may be considered a candidate for foster care if the child or youth is not considered to be in foster care and the criteria mentioned above are met. The "Evaluation of Imminent Risk and Reasonable Candidacy" document and a new Case Plan must be developed that demonstrates the intent to remove the child or youth from home and return him/her to foster care if the pre-placement preventative services fail.
- (b) Re-determination shall be updated no less than every six months or as a new change occurs. This will be done by completing both the "Evaluation of Imminent Risk and Reasonable Candidacy" document and new Case Plan.

If a child or youth is determined to still be a candidate after six months but a new Case Plan has not been jointly developed and signed by all required parties, Title IV-E claiming must cease until the new Case Plan requirement is met.

323.8 CASE MANAGEMENT REQUIREMENTS

All reasonable candidates must be visited (face-to-face) at a minimum of once per month. Each visit must be documented. When Case Plan goals are accomplished it should be noted in the Case Plan. Completion of goals that stabilize the child or youth and family may result in the child or youth no longer being a reasonable candidate for foster care. At that point, claiming for Title IV-E administrative costs should stop. Further work with the child or youth would then be documented as "county only" or "probation only" on the time study form. Therefore, probation officer must be able to identify when the candidacy determination was made but also document when the youth no longer meets the candidacy criteria. Case Plans are evolving documents that should be updated and modified as the needs of the child or youth and family change. It is important to maintain the Case Plan as a living document – updating objectives, completion of objectives, and new or emerging issues.

Trinity County Probation Department

New Probation Manual

New Probation Manual

IV-E Claiming

323.9 CLAIMING OF IV-E ACTIVITIES

Allowable Title IV-E administrative costs may be claimed for activities related to cases where a child or youth is considered a candidate for foster care. Allowable case management time spent on the case after completion of the Case Plan may be claimed as described below. The probation officer may begin claiming in the same calendar month that the candidate determination is made only if it is determined the child is a reasonable candidate and the Case Plan has been signed by all parties. The probation officer will need to document this time and put it on their time study after the determination has been made.

323.9.1 REIMBURSABLE TITLE IV-E ACTIVITIES

Reimbursable Title IV-E administrative activities are limited to the examples provided in 45 Code of Federal Regulations (CFR) section 1356.60(c). Reimbursement for the Title IV-E administrative activities will only be sought in cases where reasonable candidacy has been determined. All the following activities are pre-placement case management services:

- Referral to Services – providing information to the minor, parent(s) and/or legal guardian(s) or service provider so that the individual can obtain the services.
- Preparation for and participation in judicial determinations – preparation of reports to the court and participation in court proceedings, except those that are crime and probation only related.
- Placement of the child – making arrangements for the child’s placement. It also includes discussions with agencies, parents, and foster parents regarding the need for and availability of placement.
- Updating a Case Plan – This activity is related to the development of the Case Plan.
- Case reviews – evaluation of the continuing needs and services of the child that is completed at least once every six months.
- Case management and supervision –management/monitoring of the case for services provided to or on behalf of protected children. An example would be a visit to a child in his home or the steps taken by the case manager/monitor to ensure that the case service plans are adequately established and implemented in accordance with service requirements.
- Data collection and reporting – activities associated with the preparation and maintenance of applications, authorizations, or any other required child welfare system data/documentation.

323.9.2 NON-REIMBURSABLE ACTIVITIES

Any activity in out-of-home placement shall not be claimed as a pre-placement activity and instead should be claimed as a placement activity. According to 45 CFR section 1356.60(c)(3) and ACYF-PA 87-05, allowable administrative costs do not include the direct provision of services which provide treatment to the child, the child’s family or foster family to resolve personal problems, behavior or home conditions. Examples of non-reimbursable services are: Physical or mental health examinations, homemaker or housing services, counseling, any activity completed on an

Trinity County Probation Department

New Probation Manual

New Probation Manual

IV-E Claiming

in-home case that is not identified and documented as a candidate for foster care and any other direct services to assist in preventing placement and reuniting families.

Other non-allowable costs include:

- Arranging for services – arranging activities which are performed on behalf of an individual are not an allowable activity.
- Any direct service and counseling are not allowable costs. Staff performing these activities should claim this time to Probation Only.
- All activities performed on behalf of a reasonable candidate while that child is in custody – are not allowable activities.

323.10 TRAINING

The Department Training Manager will ensure that all newly assigned probation officers supervising juvenile cases will be provided initial training in related IV-E requirements including, but not limited to, determination of Reasonable Candidacy, Motivational Interviewing, conducting Child Family Team (CFT) meetings, and developing Case Plans. Additionally, on-going periodic update training will be provided to ensure proficiency in all of these areas.

Cash Handling, Security, and Management

322.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure department members handle cash, checks, or money orders appropriately in the performance of their duties.

This policy does not address cash, checks, or money order handling issues specific to property, which are addressed in the Property Policy.

322.2 POLICY

It is the policy of the Trinity County Probation Department to properly handle and document transactions involving cash, checks, money orders, and other instruments and to maintain accurate records of these transactions in order to protect the integrity of department operations and ensure the public trust.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Personnel Department](#)

322.3 ROUTINE CASH HANDLING

Members who handle cash as part of their regular duties (e.g., property custodians, those who accept payment for department services and collections purposes) will discharge those duties in accordance with the procedures established for those tasks (refer to [County Cash Handling Procedures](#) or Department Property Policy).

322.4 OTHER CASH HANDLING

Members who, within the course of their duties, are in possession of cash, checks, or money orders that are not their property or that are outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the funds for safekeeping or as evidence or found property, in accordance with the Property Policy. In all cases, immediate notification shall be made to a supervisor or his/her superior.

Commercially Sexually Exploited Children (CSEC)

325.1 PURPOSE AND SCOPE

The Trinity County Probation Department is committed to reducing the prevalence of child sex trafficking by providing guidelines and establishing a process to ensure compliance with provisions enacted by the Preventing Sex Trafficking and Strengthening Families Act, Public Law (P.L.) 113-183, Senate Bill (SB) 794, as well as recent changes made by P.L. 114-22 to the federal Child Abuse Prevention and Treatment Act (CAPTA).

325.2 DEFINITIONS

Child Sex Trafficking / CSE: Federal law provides the definition of child sex trafficking at 22 USC section 7102 (9) and (10). The term “sex trafficking” is defined as “the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act.” “Severe forms of trafficking in persons” is defined as “sex trafficking in which the commercial sex act is induced by force, fraud, or coercion or in which the person induced to perform such act has not attained 18 years of age.” This means that any child under age 18 who is induced to perform a commercial sex act is considered a sex trafficking victim regardless of whether force, fraud, or coercion is present. State law incorporates this federal definition in Penal Code (PC) section 236.1, and also includes the sex trafficking of a child within the definition of “CSE” set forth in PC section 11165.1(d). A commercial sex act is defined by federal law at 22 USC Section 7102 (4) as “any sex act on account of which anything of value is given to or received by any person.” State law at PC section 11165.1(d)(2) clarifies that this includes the provision of food, shelter, or payment to a child in exchange for the performance of a sexual act.

Children Receiving Child Welfare Services (applicability):

- (a) Youth in foster care and under age 18 (or up to age 21 if they are receiving Title IV-E foster care assistance);
- (b) Youth who have not been removed from the home but for whom the agency has an open case file (including reasonable candidates for foster care);
- (c) Youth and non-minor dependents (NMD) who have run away from foster care, provided they have not reached the age at which the state ends Title IV-E assistance (21) (or have not been formally discharged from care); or
- (d) Non-minor dependents (NMD), up to age 21, who are receiving services under the Chafee Foster Care Independence Program (including closed cases).

At Risk of CSE: A child/youth shall be considered “at risk” of CSE if he/she/they:

Have a minimum of one of the following indicators:

- Child/youth exhibits behaviors or otherwise indicates that she/he is being controlled or groomed by another person;
- Child/youth spends time with people known to be involved in commercial sex;

Trinity County Probation Department

New Probation Manual

New Probation Manual

Commercially Sexually Exploited Children (CSEC)

- Child/youth's use of internet, cell phone, or social media involves social or sexual behavior that is atypical or his/her age;

OR have a minimum of two of the following indicators:

- Child/youth has a history of chronically unstable housing, running away, and multiple foster care placements, or, child/youth has extended periods of homelessness associated with unstable housing and/or caregiver support;
- Child/youth has had prior involvement with law enforcement or the juvenile justice system;
- Child/youth is frequently and chronically truant, and the child/parent is unresponsive to interventions;
- Child/youth's relationships are not age-appropriate and unhealthy, placing him/her at risk or in danger of exploitation;
- Child/youth has a history of chronic substance abuse, specifically narcotics, opiates, crack/cocaine and amphetamines.

Assessment: A process used to determine if a youth is at risk, or a victim of, CSE that may use any combination of the following:

- (a) Formal screening tools identified for use in this population;
- (b) Direct conversation and observation of the child/youth that determines the safety and well-being of the child/youth;
- (c) Verifying the location of the child;
- (d) Monitoring the child's physical, emotional, social, and educational development;
- (e) Talking to family and other collateral contacts;
- (f) Contacting other agencies that have worked with the youth/family;
- (g) Checking previous delinquency and child welfare history;
- (h) Gathering information about the child to identify needed services to be included in the case plan, and monitoring the effectiveness of those services provided to meet the child's needs.

325.3 POLICY

In accordance with the federal requirements under Title IV-E, and pursuant to WIC section 16501.35(a), county Social Workers (SW) and Probation Officers (PO) are required to do all of the following:

- (a) Identify children receiving child welfare services, including dependents or wards in foster care, non-minor dependents (NMD), and youth receiving services pursuant to section 677 of Title 42 of the United States Code (USC), who are, or are at risk of becoming, victims of CSE;
- (b) Document individuals identified pursuant to paragraph (a) in the Child Welfare Services/Case Management System (CWS/CMS) and any other agency record as determined by the county;

Trinity County Probation Department

New Probation Manual

New Probation Manual

Commercially Sexually Exploited Children (CSEC)

- (c) Determine appropriate services for the child or youth identified in paragraph (a); and
- (d) Receive relevant training in the identification, documentation, and determination of appropriate services for any child or youth identified in paragraph (a).

325.4 PROCEDURES

The following procedures provide direction regarding identification, documentation, staff training, and determination of appropriate services for any child/youth receiving child welfare services who is, or is at risk of becoming, a victim of commercial sexual exploitation.

325.4.1 IDENTIFICATION OF CHILDREN WHO ARE VICTIMS OR AT RISK OF CSE

County probation departments may become aware that a child/youth who is receiving child welfare services is a suspected victim or at risk of CSE through various means. For example, a child/youth may be arrested for an alleged act of prostitution, solicitation, or loitering; or the PO may receive information from other sources, such as a caregiver, family member, school, or service provider that the child may be a victim; or the child/youth may disclose that they have been a victim or exhibit behaviors indicating risk of exploitation. In any of these circumstances, to identify whether the child/youth is a victim or at risk of CSE, the PO shall:

- (a) Initiate an investigation and/or assessment, as appropriate;
- (b) Complete an assessment, as appropriate.

325.4.2 INTAKE & INVESTIGATION

Upon determination through investigation and/or assessment that a child/youth is the victim of commercial sexual exploitation, the probation officer shall immediately report this information to Child Protective Services who will then complete and Emergency Response Protocol to determine whether an in-person investigation is required, and the Sheriff's Department if warranted. If it is determined that an CPS investigation is necessary, the child welfare agency is responsible for conducting the investigation related to the allegations of abuse or neglect, and shall complete an investigation to assess the situation and determine whether the child is within the description of WIC section 300 and in need of services.

325.4.3 ONGOING ASSESSMENT & IDENTIFICATION

Probation Officers should be aware that the children/youth they are currently supervising may be victims or at risk of CSE. It is critical that the PO visit each child/youth in accordance with the existing case plan. One of the purposes of youth contact includes assessing the safety and well-being of the child, verifying the location of the child, monitoring the child's physical, emotional, social, and educational development, gathering information about the child to identify needed services to be included in the case plan, and monitoring the effectiveness of those services provided to meet the child's needs. These activities constitute an ongoing assessment of whether the child/youth may be at risk or a victim of CSE. When evaluating whether a child may be at risk of CSE, officers shall refer to the definition provided in this policy.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Commercially Sexually Exploited Children (CSEC)

325.4.4 ASSESSMENT & IDENTIFICATION UPON THE RETURN OF A MISSING OR RUNAWAY CHILD

When a child/youth returns to care after having been missing or having run away, the PO shall assess and determine whether the child/youth is a possible victim of CSE (WIC section 16501.35(b)(2)(D)). A child or youth shall be considered missing/runaway/abducted if their whereabouts are unknown to the probation department. That is, after allowing a reasonable amount of time for the child/youth to return and taking into account the child's age, intelligence, mental functioning, and physical condition, the caregiver or PO simply do not know the child's/NMD's location.

325.4.5 DOCUMENTING CHILDREN/YOUTH WHO ARE VICTIMS OR AT RISK OF CSE

Probation Officers shall document children/youth receiving child welfare services identified as victims or at risk of CSE in the CWS/CMS and any other agency record as determined by the county (WIC section 16501.35(a)(2)). Child Protective Services can assist in completing this documentation. Please refer to [ACL No. 16-49](#) for definitions and detailed information regarding documentation of CSEC in CWS/CMS.

325.4.6 DETERMINING APPROPRIATE SERVICES

Probation officers shall determine appropriate services for children/youth receiving child welfare services identified as victims or at risk of CSE (WIC section 16501.35(a)(3)).

When a child/youth receiving child welfare services has been identified as a victim or at risk of CSE, the PO shall determine appropriate services for the child/youth. In determining appropriate services for the child/youth, the PO shall:

- (a) Complete an assessment and determine appropriate case plan goals to address CSE concerns.
- (b) Assess the safety and well-being of the child including the child's risk for becoming a victim of CSE, and gather information about the child to identify needed services to be included in the case plan at each visit with the child (MPP section 31-320.5).
- (c) Engage the child/youth and the caregiver in identifying supports and services and in the development of the case plan.
- (d) Convene a Child and Family Team (CFT), when applicable, and meet with the team to identify the supports and services needed to achieve positive outcomes for safety, permanency, and wellbeing (WIC section 16501.1(d)(2)(B) and section 706.6). If the county is currently using the multidisciplinary team (MDT) structure as identified in WIC section 16524.7(d)(2), the county may fulfill the MDT requirement through the use of the CFT and including the mandatory partners.
- (e) Document in the case plan the services provided to address the CSE (WIC section 16501.1(g)(19)).

Types of services that a CSEC or youth may need include, but are not limited to:

- Specialized and safe housing;
- Specialized counseling;

Trinity County Probation Department

New Probation Manual

New Probation Manual

Commercially Sexually Exploited Children (CSEC)

- Medical treatment;
- Reproductive health/healthy relationships education;
- Pregnancy / Parenting services;
- Survivor peer groups;
- Legal assistance, including immigration relief, if applicable;
- Services addressing gang affiliation;
- Tattoo removal;
- Financial education training;
- Vocational, life skills, and other trainings;
- Other trauma-informed rehabilitation services.

For children/youth who are identified as at risk of CSE, appropriate services may include CSE prevention education, as well as services that address the child's/youth's specific circumstances or vulnerabilities that place them at risk of CSE, such as housing stability, employment assistance, or substance abuse. The purpose is to determine appropriate services that may prevent an at risk child/youth from later becoming a victim of sex trafficking.

325.4.7 TRAINING TO IDENTIFY, DOCUMENT AND DETERMINE APPROPRIATE SERVICES

Probation officers shall receive relevant training in the identification, documentation, and determination of appropriate services for any child or youth receiving child welfare services identified as a victim or at risk of CSE (WIC section 16501.35(a)(4)).

All POs working with children/youth receiving child welfare services shall, at a minimum, complete an online course developed by the University of California, Berkeley School of Social Welfare designed to give an overview of the three types of Human Trafficking, the impacts and implications for the child welfare system, current federal, state, and local efforts to address the wide variety of issues associated with trafficking, and identification, assessment, and promising intervention strategies that can be employed. The overarching goal of the course is to educate and foster a deeper awareness of human trafficking and CSEC throughout the child welfare community. This course can be located at <https://calswec.instructure.com/courses/169>. Officers will further be encouraged to attend additional training opportunities on the subject as they become available.

The Supervising Deputy Probation Officer shall ensure that proper training is arranged, provided, and documented for all officers working with children/youth receiving child welfare services.

325.4.8 REPORTING CSEC/YOUTH TO LAW ENFORCEMENT

Probation officers shall immediately, or in no case later than 24 hours from receipt of the information, report a child/youth who:

- (a) Is receiving child welfare services, AND;

Trinity County Probation Department

New Probation Manual

New Probation Manual

Commercially Sexually Exploited Children (CSEC)

- (b) Is reasonably believed to be the victim of CSE.

When calling to report the child/youth missing to law enforcement, the PO should document in CSS which law enforcement agency was contacted and the corresponding missing person report number. The PO should also confirm with the law enforcement agency that the information will be entered into the Federal Bureau of Investigation's National Crime Information Center (NCIC) database.

The probation officer must attempt to locate the child/youth and document those attempts in the CSS. The probation officer must also document in CSS/CWS/CMS that the child's/youth's whereabouts are unknown once every 30 days from the date of the initial discovery that the child/youth went missing or was abducted. (MPP section 31-320.711)

The probation officer shall further report the missing/abducted child/youth immediately or within 24 hours to the National Center for Missing and Exploited Children (NCMEC) by calling 1-800-843-5678. This call should further be documented in CSS/CWS/CMS.

When making a report to NCMEC, it is important to have the following information readily available in order to expedite the reporting process:

- Child's/Youth's full name;
- Child's/Youth's date of birth;
- Date and location the child/youth went missing (to the best of your knowledge);
- Name and contact of the investigating law enforcement agency;
- Law enforcement report/case number;
- Guardian information (for dependent children/youth and NMDs this will be the SW; for all other children/youth, this will most likely be the parent/guardian).

Authorization to release photographs of the missing/abducted child/youth shall be obtained from the Chief Probation Officer and will comply with all other applicable laws and policies.

The probation officer shall notify the law enforcement agency with jurisdiction over the case, the local child protective services agency, and the NCMEC within 24 hours of the child's return. These notifications shall be documented in CSS, and an end date of the child/youth's status entered into CWS/CMS.

Chapter 4 - Intake, Orientation, and Supervision

Initial Intake to Probation Services

400.1 PURPOSE AND SCOPE

This policy establishes guidelines for the Trinity County Probation Department's initial intake.

400.2 POLICY

The Trinity County Probation Department will engage in an initial process in an effort to facilitate fair and appropriate supervision of clients.

400.3 ADULT INTAKE TO SUPERVISION

The Chief Probation Officer or the authorized designee should develop and maintain a standard intake procedures with appropriate forms and checklists to assist officers in their supervision of assigned clients.

The intake procedures should include but is not limited to:

- (a) Performing an intake interview or interviews:
 1. The intake interview should be completed within 72 hours, or earlier if required by a court order, after the client's release from custody or initial report to the Trinity County Probation Department.
- (b) Documenting relevant information about the client, such as:
 1. Personal information including name, address, and contact information
 2. Current employment and relevant employment history
 3. Family information
 4. Criminal history
 5. Any substance abuse, mental health, and treatment information
 6. Potential safety issues for officers and staff (e.g., weapons, dangerous animals within the home, family members who may present a threat)
- (c) Completing any appropriate and/or mandated risk and needs assessment(s) and scheduling appropriate review with the client as set forth in the Risk and Needs Assessments Policy.
- (d) Providing the client with an overview of what to expect while being supervised and any of the following as applicable:
 1. An orientation handbook or other applicable orientation materials
 2. A copy of court-ordered conditions of supervision
 3. Applicable resources regarding any court-ordered programs, community referrals, or other resources pertaining to the conditions of probation
 4. Explanations of any financial obligations (e.g., court-ordered restitution, fines, fees)

Trinity County Probation Department

New Probation Manual

New Probation Manual

Initial Intake to Probation Services

5. Applicable registration requirements (e.g., gang (Penal Code § 186.31), arson (Penal Code § 457.1), sex offenders (Penal Code § 290.017; Penal Code § 290.85))
6. Documenting client receipt of orientation and other materials

400.4 JUVENILE INTAKE TO SERVICES

400.4.1 JUVENILE INTAKE OFFICERS

The Chief Probation Officer should designate officers to act as juvenile intake officers. These officers should be trained in established juvenile intake procedures and should serve as first-line staff for juvenile intake to services.

400.4.2 OUT-OF-CUSTODY JUVENILE INTAKE

The Chief Probation Officer or the authorized designee should develop and maintain a standard intake program with appropriate forms and checklists to assist juvenile intake officers with the intake for services of juveniles who are currently out of custody.

The intake program should include but is not limited to:

- (a) Performing an intake interview, including an interview with the juvenile and parent/s to determine next steps
- (b) Documenting relevant information about the juvenile including but not limited to:
 1. Verifying personal information including name, address, and contact information
 2. Current employment and relevant employment history, if applicable
 3. Family information, including siblings and parental custody situation
 4. Delinquent history information
 5. Child welfare history, including any allegations of abuse or neglect and outcomes of these allegations
 6. School information, including grades and attendance
 7. Any substance abuse, mental health, and treatment information
 8. Potential safety issues for officers and staff (e.g., weapons, dangerous animals within the home, family members who may present a threat)
 9. Completing any appropriate and/or mandated risk and needs assessment(s) as set forth in the Risk and Needs Assessments Policy
 10. Documenting the juvenile's receipt of orientation and other materials
 11. Any other information that is deemed necessary to ensure an understanding of each juvenile's individual needs
- (c) Providing the juvenile with any of the following as applicable:
 1. An orientation handbook or other applicable orientation materials
 2. Applicable resources, including community referrals

Trinity County Probation Department

New Probation Manual

New Probation Manual

Initial Intake to Probation Services

3. Explanations of any financial obligations, such as a victim's request for restitution

400.4.3 IN-CUSTODY JUVENILE INTAKE

The Chief Probation Officer or the authorized designee should develop and maintain a standard intake program with appropriate forms and checklists to assist juvenile intake officers with the intake for services of juveniles who are currently in custody.

This intake program should include intake procedures for juveniles who are out of custody, along with investigation, and release or placement procedures (Welfare and Institutions Code § 628; Welfare and Institutions Code § 727; Welfare and Institutions Code § 727.05).

In addition to considering the intake program as described in Out-of-Custody Juvenile Intake, officers assessing the status of a juvenile who has been booked into custody should:

- (a) Review booking information.
- (b) Review pertinent reports from law enforcement.
- (c) Consider custodial status and whether custody is appropriate, including whether the juvenile is a dependent minor.
- (d) Consider whether filing with the prosecuting attorney is appropriate.
- (e) Inquire as to the status of a minor as an Indian child within the meaning of Welfare and Institutions Code § 224.3 and provide notice as required by Welfare and Institution Code § 224.2.

Risk and Needs Assessments

401.1 PURPOSE AND SCOPE

The purpose of this policy is to provide general guidelines for the selection and administration of risk and needs assessment tools (RNAs) and the use of resulting information.

401.2 POLICY

It is the policy of the Department to use RNAs fairly, properly, and consistently to assist in making informed decisions regarding client levels of risk, intervention strategies, treatment, and supervision.

401.3 AGENCY RNA SELECTION

The Chief Probation Officer or the authorized designee is responsible for:

- (a) Identifying and approving any RNA to be used by officers considering state or other jurisdictional requirements.
 1. Any/All State-Authorized Risk Assessment Tools used for the evaluation of Sex Offenders (SARATSO) (Penal Code § 290.04).
 2. All other RNAs to be used by Department officers.
- (b) Creating and maintaining procedures for the administration of RNAs, including but not limited to:
 1. Procedures to collect initial and updated information.
 2. Reassessments based on client life changes or other dynamic risk factors.
- (c) Periodically reviewing assessments and results to identify any training or RNA adjustments or improvements.
- (d) Working with other agencies and entities, including courts, prosecutors, treatment providers, and other providers, to facilitate coordination and implementation of department-approved RNAs and related procedures.

401.4 OFFICER RESPONSIBILITIES

Officers should not administer or score an RNA before completing department-approved training.

Only department-approved RNAs should be used.

Officers should supplement information collected during the administration of the RNA with information from an official records check, such as a criminal history records check.

Officers who reasonably believe the results of the RNA may be inaccurate or incomplete should consult with a supervisor to determine whether presentation to the court or other resolution is appropriate.

401.4.1 STATE REQUIREMENTS

Officers should submit SARATSO results to the Department of Justice as provided in Penal Code § 290.09.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Risk and Needs Assessments

401.5 TRAINING

Officers using RNAs should receive periodic training on the use of approved RNAs. The training should include, as applicable and as resources allow:

- (a) The purpose of the RNA, including the types of offenders for which the RNA was developed.
- (b) Information required for administration of the RNA.
- (c) How to administer the RNA.
- (d) Limitations of the RNA.
- (e) The types of decisions that may be made based on data produced by the RNA.
- (f) How the RNA calculates risk and needs and what, if any, other assessment information may be provided by the tool (e.g., strengths, responsivity factors).

401.5.1 SEX OFFENDER RISK ASSESSMENT TRAINING REQUIREMENTS

Only officers trained as required by Penal Code § 290.05 may administer a SARATSO.

Supervision of Clients

402.1 PURPOSE AND SCOPE

This policy establishes guidelines for the supervision of clients by assigning clients to an appropriate level of supervision and developing an appropriate case management plan for each client.

This policy does not address compliance monitoring, modifications and violations of release conditions, risk and needs assessments, and intake, which are addressed in other policies.

402.2 POLICY

It is the policy of the Trinity County Probation Department to use case management practices to facilitate effective and safe supervision of clients in accordance with federal and state law and department procedure.

402.3 RESPONSIBILITIES

The Chief Probation Officer or the authorized designee should:

- (a) Establish and maintain procedures to assign clients to approved levels of supervision.
- (b) Establish and maintain procedures for the development and implementation of case management plans.
- (c) Establish and maintain procedures to ensure that clients are provided with guidance identifying appropriate community-based resources required or recommended for the client, and with assistance accessing those resources.
 1. This should include maintaining a list of resources and services available and approval of necessary additions or substitutions.
- (d) Review and approve the level of supervision to which each client is assigned.
 1. This should include the initial assignment and periodic reviews to determine if adjustments in the level of supervision are appropriate.
- (e) Conduct periodic reviews of case management plans to assess the need to adjust a plan for reasons including the client's compliance with conditions of supervision, life changes, or other risk factors.
- (f) Establish a procedure to ensure that every 10 days updates are made to any supervised release file available to this department on the California Law Enforcement Telecommunications System (CLETS) by entering any client placed on post-conviction supervision who is within the jurisdiction and authority of the Trinity County Probation Department. This includes persons on probation, mandatory supervision, and post-release community supervision (Penal Code § 14216).

402.4 LEVELS OF SUPERVISION

Each client should be assigned a level and type of supervision (Penal Code § 1202.8).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Supervision of Clients

402.4.1 ASSIGNMENT TO A LEVEL OF SUPERVISION

Officers shall follow department procedures when assigning each client to a level of supervision.

The assignment of each client to a level and type of supervision should be based on but not limited to the following:

- (a) Court-ordered directives related to supervision (Penal Code § 1202.8)
- (b) Results and findings of the risk and needs assessment administered pursuant to the Risk and Needs Assessments Policy
- (c) Results and findings of other relevant evaluations, including but not limited to mental and physical health evaluations and substance abuse evaluations
- (d) Information collected at intake pursuant to the Initial Intake to Probation Services Policy
- (e) Nature and severity of the offense requiring supervision
- (f) Past criminal history and past performance on probation/parole supervision
- (g) Other information relevant to a level and type of supervision determination

402.4.2 LEVELS OF SUPERVISION FOR SEX OFFENDERS

Adult sex offenders who are determined by a risk and needs assessment to pose a high risk to the public of committing a sex crime shall be assigned to intensive and specialized supervision as required by Penal Code § 1203f.

Juvenile sex offenders who pose a high risk of committing a sex crime should be considered for assignment to intensive and specialized supervision.

402.5 ESTABLISHMENT OF A CASE MANAGEMENT PLAN

A case management plan should be established for all supervised clients according to department procedures. Prior to developing a case management plan, officers should review with the client the results of any risk and needs assessment, the pre-sentence investigation, if applicable, and the information collected during intake.

Case management plans should outline supervision strategies, including supervision, monitoring, needs screening, and referrals to appropriate programming such as treatment, education, and training programs.

Officers should review the materials used to develop the case management plan with the client, as appropriate.

A case management plan should identify all terms of release. Additions and modifications to court-ordered conditions shall be consistent with the Modification of Conditions of Supervision Policy.

402.5.1 JUVENILE CASE MANAGEMENT PLAN

When establishing a case management plan with a juvenile, a parent or guardian should be present. Documentation should identify all persons present during the review.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Supervision of Clients

402.5.2 REVISIONS TO CASE MANAGEMENT PLAN

Officers should conduct routine reviews of the case management plan and adjust when it reasonably appears appropriate, including any time modifications are made to the conditions of release of the client. Updates to the case management plan should be approved by a supervisor.

402.6 POST-RELEASE COMMUNITY SUPERVISION FOR ADULTS

Persons subject to post-release community supervision pursuant to Penal Code § 3451 shall be supervised in accordance with this policy and state law. The individual under supervision shall be required to comply with the following terms of post-release community supervision (Penal Code § 3453):

- (a) Obey all laws.
- (b) Report to the probation agency within two working days of release from custody.
- (c) Follow the directives and instructions of the assigned officer.
- (d) Report to the assigned officer as directed.
- (e) Be subject, along with the individual's residence, to search at any time of day or night, with or without a warrant by an officer or a peace officer (Penal Code § 3465).

Any additional post-release supervision conditions shall be reasonably related to the offense for which the individual was incarcerated, the individual's risk of recidivism, and the individual's criminal history (Penal Code § 3454).

402.7 MANDATORY SUPERVISION FOR ADULTS

Individuals on mandatory supervision pursuant to Penal Code § 1170(h)(5)(B) shall be supervised in accordance with this policy and Penal Code § 1170.

402.8 ADULT HOME DETENTION PROGRAM

If the Department provides for a home detention program, officers supervising an individual on home detention shall confirm (Penal Code § 1203.016; Penal Code § 1203.017):

- (a) That the individual is informed in writing of the rules and regulations of the program and the requirement to comply with those rules and regulations during the term of the individual's home detention.
- (b) That the individual remains inside the home during the designated hours.
- (c) That the individual permits access to the home by the officer at any time to confirm the individual's compliance with the conditions of the home detention.

402.9 NOTICE TO PROBATIONER

Once a case management plan has been established, officers should review and discuss any instructions or requirements with the client and provide written notification to the client (Penal Code § 1203.7; Penal Code § 1203.12; Penal Code § 3453).

Officers should also provide clients with an overview of what the client can expect while under the supervision of the Trinity County Probation Department, including:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Supervision of Clients

- (a) Reporting and other requirements.
- (b) Applicable rules.

Updates to any instructions or requirements should be reviewed with the client.

Officers should obtain a written acknowledgement from the client that the individual has received a copy of the supervision conditions and requirements.

402.9.1 NOTICE TO SEX OFFENDERS OF PROOF OF REGISTRATION DEADLINE

At least six days prior to the deadline, officers supervising clients required to register as sex offenders under state law shall inform the client that the individual is required to provide proof of the individual's registration as a sex offender within six working days of release, and any change to the registration within six working days of the change (Penal Code § 290.85).

402.9.2 NOTICE TO PARTICIPANTS IN HOME DETENTION PROGRAM

Officers shall provide written notice of the rules governing the home detention program to clients subject to mandatory home detention (Penal Code § 1203.016; Penal Code § 1203.017).

402.9.3 NOTICE OF VOTING RIGHTS

Officers should notify clients that a printed version of information regarding voting rights for persons with a criminal history is available upon request. When requested, officers shall provide the information (Elections Code § 2105.6).

402.10 OFFICER ADULT CASE RECORD

Officers shall keep a complete and accurate record of the history of each adult client assigned to their supervision. The record shall include (Penal Code § 1203.7; Penal Code § 1203.10):

- (a) The history of the client's case in court.
- (b) The name of the assigned officer.
- (c) The acts taken by the officer in connection with the case.
- (d) The age, sex, nativity, residence, education, habits of temperance, marital status, conduct, employment, occupation, parents' occupation, and the condition of the client during the term of probation.
- (e) The result of probation.

402.10.1 OFFICER JUVENILE CASE RECORD

Officers should keep a complete and accurate record for each juvenile client assigned to their supervision pursuant to established department procedures.

402.11 TRAINING

Officers should receive training on assigning of levels of supervision and developing and implementing case management plans before supervising clients.

Compliance Monitoring

403.1 PURPOSE AND SCOPE

This policy provides guidelines for monitoring clients.

This policy applies to all officers within the Trinity County Probation Department who monitor clients.

Drug and/or alcohol testing, search and seizure issues, and task force operations are addressed in the Drug and Alcohol Testing, Search and Seizure, and Task Force policies, respectively.

403.1.1 DEFINITIONS

Definitions related to this policy include:

Monitoring - Compliance monitoring includes observation and/or surveillance of clients through available means, including visual, audio, or digital. Monitoring includes but is not limited to conducting field observation, home contacts, office contacts, employment contacts, route checks, telephone checks, field contacts to referral services and programs, location monitoring, social media reviews, or any other type of visual or digital tracking of clients.

403.2 POLICY

It is the policy of this department to fairly and objectively monitor clients in accordance with federal and state law, as well as department policies and procedures.

403.3 MONITORING PLAN

Officers should establish a monitoring plan for each client. The monitoring plan should identify types and frequency of monitoring. Officers should limit monitoring to that which is reasonably necessary to accomplish the intended verification or corroboration.

Officers should consider the following when establishing the monitoring plan:

- (a) The terms of the court order
- (b) The case management plan
- (c) Required or recommended referrals to community-based resources and services
- (d) The results of any risk assessment, including the likelihood of the client to reoffend
- (e) The purpose of the surveillance (e.g., address or employment verification, unauthorized travel check, curfew check, suspected criminal associations)

Officers should not implement any specific form of monitoring or surveillance that is not authorized by the client's supervision, court, judicial officer, or releasing authority order, state law, and department procedure. Officers should obtain supervisor approval if modification of the court, judicial officer, or releasing authority order or a warrant reasonably appears necessary.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Compliance Monitoring

403.3.1 ADULT SEX OFFENDER REQUIREMENTS

The monitoring plan for adult clients assessed with the State Authorized Risk Assessment Tool for Sex Offenders who have a risk level of high shall include continued electronic monitoring, unless the client's court, judicial officer, or releasing authority order specifically provides that such monitoring is not needed, and intensive, specialized probation supervision that includes frequent reporting to the assigned officer (Penal Code § 1202.8; Penal Code § 1203f).

403.3.2 ADULT HOME DETENTION REQUIREMENTS

The monitoring plan for adult clients in a home detention program shall be consistent with any requirements of the home detention program and Penal Code § 1203.016 or Penal Code § 1203.017, as applicable.

403.3.3 ADULT POST-RELEASE COMMUNITY SUPERVISION ACT

The monitoring plan for persons subject to post-release community supervision should be developed in accordance with this policy and any review process established by the County (Penal Code § 3454).

403.4 GUIDELINES FOR MONITORING

When circumstances permit, officers should:

- (a) Obtain approval from a supervisor before conducting any monitoring of clients that is not provided for in the monitoring plan.
- (b) Have at least two officers present when conducting home contacts, work contacts, curfew checks, or any other type of monitoring occurring in the community.
- (c) Obtain prior approval from a supervisor for any monitoring of clients that requires more than two vehicles.

Officers should not conduct surveillance with the intent to harass, intimidate, or embarrass.

403.5 OFFICER RESPONSIBILITIES

Officers should document all monitoring conducted and observations made as a result.

An officer who is unable to adhere to a monitoring plan of an assigned client should notify a supervisor as soon as reasonably practicable and should request additional resources or an appropriate adjustment to the monitoring plan.

Changes to a monitoring plan require supervisor approval. Officers should seek supervisory approval for any changes to the monitoring plan, including adjustments based on changes to the case management plan, information learned from on-going monitoring, and alleged or observed client behavior.

403.6 SUPERVISOR RESPONSIBILITIES

The Chief Probation Officer or the authorized designee is responsible for:

- (a) Reviewing and approving the monitoring plan developed for each client.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Compliance Monitoring

- (b) Reallocating resources and/or approving modifications to monitoring plans as appropriate.
 - 1. If available resources are insufficient to meet statutory or court-ordered monitoring duties, the Chief Probation Officer shall provide written notice to the presiding judge of the superior court and the appropriate local government as provided in Penal Code § 1203.74.
- (c) Identifying approved monitoring techniques and establishing and maintaining procedures for the use of the techniques. Procedures should include:
 - 1. Identification of when the use of a technique is required or prohibited.
 - 2. Any required safety measures.
 - 3. When a warrant or modification to a court order may be required.
- (d) Identifying approved technology, such as digital or video recorders, Global Positioning System (GPS) devices, voice verification/call verification systems, and radio frequency technology. Procedures for approved technology should include:
 - 1. Access control.
 - 2. Oversight.
 - 3. Compliance verification.
 - 4. System audits.

403.7 TECHNOLOGY SYSTEMS

Officers should only use technological tools that have been approved by the department and for which they have received training.

Officers should test the technology before using in the field. If the tool malfunctions in the field, a supervisor should be notified and the malfunction documented.

When investigating a possible violation of conditions, an officer should document any reasonably discovered information that may corroborate or dispute evidence obtained using the technology, including any malfunctions.

403.7.1 ADULT ELECTRONIC MONITORING

If used to monitor adult clients, electronic monitoring shall be implemented in accordance with Penal Code § 1210.7 et seq. The Chief Probation Officer shall develop written guidelines to identify clients who will be subject to continuous electronic monitoring (Penal Code § 1210.12).

Electronic monitoring may include the use of a GPS with the minimum time intervals between transmission established based on an evaluation of the available department resources, the criminal history of the client, and the safety of the victim of the client (Penal Code § 1210.10).

Any device used for continuous electronic monitoring shall (Penal Code § 1210.8):

- (a) Be designed to be worn by a person.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Compliance Monitoring

- (b) Emit a signal as a person is moving or stationary that can be received and tracked across large urban or rural areas, inside or outside of structures, vehicles, or other objects to the greatest degree possible given limitations, size, and cost.
- (c) Function 24 hours a day.
- (d) Be resistant to unintentional or willful damage.

Electronic monitoring devices shall not be used to record or listen to any conversation, except for a conversation between the client and the officer used solely for voice identification (Penal Code § 1210.11).

403.7.2 JUVENILE ELECTRONIC MONITORING

If used to monitor juvenile clients, the monitoring should be conducted pursuant to the provisions outlined above for adult electronic monitoring.

403.8 SOCIAL MEDIA MONITORING

Using social media or any other internet source to access information for the purpose of monitoring clients shall comply with applicable laws and policies regarding privacy, civil rights, and civil liberties. Information gathered via the internet should only be accessed by members for purposes consistent with the case management plan. Social media monitoring should not be conducted unless it has been incorporated in the monitoring plan of the client or otherwise approved by a supervisor.

Members monitoring social media of clients should use only department-approved equipment while on-duty unless they are specifically authorized to do otherwise by a supervisor. If a member encounters information relevant to the monitoring of clients while off-duty or while using the member's own equipment, the member should note the dates, times, and locations related to the information and report the discovery to a supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release Policy).

403.8.1 ACCESS RESTRICTIONS

Information that can be accessed from any department computer, without the need of an account, password, email address, alias, or other identifier (unrestricted websites), may be accessed and used for legitimate monitoring purposes consistent with the monitoring plan for the client.

Accessing information from any internet source that requires the use or creation of an account, password, email address, alias, or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the client's case file.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Compliance Monitoring

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the client's case file.

Information gathered from any internet source should be evaluated for its validity, authenticity, accuracy, and reliability. Corroborative evidence should be sought and documented in the client's case file.

Any information collected in furtherance of compliance monitoring through an internet source should be documented in the client's case file. Documentation should include the source of information, the dates and times that the information was gathered, and screenshots if available.

403.9 ACCESS RESTRICTIONS

Recordings or other evidence created or received while conducting monitoring should be processed as provided in the Property Policy.

403.10 TRAINING

The department should provide periodic training to officers on this policy and related procedures. Training, subject to available resources, should include:

- (a) Use of approved methods of monitoring.
- (b) How and when to use approved technology for monitoring.
- (c) Constitutional issues that may arise during monitoring, including any warrant or court order requirements and privacy issues.
- (d) When coordination with local law enforcement or other agencies is appropriate.

Drug and Alcohol Testing

404.1 PURPOSE AND SCOPE

This purpose of this policy is to establish guidelines regarding drug and alcohol testing of clients under department supervision.

404.1.1 DEFINITIONS

Definitions related to this policy include:

Adulterated specimen - A specimen containing a substance that is not a normal constituent or containing an endogenous substance at a concentration that is not a normal physiological concentration.

Diluted specimen - A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Specimen - Urine or other body fluid or substance used for analysis.

404.2 POLICY

It is the policy of the Trinity County Probation Department to conduct drug and alcohol testing of clients to determine compliance with any conditions of supervision concerning drug and alcohol use, and when pursuant to other judicial order.

404.3 RESPONSIBILITIES

The Chief Probation Officer or the authorized designee should develop and maintain procedures for the administration of drug and alcohol tests, including but not limited to:

- (a) Criteria for identifying clients subject to random, scheduled, and for cause testing. The criteria should include consideration of:
 1. Conditions of supervision.
 2. Client factors such as history, current use, and behavior.
 3. Drug and alcohol assessments.
 4. Risk and needs assessments.
 5. Officer observations.
 6. Third-party information, where confirmed if necessary.
- (b) Types of unauthorized substances tested.
- (c) Specimen collection and testing procedures, including:
 1. Identification of approved testing locations.
 2. Approved testing methods.
 3. Compliance with the department's exposure control plan and any applicable occupational safety requirements (see the Communicable Diseases policy).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Drug and Alcohol Testing

4. Supervision of the client being tested during the collection of a urine specimen by officers of the same sex as the client being tested, or of the same sex with which the client identifies.
 5. Use of approved testing equipment or devices.
 6. Collection of all specimens in an area free of agents or adulterants to avoid cross-contamination or dilution of specimens.
 7. Security procedures to prevent tampering with a specimen.
 8. Establishment of methods to verify that the person appearing for testing is the client subject to testing.
 9. Establishment of processes, including time frames, for a client to submit a specimen once a specimen has been requested.
- (d) Procedures for documenting the handling of specimens from the point of collection to disposal (chain of custody).
- [Click here for Procedures for Drug and Alcohol Testing](#)

404.3.1 THIRD-PARTY TESTING

The Chief Probation Officer or the authorized designee should work with community-based service providers (e.g., drug and/or alcohol treatment facilities) to develop procedures for notifying the supervising officer when a client submits a positive, adulterated, or diluted specimen, or refuses to submit a specimen to the community provider. Those procedures should include but not be limited to:

- (a) The time frame in which the provider must notify the supervising officer (e.g., immediately for high-risk offenders).
- (b) The type of communication required (e.g., email, phone).
- (c) The immediate action taken by the provider in response to the specimen, if any.
- (d) Preservation and documentation of the specimen and test results, confirmation testing, or other actions on the part of the provider; and chain of custody for the specimen and results, including any materials used in the collection and analysis of the specimen.

The Chief Probation Officer should establish any other required minimum data elements that are to be included in drug treatment progress reports from the community-based service providers.

404.3.2 NOTIFICATIONS

The supervising officer shall notify the drug treatment facility of a court order requiring drug testing within seven days of receiving the order (Penal Code § 1210.1). A copy of the client's treatment progress reports, received from the drug treatment facility, should be provided to the court every 90 days, or as the court directs (Penal Code § 1210.1).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Drug and Alcohol Testing

404.4 COLLECTION AND TESTING GENERALLY

Members who have been trained in department procedures for collecting specimens may collect specimens consistent with the client's case management plan, a court order, the random screening protocol, or as otherwise specified in department procedure.

404.4.1 RESPONSIVE ACTION

When a client admits to the use of an unauthorized substance, refuses to submit a specimen when required, tests positive for an unauthorized substance, or provides an adulterated or diluted specimen, the supervising officer should consider whether:

- (a) Confirmation testing is appropriate.
- (b) The failure or refusal may be a violation of the conditions of supervision and take further action pursuant to the Violations Policy.
- (c) With supervisor approval, modification to the conditions of supervision, including referral for further assessment to determine the need for outpatient or inpatient drug treatment services, would be appropriate and proceed pursuant to the Modification of Conditions of Supervision Policy.
- (d) A reassessment would be appropriate as provided in the Risk and Needs Assessments Policy.
- (e) Officers may choose to handle a violation of conditions of supervision in an informal manner, in consideration of each client's individual needs, as long as the action complies with court mandates.

If a client tests positive, admits use, or refuses to provide a sample and the officer reasonably suspects the client arrived at the testing location or intends to leave the testing location by operation of a motor vehicle while impaired, the officer should proceed according to the Violations Policy.

404.4.2 CONFIRMATION TESTS

Supervising officers should perform presumptive testing of a client despite an admission of use. However, laboratory confirmation testing is only required when the officer intends to use this information for the filing of a Violation of Probation.

When a specimen tests positive or is adulterated or diluted, regardless of any admission of use, reasonable efforts should be made to confirm whether the result occurred during the use of an authorized or prescribed medication or is the result of the use of a prohibited substance. This may include:

- (a) Administration of additional on-site screening.
- (b) Verification of medical prescriptions or medical marijuana identification card if use is approved by the court or conditions of the client's supervision.
- (c) Submission of an appropriate specimen, following the established chain of custody, to an approved toxicology laboratory for confirmation testing.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Drug and Alcohol Testing

404.5 TRAINING

Officers should receive training on this policy and related procedures.

Modification of Conditions of Supervision

405.1 PURPOSE AND SCOPE

The purpose of this policy is to provide general guidance for the modification of conditions of supervision.

405.2 POLICY

It is the policy of this department that officers will communicate with the courts and the client to modify conditions of supervision.

405.3 APPROVALS

Officers shall not modify conditions of supervision without court approval unless the court has expressly delegated the authority to do so to the officer or Trinity County Probation Department.

If court approval is not required and the modification would decrease the intensity of supervision, officers should obtain supervisor approval prior to the modification.

405.4 MODIFICATIONS

When an officer determines modification of a client's conditions of supervision may be appropriate, the officer should within a reasonable time:

- Identify the proposed modification and document the reason(s) for the proposed modification.
- Notify the client of the proposed modification and ask whether the client will agree to the modification.
- If the client is a minor, proceed with the Modification Hearing subsection (even if the client agrees to the modification).

An agreement by the client to the modification should be in writing and witnessed by a supervisor and a third-party officer or staff member.

405.4.1 MODIFICATION WITHOUT HEARING

If the client agrees to the modification and the court has expressly authorized modifications without a hearing, the officer should (Penal Code §1203.2; Penal Code § 3455):

- (a) Obtain a written waiver of the hearing from the client.
- (b) Submit to the court a copy of the modification along with the rationale for the modification and the client's agreement and waiver of hearing.

Prior to submission of court documents, the officer shall notify the client of the right to an attorney, and if indigent, the right to a court-appointed attorney (Penal Code § 1203.2). If a client waives the right to an attorney, the officer should obtain a signature from the individual on the written waiver. If the client consults with an attorney and thereafter agrees to the modification and waiver of personal appearance at the hearing, the officer should obtain a signature from the attorney as to the agreement (Penal Code § 1203.2; Penal Code § 3455).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Modification of Conditions of Supervision

405.4.2 MODIFICATION HEARING

If the client does not waive a court hearing or a hearing is required under the circumstances, the officer should:

- (a) Arrange to have a court date set.
- (b) Prepare or assist in preparing any documents required by the court (Penal Code § 1203.2; Penal Code § 3455; Welfare and Institutions Code § 778).
- (c) Notify the client of the hearing date.
 1. Notice should be in writing signed by the client and the method of notice, or reason why notice was not given, should be documented.
 2. Officers filing a petition to juvenile court to modify or set aside a condition of probation should serve a copy of the petition on the District Attorney, the minor's attorney of record, or, if there is no counsel of record, to minor and the parents or guardians (Welfare and Institutions Code § 778; Welfare and Institutions Code § 776).

405.5 CASE MANAGEMENT PLAN

Officers should review any resulting modifications with the client.

The case management plan should be modified as appropriate. See the Supervision of Clients Policy.

405.6 DOCUMENTATION

Documents associated with modifications of conditions of supervision, including any waivers and approvals, should be filed in the client's case file and retained in accordance with the Records Maintenance and Release Policy.

Violations

406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for responding to and reporting violations of conditions of supervision.

406.2 POLICY

It is the policy of this department to respond to potential violation behavior with due diligence.

406.3 INVESTIGATIONS

Officers should begin an investigation into reported or suspected violation behavior within a reasonable time. Investigations into possible violations involving behavior reasonably believed to implicate a specific threat to public safety or to the safety of the client or another person should be given priority.

Suspected violations that may constitute additional criminal behavior should be documented sufficiently for presentation to outside agencies, such as local law enforcement for follow-up or the District Attorney for filing of additional charges. See the Report Preparation Policy.

All investigations should be documented, including whether the case was submitted to the court and/or the District Attorney and any reasons it was not.

406.4 PROCESSING VIOLATIONS

If as a result of an investigation, the officer reasonably believes violation proceedings are appropriate, the officer should make reasonable efforts to bring the matter before the court as soon as reasonably practicable.

406.4.1 REQUIRED VIOLATION REPORTING

Officers shall report any violation or breach of conditions imposed by the court to both the court that appointed the officer and the court that released the client, if different (Penal Code § 1203.7; Penal Code § 1203.12).

Officers who receive written notification that a client has been imprisoned for another offense shall submit a report to the court that released the client not later than 30 days after receiving notification of the imprisonment. Officers who otherwise discover that a client is incarcerated on another offense should make reasonable efforts to notify the releasing court of the information discovered (Penal Code § 1203.2a).

406.4.2 DISCRETIONARY VIOLATION REPORTING

Officers should consult with a supervisor in cases where they reasonably believe that, despite violation behavior, compliance with conditions may be achieved without court intervention. If modification of conditions is appropriate, officers should proceed in accordance with the Modification of Conditions of Supervision Policy.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Violations

Officers who determine that intermediate sanctions are not appropriate for an individual who violated conditions of supervision on post-release community supervision (PRCS) pursuant to Penal Code § 3450 et seq. should submit a petition to the court to revoke or terminate PRCS, if appropriate, or proceed with the Modifications of Conditions of Supervision Policy (Penal Code § 3455).

406.4.3 FLASH INCARCERATION

Officers shall obtain supervisor approval prior to the imposition of flash incarceration. Officers shall notify the court, sheriff's office, District Attorney, and public defender as soon as practicable once a decision has been made to impose flash incarceration on a client (Penal Code § 1203.35). If a client does not agree to accept a recommended period of flash incarceration, the officer should report the violation to the court, if appropriate, or proceed with the Modification of Conditions of Supervision Policy, if applicable (Penal Code § 1203.35).

406.4.4 ADDITIONAL REQUIREMENTS FOR INDIVIDUALS ON POST-RELEASE COMMUNITY SUPERVISION

Officers should investigate suspected violation behavior of individuals on PRCS pursuant to Penal Code § 3450 et seq. and process violations per the Investigations and Processing Violations sections of this policy.

Officers who have a reasonable belief that an individual on PRCS has violated a condition of supervision should obtain supervisor approval prior to the implementation of flash incarceration (Penal Code § 3454).

If flash incarceration or another intermediate sanction is not appropriate, the officer should submit a petition to the court to revoke or terminate PRCS, if applicable, or proceed with the Modification of Conditions of Supervision Policy. The petition shall include a written report that contains the terms and conditions of PRCS, the circumstances of the violation, the history of the violator, and any recommendations (Penal Code § 3455). If a petition is submitted to the court, the officer should proceed with the Service of Documents, Notice to the District Attorney, Evidence Disclosure, and Notifications sections in this policy. If an arrest is appropriate, the officer should proceed with the Arrests section of this policy.

406.5 ARRESTS

Officers who reasonably believe that an arrest is appropriate based on violation behavior should take steps to initiate the arrest (i.e., by contacting local law enforcement, if appropriate under the circumstances; by obtaining an arrest warrant) within the scope of their authority and without unreasonable delay (Penal Code § 1203.2; Penal Code § 3455; Welfare and Institutions Code § 625) (see the Probation Authority policy.)

If an officer has a reasonable belief that an immediate arrest is warranted (e.g., the violation behavior implicates a specific threat (such as an intoxicated client close to operating a vehicle), abscondence is likely, the arrest is required by state law), the officer should initiate a warrantless arrest if legally permitted under the circumstances.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Violations

If an arrest warrant is issued for the violation, the officers should request assistance from local law enforcement to serve the warrant, if appropriate.

406.6 SERVICE OF DOCUMENTS

Regardless of whether an arrest is made, the officer shall serve a copy of any petition filed with the court on the client or the attorney for the client, if known (Penal Code § 1203.2). The officer should also serve a copy of the violation report on the client or the client's attorney, if known.

A copy of the petition to revoke probation and/or violation report should be served personally on the client. If personal service cannot reasonably be made, service should be made by certified mail, return receipt requested.

If an officer reasonably believes that service may pose an unreasonable risk, the officer should request local law enforcement assistance.

406.6.1 NOTICE TO THE DISTRICT ATTORNEY

Officers shall provide a copy of the petition to revoke probation to the District Attorney (Penal Code § 1203.2). The copy should be provided as soon as practicable after filing the petition. The method of notification (e.g., personally, by certified mail) and the date should be documented.

406.6.2 EVIDENCE DISCLOSURE

Evidence that the officer intends to be used at a violation hearing should be disclosed prior to the hearing to the District Attorney. Information that is confidential or protected may have disclosure limitations and should be approved by a supervisor and/or the court prior to disclosure.

406.6.3 SUPPLEMENTAL PETITIONS IN JUVENILE COURT

Officers filing a supplemental petition to juvenile court shall serve notice of the date, time, and place of a Welfare and Institutions Code § 777 hearing to the minor's parents, foster parents, guardians, or the relatives providing care to the minor in the manner required by Welfare and Institutions Code § 658 or Welfare and Institutions Code § 660, as applicable (Welfare and Institutions Code § 777).

406.7 NOTIFICATIONS

Officers who initiate violation proceedings against clients should consider whether notification should be made to a third party or the victim of the offense for which the client is on supervision. See the Victim and Witness Assistance Policy.

Subpoenas and Court Appearances

407.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Trinity County Probation Department to cover any related work absences and keep the Department informed about relevant legal matters.

407.2 POLICY

Trinity County Probation Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

407.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so. This may be accomplished by personal service to the officer or by delivery of two copies of the subpoena to the officer's supervisor or other authorized department agent (Government Code § 68097.1; Penal Code § 1328).

The party that issues a civil subpoena to an officer to testify as a witness must tender the statutory fee of \$275 with the subpoena for each day that an appearance is required before service is accepted of the subpoena (Government Code § 68097.2).

An immediate supervisor or authorized individual may refuse to accept service for a criminal subpoena if (Penal Code § 1328):

- (a) The supervisor or authorized individual will be unable to deliver a copy of the subpoena to the named officer within sufficient time for the named officer to comply with the subpoena.
- (b) It is less than five working days prior to the date listed for an appearance and the supervisor or authorized individual is not reasonably certain that service can be completed.

If, after initially accepting service of a criminal subpoena, a supervisor or other authorized individual determines it is not possible to deliver a copy of the subpoena to the named officer within sufficient time for the named officer to comply with the subpoena, the supervisor or the subpoena clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328).

407.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify, or provides information on behalf or at the request of any party other than the County Counsel or the prosecutor shall notify the member's immediate supervisor without delay regarding:

- (a) Any civil case where the County or one of its members, as a result of their official capacity, is a party.
- (b) Any civil case where any other city, county, state, or federal unit of government or a member of any such unit of government, as a result of their official capacity, is a party.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Subpoenas and Court Appearances

- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of their association with the Trinity County Probation Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Trinity County Probation Department.

The supervisor will then notify the Chief Probation Officer and the appropriate prosecuting attorney as may be indicated by the case. The Chief Probation Officer should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

407.3.2 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current collective bargaining agreement or memorandum of understanding.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

407.3.3 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

407.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

407.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes location during the day, the member shall notify the designated department member of how the member can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

407.6 COURTROOM PROTOCOL

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Subpoenas and Court Appearances

- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

407.6.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court. The member should also contact the prosecuting attorney regarding testimony and evidence that might be needed in court.

407.6.2 EVIDENCE

When a member is directed by a subpoena to appear in court with evidence or the prosecuting attorney requests evidence that is available to the member, that member should:

- (a) Notify the Evidence Room promptly after receiving the subpoena that the specified evidence is needed for court, and verify that the evidence is readily available.
- (b) Verify whether the evidence will be analyzed by the time of the court appearance, if applicable, and advise the prosecutor of any delay.
- (c) Check with the prosecuting attorney on a timely basis if in doubt about what items or materials to bring to court.
- (d) Notify the prosecuting attorney on a timely basis in the event that evidence has been lost, stolen, or misplaced, or if previously undisclosed information about the evidence has become available.
- (e) Comply with provisions of the Property Policy regarding checking out the evidence and transferring custody of the evidence to the prosecutor or the court, whichever is appropriate.

407.7 OVERTIME APPEARANCES

When a member appears in court on off-duty time, the member will be compensated in accordance with the current collective bargaining agreement or memorandum of understanding.

Interstate Transfer of Supervision

408.1 PURPOSE AND SCOPE

The purpose of this policy is to guide the processing of cases related to the Interstate Compact for Adult Offender Supervision (ICAOS) and ensure the Trinity County Probation Department's compliance with ICAOS.

408.1.1 DEFINITIONS

Compact Administrator - The individual in each compacting state responsible for the administration and management of the state's supervision and transfer of offenders, subject to the terms of ICAOS, the rules adopted by the Interstate Commission for Adult Offender Supervision, and policies adopted by the State Council.

Interstate Compact for Adult Offender Supervision (ICAOS) - A reciprocal agreement among the 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands for the controlled movement and transfer of probation supervision authority across state lines.

Interstate Compact Offender Tracking System (ICOTS) - A web-based system that facilitates the transfer of supervision for clients from one state to another. ICOTS includes mechanisms for notifications of departures, arrivals, progress, violations, and case closures.

408.2 POLICY

It is the policy of the Trinity County Probation Department to use ICOTS when planning for and organizing the movement and supervision of clients across state lines. All interstate transfer of supervision activities should comply with the uniform framework of ICAOS.

408.3 REQUEST FOR TRANSFER OF SUPERVISION BY A CLIENT

When a client requests a transfer of supervision to another state, the officer should:

- Discuss the client's request with the client, including the client's reasoning and the client's supervision plan for compliance in the potential receiving state.
- Review the client's supervision plan to ensure it meets criteria for transfer as specified in ICAOS rules, including any special criteria where applicable (e.g., mandatory transfer, sex offender transfer, emergency transfer).
- Review the client's supervision status, including the client's current compliance status with any past or present conditions of supervision.

408.4 TRANSFER, RETAKE, AND CLOSURE OF ICAOS CASES

The Trinity County Probation Department should follow the rules set forth by the Interstate Commission for Adult Offender Supervision and the State Council and should cooperate with the state Compact Administrator.

The Trinity County Probation Department should utilize ICOTS as necessary, including for notifications of departures, arrivals, progress, violations, and case closures.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Interstate Transfer of Supervision

408.5 RECEIPT OF TRANSFERRED PROBATIONERS

Transferred clients received by the Trinity County Probation Department should be given an orientation consistent with the Initial Intake to Probation Services and Orientation Policy.

408.6 TRAINING

The Trinity County Probation Department should provide training to officers involved in ICAOS cases.

Interstate Transfer of Supervision of Juveniles

409.1 PURPOSE AND SCOPE

The purpose of this policy is to guide processing of Compact cases and ensure the Trinity County Probation Department's compliance with the Interstate Compact for Juveniles (ICJ).

409.1.1 DEFINITIONS

Compact Administrator - The individual in each compacting state responsible for the administration and management of the state's supervision and transfer of offenders, subject to the terms of the ICJ, the rules adopted by the Interstate Commission for Juveniles, and policies adopted by California's ICJ office.

Interstate Compact for Juveniles (ICJ) - A reciprocal agreement among the 50 states, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands for the controlled movement and transfer of probation supervision authority across state lines for juveniles (4 USC § 112).

Uniform Nationwide Interstate Tracking for Youth (UNITY) - A web-based system for tracking interstate juvenile movement.

409.2 POLICY

It is the policy of the Trinity County Probation Department to use UNITY when planning for and organizing the movement and supervision of clients across state lines. All interstate transfer of supervision activities will comply with the uniform framework of ICJ.

409.3 REQUEST FOR TRANSFER OF SUPERVISION BY A CLIENT

When a request for transfer of supervision to another state is made, the officer should:

- Confirm an appropriate legal guardian exists, or is anticipated to exist, in the receiving state.
- Discuss the request with the client and legal guardian(s), including the reasoning and the plan for compliance in the potential receiving state.
- Review the plan to ensure it meets criteria for transfer as specified in ICJ rules, including any special criteria where applicable (e.g., mandatory transfer, juvenile sex offender transfer, expedited transfer).
- Review the client's supervision status, including the client's current compliance status with any past or present conditions of supervision.
- Complete and submit applicable forms required by ICJ rules. [See the following link to ICJ Rules](#)

409.4 TRANSFER, RETAKE, AND CLOSURE OF ICJ CASES

The Trinity County Probation Department should follow the ICJ rules, and will cooperate with the state Compact Administrator.

The Trinity County Probation Department should utilize UNITY as necessary, including for notifications of departures, arrivals, progress, violations, and case closures.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Interstate Transfer of Supervision of Juveniles

409.5 RECEIPT OF TRANSFERRED CLIENTS

Transferred clients received by the Trinity County Probation Department should be given an orientation consistent with the Initial Intake to Probation Services Policy.

409.6 TRAINING

The Trinity County Probation Department should provide training to officers involved in ICJ cases.

Prison Rape Elimination Act

410.1 PURPOSE AND SCOPE

This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect, and respond to sexual abuse and sexual harassment in Trinity County Probation Department facilities (28 CFR 115.5 et seq.).

410.1.1 DEFINITIONS

Definitions related to this policy include:

Confined individual - A resident of a community confinement facility, or a detainee in a lockup, owned or operated by the Trinity County Probation Department (28 CFR 115.5).

Sexual abuse - Any of the following acts if the confined individual does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- (b) Contact between the mouth and the penis, vulva, or anus
- (c) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument
- (d) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

Sexual abuse also includes abuse by a member of the Department or a contractor, with or without consent of the confined individual, as follows:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Contact between the mouth and any body part where the department member or contractor has the intent to abuse, arouse, or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties, or where the department member or contractor has the intent to abuse, arouse, or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties, or where the member or contractor has the intent to abuse, arouse, or gratify sexual desire
- Any attempt, threat, or request by the department member or contractor to engage in the activities described above

Trinity County Probation Department

New Probation Manual

New Probation Manual

Prison Rape Elimination Act

- Any display by the department member's or contractor's uncovered genitalia, buttocks, or breast in the presence of a confined individual
- Voyeurism by the department member or contractor

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one confined individual that are directed toward another; repeated verbal comments or gestures of a sexual nature to a confined individual by a member of the Department or contractor, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

410.2 POLICY

The Trinity County Probation Department has zero tolerance with regard to sexual abuse and sexual harassment in its facilities. This department will take appropriate affirmative measures to protect all confined individuals from sexual abuse and harassment, or retaliation against any person who reports sexual abuse or sexual harassment, or who cooperates with a sexual abuse or sexual harassment investigation, and will promptly, thoroughly, and objectively investigate all allegations of sexual abuse and sexual harassment (28 CFR 115.111; 28 CFR 115.211).

410.3 PREA COORDINATOR

The Chief Probation Officer shall delegate certain responsibilities to a PREA coordinator. The coordinator shall be an upper-level manager. The coordinator must have sufficient time and authority to develop, implement, and oversee department efforts to comply with PREA standards (28 CFR 115.111; 28 CFR 115.211).

The responsibilities of the PREA coordinator shall include developing and maintaining standards and procedures to comply with the PREA Rule.

410.3.1 CONTRACTS WITH OUTSIDE AGENCIES

The PREA coordinator shall ensure that any contract for the confinement or detention of confined individuals includes the requirement to adopt and comply with applicable provisions in PREA and the implementing regulations, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.287 (28 CFR 115.212).

The PREA coordinator shall implement agreements and/or memorandums of understanding for any outside investigation agencies responsible for sexual abuse investigations that include compliance with the appropriate protocol, appropriately trained investigators, evidence collection practices, forensic medical examination requirements, and an agreement to keep the Trinity County Probation Department apprised of the progress of sexual abuse investigations (28 CFR 115.221; 28 CFR 115.271).

410.4 PERSONNEL ISSUES

Trinity County Probation Department

New Probation Manual

New Probation Manual

Prison Rape Elimination Act

410.4.1 DISQUALIFICATION DECISIONS

Every person who may have confined individual contact as a member or contractor shall, prior to service, undergo a thorough background investigation to verify personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Trinity County Probation Department.

The Trinity County Probation Department shall not hire, promote, assign, or transfer any member or contractor to a position that may allow contact with confined individuals if the member has (28 CFR 115.117; 28 CFR 115.217):

- (a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution as defined in 42 USC § 1997.
- (b) Been convicted of engaging in or attempting to engage in sexual activity that was facilitated by force, or overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.
- (c) Been civilly or administratively adjudicated to have engaged in the activity described in paragraph (b) of this subsection.

The department shall ask all candidates who may have contact with confined individuals to disclose any applicable misconduct during written applications or interviews. Material omissions regarding such misconduct, or the provision of materially false information, are grounds for termination.

410.4.2 PREA DISCLOSURE

Members have a continuing affirmative duty to notify the Chief Probation Officer in writing if they have (28 CFR 115.117; 28 CFR 115.217):

- (a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution as defined in 42 USC § 1997.
- (b) Been convicted for an offense involving engaging in or attempting to engage in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.
- (c) Been the subject of any civil or administrative adjudication finding that the member engaged in sexual activity facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.

The department shall ask all employees who may have contact with confined individuals to disclose any applicable misconduct during written evaluations or reviews. Material omissions regarding such misconduct, or the provision of materially false information, are grounds for termination.

410.4.3 PRESERVATION OF ABILITY TO PROTECT CLIENTS

The Department shall not enter into or renew any memorandum of understanding, collective bargaining agreement, or other agreement that limits the department's ability to remove alleged

Trinity County Probation Department

New Probation Manual

New Probation Manual

Prison Rape Elimination Act

staff sexual abusers from contact with any client pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted (28 CFR 115.266).

Bias-Based Supervision

411.1 PURPOSE AND SCOPE

This policy provides guidance to Trinity County Probation Department members that affirms the County's commitment to supervision that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in probation activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, and partnerships).

411.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based supervision - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing supervision services or enforcement of court orders.

411.2 POLICY

The Trinity County Probation Department is committed to providing supervision services to the community with due regard for the racial, cultural, or other differences of those served. It is the policy of this department to provide probation services and to enforce the law and conditions set by the court equally, fairly, objectively, and without discrimination toward any individual or group.

411.3 BIAS-BASED SUPERVISION PROHIBITED

Bias-based supervision is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely, and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns, or specific schemes.

411.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform their duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based supervision to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

411.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report), the involved officer should include those facts giving rise to the contact.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Bias-Based Supervision

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

411.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and the officer's supervisor in a timely manner.
 - 1. Supervisors should document these discussions in the prescribed manner.
- (b) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (c) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based supervision.

411.6 TRAINING

Training on fair and objective supervision and review of this policy should be conducted as directed by the Training Manager.

Chapter 5 - Field and Special Operations

Crime Scene Integrity and Investigation

500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the discovery of a crime or crime scene by department members and any corresponding investigation of a crime.

This policy is intended to address criminal investigations of new crimes or crime scenes, not specific violations of an offender's terms of probation. See the Violations Policy.

500.2 POLICY

It is the policy of this department to secure the safety of the public and the preservation of crime scenes, when reasonably practicable, until relieved by local law enforcement, a supervisor, or other designated person. It is also the policy of this department to cooperate with local law enforcement in the investigation of newly discovered crimes as set forth in this policy.

500.3 INITIAL CONSIDERATIONS

Officers who become aware of a crime or crime scene, including one that may involve clients under the supervision of the Department, should contact the appropriate local law enforcement agency as soon as practicable.

If the crime involves a client under supervision by the Department, the officer should coordinate investigative responsibilities and share relevant information with the responding local law enforcement agency.

An officer who reasonably believes that an individual present during the commission of a crime or at a crime scene is under probation supervision by another officer or other department should take reasonable steps to notify the individual's supervising officer or the associated department to coordinate any necessary investigative responsibilities.

500.3.1 RESPONSE

Officers who encounter or who are first to arrive at a crime scene should:

- (a) Contact local law enforcement.
- (b) Contact other local agencies (e.g., emergency medical services, fire) and request additional assistance and resources, if appropriate.
- (c) Notify a supervisor.
- (d) When reasonably practicable, provide for the general safety of those within the immediate area by mitigating, reducing, or eliminating threats or dangers.
- (e) Evacuate the location safely as required or appropriate.
- (f) Identify potential witnesses.

500.4 ARRESTS

An officer at the location of a crime or crime scene should not initiate an arrest unless the officer has a reasonable belief that an immediate arrest is appropriate and warranted to prevent

Trinity County Probation Department

New Probation Manual

New Probation Manual

Crime Scene Integrity and Investigation

imminent harm to others and only if legally permitted under the circumstances. Additional guidance regarding officer arrest authority under California law is provided in the Probation Authority Policy.

Circumstances involving domestic violence or the crime of possession of medical marijuana may require exceptional handling under California law.

500.4.1 ARRESTS AND INVESTIGATIONS INVOLVING DOMESTIC VIOLENCE

Absent extenuating circumstances involving an imminent threat of death or bodily injury to the officer or another person, officers who have probable cause to believe that an offense involving domestic violence has occurred within their presence should request response by the appropriate local law enforcement agency.

This should be considered even if the officer has arrest authority under California law. However, if the officer is authorized or required to take enforcement action, the officer shall take steps to reasonably ensure that appropriate action is taken, including an arrest when there is probable cause to do so. In such case, any decision not to arrest shall be made by the officer's supervisor.

Officers shall also take steps to reasonably ensure any other mandatory action related to domestic violence is accomplished. This may include mandates related but not limited to the following:

- (a) Required victim notifications or assistance.
- (b) The service of court orders.
- (c) Seizure of firearms or other deadly weapons in accordance with Penal Code § 18250 if the incident involved threats of bodily harm or physical assault and the firearm or weapon is discovered in plain view or pursuant to consent or other lawful search.

500.4.2 ARRESTS AND INVESTIGATIONS INVOLVING THE USE OF MEDICAL MARIJUANA

Officers shall not arrest a cardholder or designated primary caregiver in possession of an identification card solely for the crime of possession, transportation, delivery, or cultivation of medical marijuana at or below the statutory amount unless there is probable cause to believe that (Health and Safety Code § 11362.71; Health and Safety Code § 11362.78):

- (a) The information contained in the card is false or falsified.
- (b) The card has been obtained or used by means of fraud.
- (c) The person possesses marijuana, but not for personal medical purposes.

Officers should refer to the Violations Policy when a client alleges possession or use of marijuana for medicinal purposes and the client's terms of supervision do not allow for medicinal use or possession.

500.5 EVIDENCE

Officers should not conduct searches beyond the scope of their authority. Evidence discovered at a crime scene and that pertains to an officer's investigation of a probation violation should be documented and preserved as soon as practicable in accordance with the Search and Seizure Policy.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Crime Scene Integrity and Investigation

Officers who discover evidence that does not relate to a probation violation should defer to local law enforcement personnel for collection.

500.6 REPORTS

Reports should include adequate investigative information and reference to all evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in a related criminal case, as well as information that may adversely affect the credibility of a witness. If an officer learns of potentially incriminating or exculpatory information any time after submission of a report, the officer should prepare and submit a supplemental report documenting such information as soon as practicable.

Officers should proceed with the Violations Policy when the investigation involves a violation of probation conditions.

500.6.1 DISCLOSURE OF REPORTS

Upon completion, reports, including any supplemental reports, should be transmitted to the prosecutor's office and to any other agency to whom the original report was sent (e.g., local law enforcement agency). If information is believed to be privileged or confidential (e.g., informant or protected information), release should be approved by a supervisor prior to disclosure.

Disclosure of protected information in this context may be subject to the Records Maintenance and Release and Protected Information policies. See the Violations Policy, regarding information disclosure as part of a probation violation hearing.

500.7 RECORDS

Reports created in relation to a crime or crime scene investigation should be retained in accordance with the Records Maintenance and Release Policy.

Ride-Alongs

501.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for a ride-along with members of the Trinity County Probation Department. This policy provides the requirements, approval process, hours of operation, and member responsibilities for ride-alongs.

501.2 POLICY

Ride-along opportunities may be provided to members of the public, County employees, and members of this department to observe and experience, firsthand, various functions of the Trinity County Probation Department. The term “ride-along” includes riding as a passenger with an officer performing field supervision or observing the work day of members engaging in other functions within the Department facility, such as office contacts with clients or supervised persons.

501.3 ELIGIBILITY

A ride-along is available to residents and business owners, consultants, students, and individuals employed by the county. Efforts will be made to accommodate all interested persons. However, any applicant may be disqualified from participating without cause.

Factors that may be considered in disqualifying an applicant include but are not limited to:

- Being younger than 15 years of age.
- Prior criminal history.
- Pending criminal action.
- Pending lawsuit against this department or the County.
- Denial by any supervisor.

501.4 AVAILABILITY

A ride-along or job observation is available most days of the week, from 8:00 a.m. to 5:00 p.m. Exceptions to this schedule may be made as approved by the supervisor.

501.5 REQUESTS TO PARTICIPATE

Generally, ride-along and job observation requests will be maintained and scheduled by the supervisor. The applicant must sign a release of liability that needs to be approved by the CAO per County Driving Policy No. 2002-002. If the applicant is younger than 18 years of age, a parent or guardian must be present to complete the waiver form. Information requested will include a valid state-issued identification card or driver’s license number, birth date, address, and telephone number.

The supervisor will schedule a date, based on availability, generally one week after the date of application. If approved, a copy of the waiver form will be forwarded to the appropriate division as soon as possible for scheduling considerations.

If the request is denied, a representative of this department will advise the applicant of the denial.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Ride-Alongs

501.6 PROCEDURES

Once approved, ride-along applicants will be allowed to participate no more than once every six months. An exception may apply to the following law enforcement-involved participants:

- Volunteers
- Chaplains
- Trinity County Probation Department applicants
- Any others with approval of the supervisor
- Student workers or interns

An effort will be made to ensure that no more than one member of the public will participate in a ride-along or job observation during any given time period. Normally, no more than one ride-along participant will be allowed in department vehicles at a given time.

501.6.1 OFF-DUTY PARTICIPATION

Off-duty members of this department or any other law enforcement agency, and employees of the County, will not be permitted to participate in a ride-along with on-duty members of this department without the express consent of the supervisor.

In the event that such participation is permitted, the off-duty department member, other law enforcement agency personnel, or County employee shall not:

- (a) Be considered on-duty.
- (b) Represent themselves as members of this department or any other law enforcement agency.
- (c) Participate in any law enforcement activity except as emergency circumstances may require.

501.6.2 CRIMINAL HISTORY CHECK

All ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Automated Criminal History System check prior to approval of the ride-along.

501.6.3 SUITABLE ATTIRE

Any person approved to participate in a ride-along is required to be suitably dressed in a collared shirt, blouse or jacket, slacks, and shoes. Sandals, T-shirts, tank tops, shorts, and ripped or torn pants are not permitted. Hats and ball caps will not be worn without the express consent of the supervisor. The supervisor, or a lead staff member in the absence of a supervisor, may refuse a ride-along to anyone who is not dressed appropriately.

501.7 MEMBER RESPONSIBILITIES

The assigned department member shall consider the safety of the ride-along or job observation participant at all times. The member shall maintain control over the participant and shall instruct the individual about conditions that necessarily limit participation. Instructions should include:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Ride-Alongs

- (a) The participant will follow the directions of the department member.
- (b) The participant will not become involved in any investigation, handling of evidence, discussions with victims, clients, supervised persons or suspects, reading an individual's criminal history or other protected information, or handling any probation department equipment.
- (c) Participation may be terminated at any time by the member if the participant interferes with the performance of the member's duties.
 - 1. If the ride-along is in progress, the member may return the participant to the point the ride originated.
- (d) Participants may be allowed to continue a ride-along during the transportation and booking process, provided it does not jeopardize their safety.
- (e) Members will not allow participants to be present in any location or situation that would jeopardize the participant's safety or cause undue stress or embarrassment to a victim or any other member of the public.
- (f) Participants who are not probation or law enforcement officers shall not be permitted to accompany the department member into a private residence without the express consent of the resident or other authorized person.

The member assigned to provide a ride-along shall advise the supervisor, or lead staff in the absence of a supervisor, that a ride-along participant is present in the vehicle before going into service. An officer with a ride-along participant should use sound discretion when encountering a potentially dangerous situation and, if feasible, let the participant out of the vehicle in a well-lit public place. The supervisor, or lead staff in the absence of a supervisor, will be advised of the situation and as soon as practicable have another department member respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

Conduct by a person participating in a ride-along that results in termination of the ride, or is otherwise inappropriate, should be immediately reported to the supervisor. The member should enter comments regarding the reasons for terminating the ride-along on the waiver form.

Upon completion of the ride-along, the member shall return the waiver form to the supervisor.

Hazardous Material Response

502.1 PURPOSE AND SCOPE

Exposure to hazardous materials presents potential harm to department members and the public. This policy outlines the factors that members should consider when they encounter hazardous material, including the reporting of exposures and supervisor responsibilities.

502.1.1 DEFINITIONS

Definitions related to this policy include:

Hazardous material - A substance that by its nature, containment, or reactivity has the capability of inflicting harm during exposure; is characterized as being toxic, corrosive, flammable, reactive, an irritant, or a strong sensitizer; and thereby poses a threat to health when improperly managed.

502.2 POLICY

It is the policy of the Trinity County Probation Department to immediately contact the appropriate local emergency services to respond to hazardous material emergencies in order to protect the safety of clients, the public, and those members who may be exposed to such incidents.

502.3 HAZARDOUS MATERIAL EXPOSURE

Members may encounter situations involving suspected hazardous materials, such as a chemical spill in the workplace. When members come into contact with a suspected hazardous material, they should take certain steps to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond to and mitigate most incidents involving hazardous materials and biohazards.

Members should not perform tasks or use equipment without proper training. Officers present at a hazardous material incident may require decontamination before they are allowed to leave the scene and should be evaluated by appropriate technicians and emergency medical services personnel for signs of exposure.

502.4 CONSIDERATIONS

These steps should be considered at any scene involving suspected hazardous materials:

- (a) Make the initial assessment of a potentially hazardous material from a safe distance.
- (b) Notify appropriate supervisors, the appropriate fire department and hazardous response units, and local law enforcement.
 1. Provide weather conditions, wind direction, a suggested safe approach route, and any other information pertinent to responder safety.
- (c) Wear personal protective equipment (PPE), as available and as trained, being cognizant that some hazardous material can be inhaled.
- (d) Remain upwind, uphill, and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Hazardous Material Response

- (e) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars or spotting scopes) if they are available. Identification can be determined by:
 - 1. Placards or use of an emergency response guidebook.
 - 2. Driver's statements or shipping documents from the person transporting the material.
 - 3. Information obtained from any involved person with knowledge regarding the hazardous material. Information should include:
 - (a) The type of material.
 - (b) How to secure and contain the material.
 - (c) Any other information to protect the safety of those present, the community, and the environment.
- (f) Provide first aid to injured parties if it can be done safely and without contamination.
- (g) Make reasonable efforts to secure the scene to prevent access from unauthorized individuals and to protect and identify any evidence.
- (h) Begin evacuation of the immediate and surrounding areas, dependent on the material. Voluntary evacuation should be considered; mandatory evacuation may be necessary and will depend on the type of material.
- (i) Establish a decontamination area when needed.

502.5 REPORTING EXPOSURE

Department members who believe they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an incident report that shall be forwarded via chain of command to the Chief Probation Officer as soon as practicable. If the affected member is unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.

Injury or illness caused or believed to be caused by exposure to hazardous materials shall be reported the same as any other on-duty injury or illness, in addition to a crime report or incident report as applicable.

502.5.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that a member has been exposed to a hazardous material, the supervisor shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure or continued exposure.

To ensure the safety of members, PPE is available from supervisors. PPE not maintained by this department may be available through the appropriate fire department or emergency response team.

Hostage and Barricade Incidents

503.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain, or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

503.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is:

- Unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.
- Unlawfully held against the person's will under threat or actual use of force.

503.2 POLICY

It is the policy of the Trinity County Probation Department to address hostage and barricade situations by immediately contacting local law enforcement.

503.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. The focus of communication should be to stabilize the situation while awaiting local law enforcement.

503.4 CONSIDERATIONS

Officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

Officers should immediately contact local law enforcement when it is determined that a hostage or barricade situation exists.

The handling officer should brief the arriving local law enforcement officers of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Hostage and Barricade Incidents

503.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting local law enforcement, specialized personnel, and trained negotiators.

503.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of local law enforcement, specialized personnel, and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats.

503.5 RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, establish a proper chain of command, and assume the role of Incident Supervisor until properly relieved by local law enforcement.

503.6 REPORTING

Unless otherwise relieved by a supervisor, the handling officer at the scene is responsible for completion of an incident report.

Response to Bomb Threat Calls

504.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Trinity County Probation Department in their initial response to incidents involving explosives or explosive devices, explosion/bombing incidents, or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

504.2 POLICY

It is the policy of the Trinity County Probation Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

504.3 RECEIPT OF BOMB THREAT

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement, and alleged detonation time of the device and should immediately contact the appropriate local law enforcement agency to convey the information.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

504.4 TRINITY COUNTY PROBATION DEPARTMENT FACILITY

If the bomb threat is against the department facility, the member who received the threat should immediately contact the appropriate local law enforcement agency and notify the supervisor as soon as practicable. The supervisor, in coordination with local law enforcement, will direct and assign officers as required for coordinating a general building search or evacuation of the department, as deemed appropriate.

504.5 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY

If the bomb threat is against a county or municipal facility within the jurisdiction of the County that is not the property of this department, assistance to the other entity may be provided as the supervisor deems appropriate once the appropriate local law enforcement agency has been notified of the threat.

504.6 PRIVATE FACILITY OR PROPERTY

When a member of this department receives notification of a bomb threat at a location in the County of Trinity, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location of the facility.
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Response to Bomb Threat Calls

- (d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting law enforcement assistance at the facility.
- (f) Whether any internal facility procedures exist regarding bomb threats, such as:
 - 1. No evacuation of personnel and no search for a device.
 - 2. Search for a device without evacuation of personnel.
 - 3. Evacuation of personnel without a search for a device.
 - 4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that local law enforcement is notified. Also notify the department supervisor immediately so that the supervisor can communicate with the person in charge of the threatened facility as necessary.

504.7 ASSISTANCE

The Chief Probation Officer or the authorized designee should be notified when department assistance is requested. The Chief Probation Officer or authorized designee will make the decision whether the Department will render assistance to responding law enforcement and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including evacuation and giving officers control over the facility.

Should the Chief Probation Officer or authorized designee determine that the department will assist law enforcement with such an incident, the Chief Probation Officer or authorized designee will determine:

- (a) The appropriate level of assistance.
- (b) The plan for assistance in consultation with responding local law enforcement.
- (c) Whether to evacuate and/or search the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building.
 - 1. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
 - 1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request local law enforcement's assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

504.8 SUSPECTED DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all-inclusive, should be followed:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Response to Bomb Threat Calls

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes:
 - 1. Two-way radios.
 - 2. Cell phones.
 - 3. Other personal communication devices.
- (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (f) A safe access route should be provided for support personnel and equipment.
- (g) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (h) Promptly relay available information to local law enforcement and the Chief Probation Officer or authorized designee including:
 - 1. The time of discovery.
 - 2. The exact location of the device.
 - 3. A full description of the device (e.g., size, shape, markings, construction).
 - 4. The anticipated danger zone and perimeter.
 - 5. The areas to be evacuated or cleared.

504.9 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, the supervisor may be confronted with a multitude of considerations. As in other catastrophic events, a rapid evacuation may help to minimize injury to victims, contamination of the scene, or any additional damage from fires or unstable structures.

504.9.1 CONSIDERATIONS

Officers present at the scene of an explosion, whether accidental or a criminal act, should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries, where safe and practicable.
- (b) Request additional personnel and resources, as appropriate.
- (c) Assist with first aid.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Response to Bomb Threat Calls

- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens, and hazardous materials, where safe and practicable.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices only if trained to do so or where necessary to establish an evacuation route for self and others.
- (g) Preserve evidence, where safe and practicable.
- (h) Establish an outer perimeter and evacuate, if necessary.
- (i) Identify witnesses.

504.9.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified, as appropriate:

- Local law enforcement
- Supervisor
- Fire department
- Bomb squad
- Additional department personnel, as necessary
- Other government agencies, as appropriate

504.10 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. Pending the arrival of local law enforcement, the supervisor should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact evidence may be embedded in nearby structures or hanging in trees and bushes.

504.10 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene and only at the direction of local law enforcement. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

Crisis Intervention Incidents

505.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

505.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage their behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; noncompliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive, or dangerous behavior that may be accompanied by impaired judgment.

505.2 POLICY

The Trinity County Probation Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

505.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation, or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality, or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness, or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, or lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility, or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these signs should not be treated as proof of the presence or absence of a mental health issue or crisis.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Crisis Intervention Incidents

505.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Chief Probation Officer should designate an appropriate Supervising Deputy Probation Officer to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources to guide department interaction with those who may be in crisis and may also be used to develop case management plans for clients and other individuals under the supervision of the Department who may be suffering from mental illness.

505.5 CRISIS INTERVENTION RESPONSE

Safety is a priority during any crisis intervention incident. It is important to recognize that individuals under the influence of alcohol, drugs, or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises, and unusual behavior are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer interacting with a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request local law enforcement and/or available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights, or sirens.
- (d) Attempt to determine if weapons are present or available.
 1. Prior to making contact, and whenever possible and reasonable, conduct a search of the Department of Justice Automated Firearms System via the California Law Enforcement Telecommunications System (CLETS) to determine whether the person is the registered owner of a firearm (Penal Code § 11106.4).
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of their action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime and report the same to local law enforcement, if applicable.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Crisis Intervention Incidents

- (k) If circumstances reasonably permit, consider and employ alternatives to force.

505.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous, and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (i.e., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent, or suicidal.
- Argue, speak with a raised voice, or use threats to obtain compliance.

505.7 INCIDENT ORIENTATION

When encountering an incident that may involve mental illness or a mental health crisis, the officer should request critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication or may have failed to take their medication.
- (b) Whether there have been prior incidents or suicide threats/attempts, and whether there has been previous probation or other law enforcement response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

505.8 SUPERVISOR RESPONSIBILITIES

If possible, a supervisor should respond to the scene of any interaction with a person in crisis.

Responding supervisors should:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Crisis Intervention Incidents

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Absent an imminent threat to the public, consider strategic disengagement. This may include removing or reducing department resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing and prepare an incident report to be forwarded to the supervisor.
- (f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

505.9 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

505.10 NON-SWORN INTERACTION WITH PEOPLE IN CRISIS

Members, including but not limited to clerical staff, may interact with persons in crisis in an administrative capacity, such as during records requests or phone calls, or when reporting to the Department.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If during an interaction, a member believes a person is in crisis, the member should proceed patiently and in a calm manner.
- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may self-harm or be harmful to others, an officer should be promptly summoned to provide assistance.

505.11 EVALUATION

The Supervising Deputy Probation Officer designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information

Trinity County Probation Department

New Probation Manual

New Probation Manual

Crisis Intervention Incidents

pertaining to any involved individuals, officers, or incidents and will be submitted to the Chief Probation Officer through the chain of command.

505.12 TRAINING

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

This department will endeavor to provide Standards and Training for Corrections (STC)-approved advanced officer training on interaction with persons with mental disabilities, welfare checks, and crisis intervention (Penal Code § 11106.4; Penal Code § 13515.25; Penal Code § 13515.27; Penal Code § 13515.30).

Civil Commitments

506.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may take steps to place a client under mental health hold (5150 commitment) (Welfare and Institutions Code § 5150).

506.2 POLICY

It is the policy of the Trinity County Probation Department to protect the public and clients through legal and appropriate use of the mental health hold process.

506.3 AUTHORITY

An officer having probable cause may take a client under the officer's supervision into custody and place the client in an approved mental health facility for 72-hour treatment and evaluation when the officer believes that, as a result of a mental health disorder, the client is a danger to self or others or the client is gravely disabled (Welfare and Institutions Code § 5150).

When determining whether to take a client into custody, officers are not limited to determining the client is an imminent danger and shall consider reasonably available information about the historical course of the client's mental disorder, which may include evidence presented from any of the following (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05):

- (a) An individual who is providing or has provided mental health treatment or related support services to the client
- (b) A family member
- (c) The client subject to the determination or anyone designated by the client

506.3.1 AUTHORITY FOR MINORS

An officer having probable cause may take a client under the officer's supervision into custody and place the client in an approved mental health facility for 72-hour treatment and evaluation when the officer believes that, as a result of a mental disorder, the client is a danger to self or others or the client is a gravely disabled minor and authorization for voluntary treatment is not available (Welfare and Institutions Code § 5585.50).

Gravely disabled minor means a minor who, as a result of a mental disorder, is unable to use the elements of life that are essential to health, safety, and development, including food, clothing, and shelter, even though provided to the minor by others. Intellectual disability, epilepsy, or other developmental disabilities, alcoholism, other drug abuse, or repeated antisocial behavior do not, by themselves, constitute a mental disorder (Welfare and Institutions Code § 5585.25).

506.3.2 VOLUNTARY EVALUATION

If an officer encounters a client who may qualify for a mental health hold or an involuntary commitment, the officer may inquire as to whether the client desires to be voluntarily evaluated at an appropriate facility. If the client so desires, the officer should:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Civil Commitments

- (a) Transport the client to an appropriate facility that is able to conduct the evaluation and admit the person.
- (b) Document the circumstances surrounding the client's desire to pursue voluntary evaluation and/or admission.

If at any point the person withdraws an affirmative decision for a voluntary evaluation, the officer should proceed with the application for emergency mental health evaluation, if appropriate.

506.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer who comes into contact with a client who may qualify for detention for the purpose of a mental health hold or an involuntary commitment should consider, as time and circumstances reasonably permit:

- (a) Contacting local law enforcement for assistance, if appropriate.
- (b) Available information that might assist in determining the possible cause and nature of the person's actions or stated intentions.
- (c) Community or neighborhood mediation services.
- (d) Conflict resolution and de-escalation techniques.
- (e) Community or other resources that may be readily available to assist with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others. See also the Risk and Needs Assessment, Supervision, Modification of Conditions of Supervision, and Violations policies.

Mental health holds should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

506.4.1 SECURING OF PROPERTY

When a client is taken into custody for evaluation, or within a reasonable time thereafter, and unless a responsible relative, guardian, or conservator is in possession of the client's personal property, the officer shall take reasonable precautions to safeguard the personal property in the client's possession or on the premises occupied by the client (Welfare and Institutions Code § 5150).

The officer taking the client into custody shall provide a report to the court that describes the client's property and its disposition in the format provided in Welfare and Institutions Code § 5211, unless a responsible person took possession of the property, in which case the officer shall only include the name of the responsible person and the location of the property (Welfare and Institutions Code § 5150).

506.5 TRANSPORTATION

When transporting any client for a mental health hold, the transporting officer should notify a supervisor and the receiving facility of the estimated time of arrival, the level of cooperation of the

Trinity County Probation Department

New Probation Manual

New Probation Manual

Civil Commitments

client, and whether any special medical care is needed. If appropriate, TCSO Dispatch should be utilized.

Officers may transport individuals in a department vehicle and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the client require transport in a medical transport vehicle and the safety of any person, including the client, requires the presence of an officer during the transport, Assistant Chief approval is required before transport commences.

506.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the client into a treatment area designated by a facility staff member. If the client is not seeking treatment voluntarily, the officer should provide the staff member with the written application for a mental health hold and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the client is transported and delivered while restrained, the officer may assist with transferring the client to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

506.7 DOCUMENTATION

The officer shall complete an Application for 72-Hour Detention for Evaluation and Treatment form, provide it to the facility staff member assigned to the client, and retain a copy of the application for inclusion in the case report.

The application shall include the circumstances for the officer involvement; the probable cause to believe the client is, as a result of a mental health disorder, a danger to others or self or gravely disabled; and all information used for the determination of probable cause (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.2).

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

506.7.1 ADVISEMENT

The officer taking a client into custody for evaluation shall advise the client of (Welfare and Institutions Code § 5150):

- (a) The Officer's name and agency.
- (b) The fact that the client is not under criminal arrest but is being taken for examination by mental health professionals and the mental health staff will advise the client of the client's rights.
- (c) The name of the facility to which the client is being taken.
- (d) If the client is being taken into custody at the client's residence, the client should also be advised to take a few personal items, which the officer must approve, and may make a telephone call or leave a note indicating where the client is being taken. The

Trinity County Probation Department

New Probation Manual

New Probation Manual

Civil Commitments

officer should also ask if the client needs assistance turning off any appliances or water.

The advisement shall be given in a language the client understands. If the client cannot understand an oral advisement, the information shall be provided in writing (Welfare and Institutions Code § 5150).

506.8 CRIMINAL OFFENSES

Officers investigating a client who is suspected of committing a minor violation and who is being taken into custody through a mental health hold, should resolve the violation by completing a report and forwarding the information, as appropriate.

When an officer discovers, during a home visit or otherwise, that a client has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility (e.g., domestic violence, child abuse, homicide), the officer should:

- (a) Immediately contact the appropriate local law enforcement agency and inform them of the offense and reasons why a mental health hold may be appropriate.
- (b) Inform responding local law enforcement personnel of the facts supporting an arrest and the facts that would support a detention.
- (c) Notify the Supervising Deputy Probation Officer as soon as practicable.
- (d) Thoroughly document in the related reports the circumstances that indicate the client may qualify for a mental health hold.

506.9 FIREARMS AND OTHER WEAPONS

Whenever a client is taken into custody for a mental health hold or an involuntary commitment, the handling officers should seek to determine if the client owns or has access to any firearm or other deadly weapon as defined in Welfare and Institutions Code § 8100. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search unless lawful warrantless entry has already been made (e.g., entry is authorized under the terms and conditions of the person's probation; the person consents). A warrant may also be needed before searching for or seizing weapons.

The handling officer shall issue a receipt describing the deadly weapon or any firearm seized and list any serial number or other identification that is on the firearm.

The officer should further advise the client of the procedure for the return, sale, transfer, or destruction of any firearm or other weapon that has been taken into custody (Welfare and Institutions Code § 8102).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Civil Commitments

506.9.1 PETITION FOR RETURN OF FIREARMS AND OTHER WEAPONS

Whenever the handling officer has cause to believe that the future return of any confiscated weapon might endanger the client or others, the officer shall detail those facts and circumstances in a report. The report shall be forwarded to the Chief Probation Officer or authorized designee who shall be responsible for initiating a petition to the superior court for a hearing in accordance with Welfare and Institutions Code § 8102(c) to determine whether the weapon will be returned.

The petition to the superior court shall be initiated within 30 days of the release of the client from whom such weapon has been confiscated, unless the Department makes an application to the superior court to extend the time to file such a petition, up to a maximum of 60 days (Welfare and Institutions Code § 8102).

At the time any such petition is initiated, the Department shall send written notice to the client about the right to a hearing on the issue, that the client has 30 days to confirm with the court clerk any desire for a hearing, and that the failure to do so will result in the forfeiture of any confiscated weapon (Welfare and Institutions Code § 8102).

506.10 TRAINING

This department will endeavor to provide department-approved training on interaction with individuals who may be experiencing mental illness, mental impairment, or mental disability, mental health holds, and crisis intervention.

Rapid Response and Deployment

507.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces, and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement and probation. The purpose of this policy is to identify guidelines and factors that will assist officers in situations that call for rapid response and deployment.

507.2 POLICY

The Trinity County Probation Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those who are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

507.3 CONSIDERATIONS

When dealing with a crisis situation, members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore, and analyze sources of intelligence and known information regarding the circumstances, location, and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing, or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

507.4 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent, or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat, or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to incidents at other locations.

When deciding on a course of action, officers should consider:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Rapid Response and Deployment

- (a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advancement or engagement should be based on information known or received at the time.
- (b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the officers have the ability to effectively communicate with other personnel or resources.
- (f) Whether planned tactics can be effectively deployed.
- (g) The availability of defensive weapons, control devices, and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In the case of a barricaded or trapped suspect, with no hostages and no immediate threat to others, officers should consider covering escape routes and evacuating persons as appropriate while summoning and waiting for additional assistance (e.g., special tactics and/or hostage negotiation team response).

507.5 PLANNING

The Chief Probation Officer or authorized designee should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites at the Trinity County Probation Department, such as buildings, including detention facilities, and parking areas.
- (b) Availability of building plans and venue schematics of likely critical incident target sites.
- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.
- (e) Evacuation routes in critical incident target sites.
- (f) Field supervision first-response training.
- (g) Response coordination and resources of emergency medical and fire services.
- (h) Equipment needs.

507.6 TRAINING

The Training Manager should include rapid response to critical incidents in the training plan. This training should address:

- (a) Orientation to likely critical incident target sites at the Trinity County Probation Department, such as buildings, including detention facilities, and parking areas.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Rapid Response and Deployment

- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Field supervision first-response training, including patrol rifle and shotgun familiarization, and control device training.
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

Immigration Violations

508.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Trinity County Probation Department relating to immigration and interacting with federal immigration officials.

508.1.1 DEFINITIONS

The following definition applies to this policy (Government Code § 7284.4):

Immigration enforcement – Any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, including any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry or reentry to, or employment in the United States.

508.2 POLICY

It is the policy of the Trinity County Probation Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

508.3 VICTIMS AND WITNESSES

To encourage cooperation, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of the Trinity County Probation Department will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or California constitutions.

508.4 IMMIGRATION STATUS AND DETENTIONS

Immigration status may be reported to the court as required. Any reasonably discovered change in the immigration status of any client or any discrepancy in the record about the person's immigration status should be documented and reported to the court.

No individual should be detained solely for the purpose of waiting for information from immigration officials (Government Code § 7284.6).

508.4.1 IMMIGRATION INQUIRIES PROHIBITED

Officers shall not inquire into an individual's immigration status for immigration enforcement purposes (Government Code § 7284.6).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Immigration Violations

508.4.2 CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (CLETS)

Members shall not use information transmitted through CLETS for immigration enforcement purposes except for criminal history information and only when consistent with the California Values Act (Government Code § 15160).

Additionally, members shall not use the system to investigate immigration violations of 8 USC § 1325 (improper entry) if that violation is the only criminal history in an individual's record (Government Code § 15160).

508.4.3 CALIFORNIA DEPARTMENT OF MOTOR VEHICLES

Members shall not obtain, access, use, or disclose noncriminal history information maintained by the Department of Motor Vehicles for immigration enforcement (Vehicle Code § 1808.48).

508.5 FEDERAL REQUEST FOR ASSISTANCE

Requests by federal immigration officials for assistance from this department should be directed to a supervisor. The supervisor is responsible for determining whether the requested assistance would be permitted under the California Values Act (Government Code § 7284.2 et seq.).

508.6 INFORMATION SHARING

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

- (a) Sending information to or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity

Nothing in this policy restricts sharing information that is permissible under the California Values Act.

508.7 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the appropriate prosecutor or the appropriate law enforcement agency.

508.8 TRAINING

The Training Manager should ensure officers receive immigration training on this policy. Training should include prohibitions contained in the California Values Act (Government Code § 7284 et seq.).

Field Training

509.1 PURPOSE AND SCOPE

This policy provides guidelines for field training that ensure standardized training and evaluation; facilitate the transition from the training setting to the actual performance of general duties; and introduce the policies, procedures, and operations of the Trinity County Probation Department. The policy addresses the administration of field training and the selection, supervision, training, and responsibilities of the Field Training Officer (FTO).

509.2 POLICY

It is the policy of the Trinity County Probation Department that all newly hired or appointed officer trainees will participate in field training that is staffed and supervised by trained and qualified FTOs.

509.3 FIELD TRAINING

The Department should establish minimum standards for field training, which should be of sufficient duration to prepare officer trainees for probation duties. The field training is designed to prepare trainees for a probation supervision assignment and ensure they acquire the skills needed to operate in a safe, productive, and professional manner, in accordance with the general duties of this department.

To the extent practicable, field training should include procedures for:

- (a) Issuing training materials to each trainee at the beginning of each trainee's field training.
- (b) Daily, weekly, and monthly evaluation and documentation of the trainee's performance.
- (c) A multiphase structure that includes:
 1. A formal evaluation progress report completed by the FTOs involved with the trainee and submitted to the Training Manager and FTO coordinator.
 2. Assignment of the trainee to a variety of shifts and supervision tasks.
 3. Assignment of the trainee to a rotation of FTOs to provide for an objective evaluation of the trainee's performance.
- (d) The trainee's confidential evaluation of the assigned FTOs and the field training process.
- (e) Retention of all field training documentation in the officer trainee's training file, including:
 1. All performance evaluations.
 2. A certificate of completion certifying that the trainee has successfully completed the required number of field training hours

[See attachment: Field Training Checklist - DPO.pdf](#)

[See attachment: Field Training Checklist - JCO.pdf](#)

Trinity County Probation Department

New Probation Manual

New Probation Manual

Field Training

[See attachment: Field Training Checklist - Support Staff.pdf](#)

[See attachment: Check List New Employee Worksheet - All Employees.pdf](#)

[Procedures Manual: 501.1 for Field Training Standards](#)

509.4 FTO COORDINATOR

The Chief Probation Officer shall delegate certain responsibilities to the FTO coordinator.

The FTO coordinator may appoint a senior FTO or other designee to assist in the coordination of FTOs and their activities.

The responsibilities of the coordinator include but are not limited to:

- (a) Assigning trainees to FTOs.
- (b) Conducting FTO meetings.
- (c) Maintaining and ensuring FTO and trainee performance evaluations are completed.
- (d) Maintaining, updating, and issuing department training materials to each FTO and trainee.
- (e) Developing ongoing training for FTOs.
- (f) Mentoring and supervising individual FTO performance.
- (g) Monitoring the overall performance of field training.
- (h) Keeping the Chief Probation Officer informed through monthly evaluation reports about the trainees' progress.
- (i) Maintaining a liaison with FTO coordinators from other probation agencies.
- (j) Maintaining a liaison with probation academy staff on recruit officer performance during academy attendance.
- (k) Performing other activities as may be directed by the Chief Probation Officer.

Within one year of appointment to this position, the FTO coordinator will be required to successfully complete a training course approved by this department that is applicable to supervision of field training.

509.5 FTO SELECTION, TRAINING, AND RESPONSIBILITIES

509.5.1 SELECTION PROCESS

The selection of an FTO will be at the discretion of the Chief Probation Officer or the authorized designee. Selection should be based on the officer's:

- (a) Desire to be an FTO.
- (b) Experience, which should include a minimum of four years of field supervision, two of which shall be with this department.
- (c) Demonstrated ability as a positive role model.
- (d) Successful completion of an internal oral interview process.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Field Training

- (e) Evaluation by supervisors and current FTOs.
- (f) Possession of, or ability to obtain, approved certification.

An FTO must remain in good standing and may be relieved from FTO duties due to discipline, inappropriate conduct, or poor performance.

509.5.2 TRAINING

An officer selected as an FTO shall successfully complete the department-approved training prior to being assigned as an FTO.

All FTOs should complete an update course approved by this department at least every three years while assigned to the position of FTO.

509.5.3 TRAINING MATERIALS

The FTO shall receive training materials outlining the requirements, expectations, and objectives of the FTO position. FTOs should refer to their training materials or the FTO coordinator regarding specific questions related to FTO or field training.

509.5.4 RESPONSIBILITIES

The responsibilities of the FTO include but are not limited to:

- (a) Issuing trainee field training materials to the assigned trainee in accordance with the Training Policy.
 - 1. The FTO should ensure that the trainee has the opportunity to become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.
 - 2. The FTO shall sign off on all completed topics contained in the training materials, noting the methods of learning and evaluating the performance of the assigned trainee.
- (b) Completing and reviewing daily performance evaluations with the trainee.
- (c) Completing and submitting a written evaluation on the performance of the assigned trainee to the FTO coordinator on a daily basis.
- (d) Completing a detailed weekly performance evaluation of the assigned trainee at the end of each week.
- (e) Completing a monthly evaluation report of the assigned trainee at the end of each month.
- (f) Providing the shift supervisor with a verbal synopsis of the trainee's activities at the end of each day or during any unusual occurrence needing guidance or clarification.

Mobile Audio/Video

510.1 PURPOSE AND SCOPE

The Trinity County Probation Department has equipped probation vehicles with Mobile Audio/Video (MAV) recording systems to provide records of events and to assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

510.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MAV system to transmit or store video and/or audio data in an active mode.

In-car camera system and MAV system - Synonymous terms that refer to any system that captures audio and/or video signals, that is capable of installation in a vehicle.

MAV technician - Personnel certified or trained in the operational use and repair of MAV duplicating methods and storage and retrieval methods and who have a working knowledge of video forensics and evidentiary procedures. This may be the contracted company staff.

Recorded media - Audio/video signals recorded or digitally stored on a storage device or portable media.

510.2 POLICY

It is the policy of the Trinity County Probation Department to use mobile audio/video recording technology to more effectively fulfill the mission of the Department and to ensure these systems are used securely and efficiently.

510.3 OFFICER/AGENT RESPONSIBILITIES

Prior to a single officer/staff transport, officers/staff will properly equip themselves to record audio and/or video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings or used media and any other related equipment. Each officer should have adequate recording media for the entire duty assignment. In the event an officer works at a remote location and reports in only periodically, additional recording media may be issued. Only Trinity County Probation Department identified and labeled media with tracking numbers is to be used.

At the start of each shift, officers should test the MAV system's operation in accordance with manufacturer specifications and department operating procedures and training.

510.4 ACTIVATION OF THE MAV

510.4.1 REQUIRED ACTIVATION OF THE MAV

This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. An Officer/an Agent may

Trinity County Probation Department

New Probation Manual

New Probation Manual

Mobile Audio/Video

activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances, it is not possible to capture images of the incident due to conditions or the location of the camera. However, if available, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated in any of the following situations:

- (a) All planned single officer/staff transports of individuals the probation department supervises or monitors.
- (b) Any other circumstance where the officer believes that a recording of an incident would be appropriate

Activation of the MAV system is not required when exchanging information with other officers, during breaks or lunch periods, or when not in service.

510.4.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on until the transport has concluded.

510.4.3 SURREPTITIOUS RECORDING

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief Probation Officer or the authorized designee for the purpose of conducting a criminal or administrative investigation.

510.4.4 SUPERVISOR RESPONSIBILITIES

At reasonable intervals, supervisors should validate that:

- (a) Beginning and end-of-transports recording procedures are followed.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved traffic accidents), a supervisor shall respond to the scene and ensure that the appropriate person properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Supervisors may activate the MAV system remotely to monitor a developing situation, such as an event that may threaten public safety, officer safety, or both, when the purpose is to obtain tactical information to assist in managing the event. Supervisors shall not remotely activate the MAV system for the purpose of monitoring the conversations or actions of an officer.

510.5 REVIEW OF MAV RECORDINGS

All recording media, recorded images, and audio recordings are the property of the Department. Dissemination outside of the Department is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed, or otherwise inserted into any device not approved by the Department, MAV technician, or forensic

Trinity County Probation Department

New Probation Manual

New Probation Manual

Mobile Audio/Video

media staff. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations:

- (a) By officers for use when preparing reports or statements
- (b) By a supervisor investigating a specific act of officer conduct
- (c) By a supervisor to assess officer performance
- (d) To assess proper functioning of MAV systems
- (e) By department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry, or a criminal investigation
- (f) By department personnel who request to review recordings
- (g) By an officer who is captured on or referenced in the video or audio data, and reviews and uses such data for any purpose relating to employment
- (h) By court personnel through proper process or with the permission of the Chief Probation Officer or the authorized designee
- (i) By the media through proper process
- (j) To assess possible training value
- (k) For training purposes. If an involved officer objects to showing a recording, the objection will be submitted to the command staff to determine if the training value outweighs the officer's objection.
- (l) As may be directed by the Chief Probation Officer or the authorized designee

Members who want to view any previously uploaded or archived MAV recording should submit a request in writing to the Assistant Chief. Approved requests should be forwarded to the MAV technician for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any member.

510.6 DOCUMENTING MAV USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report.

510.7 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for a minimum of one year, after which time it will be erased, destroyed, or recycled in accordance with the established records retention schedule (Government Code § 34090.6).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Mobile Audio/Video

510.7.1 COPIES OF ORIGINAL RECORDING MEDIA

Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Chief Probation Officer or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

510.7.2 MAV RECORDINGS AS EVIDENCE

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense or to a potential claim against the officer or against the Trinity County Probation Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

510.8 SYSTEM OPERATIONAL STANDARDS

- (a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.
- (b) The MAV system should be configured to minimally record for 30 seconds prior to an event.
- (c) The MAV system may not be configured to record audio data occurring prior to activation.
- (d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating officer's transmitter, should be activated at a scene to minimize interference or noise from other MAV transmitters.
- (e) Officers using digital transmitters that are synchronized to their individual MAVs shall activate both audio and video recordings when responding in a support capacity. This is to obtain additional perspectives of the incident scene.
- (f) With the exception of probation radios or other emergency equipment, other electronic devices should not be used inside MAV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the MAV system.
- (g) Officers shall not erase, alter, reuse, modify, or tamper with MAV recordings. Only a supervisor, MAV technician, or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.
- (h) To prevent damage, original recordings shall not be viewed or otherwise inserted into any device not approved by the Department, MAV technician, or forensic media staff.

510.9 MAV TECHNICIAN RESPONSIBILITIES

The MAV technician is responsible for:

- (a) Ordering, issuing, retrieving, storing, erasing, and duplicating all recorded media.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Mobile Audio/Video

- (b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAV technician:
 - 1. Ensures it is stored in a secure location with authorized controlled access.
 - 2. Makes the appropriate entries in the chain of custody log.
- (c) Erasing of media:
 - 1. Pursuant to a court order.
 - 2. In accordance with the established records retention schedule, including reissuing all other media deemed to be of no evidentiary value.
- (d) Assigning all media an identification number prior to issuance to the field:
 - 1. Maintaining a record of issued media.
- (e) Ensuring that an adequate supply of recording media is available.
- (f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the established records retention schedule.

510.10 TRAINING

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.

Public Recording of Probation Officer Activity

511.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record probation officer actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

511.2 POLICY

The Trinity County Probation Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully by local law enforcement having jurisdiction.

Officers should exercise restraint and should not resort to seeking highly discretionary arrests for offenses such as interference, failure to comply, or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

511.3 RECORDING PROBATION OFFICER ACTIVITY

Members of the public who wish to record probation officer activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with probation officer activity. Examples of interference include but are not limited to:
 - 1. Tampering with a witness or suspect.
 - 2. Inciting others to violate the law.
 - 3. Being so close to the activity as to present a clear safety hazard to the officers.
 - 4. Being so close to the activity as to interfere with an officer's effective communication with a client or other individual.
- (c) The individual may not present an undue safety risk to self, to the officer, or to others.

511.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an

Trinity County Probation Department

New Probation Manual

New Probation Manual

Public Recording of Probation Officer Activity

individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing individuals to clear the area, an officer could advise individuals they may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with probation officer activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

511.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practicable, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure, or other actions are constitutional and consistent with this policy and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of department members, such as how and where to file a complaint.

511.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the evidence is to transmit a copy of the recording from a device to a department-owned device.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Public Recording of Probation Officer Activity

Recording devices and media that are seized will be submitted within the guidelines of the Property Policy.

Medical Aid and Response

512.1 PURPOSE AND SCOPE

This policy recognizes that members may encounter persons in need of medical aid and establishes an appropriate response to such situations.

512.2 POLICY

It is the policy of the Trinity County Probation Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

512.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 1. Signs and symptoms as observed by the member.
 2. Changes in apparent condition.
 3. Number of patients, sex, and age, if known.
 4. Whether the person is conscious, breathing and alert, or is believed to have consumed drugs or alcohol.
 5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Medical Aid and Response

512.4 TRANSPORTING ILL AND INJURED PERSONS

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries, or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes, or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

512.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive medical care or be transported.

However, members may assist EMS personnel when EMS personnel determine the person lacks the mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a 72-hour treatment and evaluation commitment (5150 commitment) process in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, the officer should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

512.5.1 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, the arrestee should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Medical Aid and Response

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

512.6 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices, and Conducted Energy Device policies.

512.7 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

A member may use an AED only after receiving appropriate training from an approved public safety first aid and CPR course (22 CCR 100014; 22 CCR 100017; 22 CCR 100018).

512.7.1 AED USER RESPONSIBILITY

Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Training Manager who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED should, as soon as possible, request response by EMS.

512.7.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use.

512.7.3 AED TRAINING AND MAINTENANCE

The Training Manager should ensure appropriate training is provided to members authorized to use an AED. A list of authorized members and training records shall be made available for inspection by the local EMS agency or EMS authority upon request (22 CCR 100021; 22 CCR 100022; 22 CCR 100029).

The Training Manager is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule (22 CCR 100021).

512.8 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Members may administer opioid overdose medication in accordance with protocol specified by the licensed health care provider who prescribed the overdose medication for use by the member and (Civil Code § 1714.22; 22 CCR 100019):

- (a) When trained and tested to demonstrate competence following initial instruction.
- (b) When authorized by the medical director of the Local Emergency Management Service Agency.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Medical Aid and Response

512.8.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store, and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Manager.

Any member who administers an opioid overdose medication should request response by EMS as soon as possible.

512.8.2 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report.

The Training Manager will ensure that the Custodian of Records is provided enough information to meet applicable state reporting requirements.

512.8.3 OPIOID OVERDOSE MEDICATION TRAINING

The Training Manager should ensure initial and refresher training is provided to members authorized to administer opioid overdose medication.

Training should be coordinated with the local health department and comply with applicable standards.

512.9 ADMINISTRATION OF EPINEPHRINE AUTO-INJECTORS

The Chief Probation Officer may authorize the acquisition of epinephrine auto-injectors for use by members as provided by Health and Safety Code § 1797.197a. The Training Manager shall create and maintain an operations plan for the storage, maintenance, use, and disposal of epinephrine auto-injectors as required by Health and Safety Code § 1797.197a(f).

Trained members who possess valid certification may administer an epinephrine auto-injector for suspected anaphylaxis (Health and Safety Code § 1797.197a(b); 22 CCR 100019).

512.9.1 EPINEPHRINE USER RESPONSIBILITIES

Members should handle, store, and administer epinephrine auto-injectors consistent with their training and the department operations plan. Members should check the auto-injectors at the beginning of their shift to ensure the medication is not expired. Any expired medication should be removed from service in accordance with the Department Operations Plan.

Any member who administers an epinephrine auto-injector medication should request response by EMS as soon as possible (Health and Safety Code § 1797.197a(b)).

512.9.2 EPINEPHRINE AUTO-INJECTOR REPORTING

Any member who administers an epinephrine auto-injector should detail its use in an appropriate report.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Medical Aid and Response

The Training Manager should ensure that the Custodian of Records is provided enough information for required reporting to the EMS Authority within 30 days after each use (Health and Safety Code § 1797.197a(f)).

Records regarding the acquisition and disposition of epinephrine auto-injectors shall be maintained pursuant to the department established records retention schedule but no less than three years (Business and Professions Code § 4119.4(d)).

512.9.3 EPINEPHRINE AUTO-INJECTOR TRAINING

The Training Manager should ensure that members authorized to administer epinephrine auto-injectors are provided with initial and refresher training that meets the requirements of Health and Safety Code § 1797.197a(c) and 22 CCR 100019.

512.10 FIRST AID TRAINING

The Training Managers should ensure officers receive initial first aid training within one year of employment and refresher training every two years thereafter (22 CCR 100016; 22 CCR 100022).

Suspicious Activity Reporting

513.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

513.1.1 DEFINITIONS

Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

513.2 POLICY

The Trinity County Probation Department recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain, and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

513.3 RESPONSIBILITIES

The Chief Probation Officer should appoint a designee to follow up on all reports of SAR-related activities.

The responsibilities of the designee include but are not limited to:

- (a) Remaining familiar with those databases available to the department that would facilitate the purpose of this policy.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Suspicious Activity Reporting

- (b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative, or complicated.
- (d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.
- (e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.
- (f) Coordinating investigative follow-up, if appropriate.
- (g) Coordinating with local law enforcement, any other appropriate agency, or fusion center.
- (h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage community members to report suspicious activity and outlines what they should look for and how they should report it (e.g., website, public service announcements).

513.4 REPORTING AND INVESTIGATION

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any non-sworn member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a SAR and include information about the involved parties and the circumstances of the incident. If during any investigation an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross-reference. A SAR should be processed as any other incident report.

513.5 HANDLING INFORMATION

Copies of SARs will be forwarded in a timely manner to:

- The Chief Probation Officer or authorized designee.
- Any supervising officer.
- Local law enforcement.
- Other authorized designees.

Task Force

514.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when participating in task force (TF) operations.

514.2 POLICY

It is the policy of the Trinity County Probation Department to improve public safety and reduce violent crime through proactive collaboration with law enforcement task forces.

514.3 AGENCY INVOLVEMENT

Participation in TF operations provides access to multi-jurisdictional resources for apprehending clients who have absconded from supervision or who have otherwise violated the law and/or supervision conditions.

Department participation in TF operations is subject to the approval of the Chief Probation Officer or the authorized designee.

514.3.1 REQUESTS FOR AGENCY INVOLVEMENT

Initial requests for participation in a TF or TF operation should be routed to the Chief Probation Officer for approval. In some instances, a memorandum of understanding (MOU) or other established protocol may exist that eliminates the need for approval of individual requests.

514.3.2 OFFICER OPERATIONAL ACTIVITY

Officers involved in TF operations should confirm the existence of, time period of coverage, and prior Chief Probation Officer approval for any MOU or established protocol prior to engaging in TF operational activity.

When engaged in TF operational activity or when rendering assistance pursuant to a TF agreement, officers must conform to applicable laws and the policies of this department unless previously approved by the Chief Probation Officer.

Requests for emergency assistance unrelated to TF operations and enforcement action taken outside the jurisdiction of the department unrelated to TF operations are governed by the Outside Agency Assistance and Probation Authority policies.

514.4 TEMPORARY DETENTION AND TRANSPORT

TF operation arrestees should only be temporarily detained and/or transported by this department pursuant to the Transporting Persons in Custody Policy unless previously approved by the Chief Probation Officer.

514.5 REPORTING REQUIREMENTS

Original reports of investigations, evidence seized, and other materials generated or collected by the TF operation should be retained by the agency responsible for the case. However, evidence may be turned over to other law enforcement agencies as appropriate pursuant to the Property

Trinity County Probation Department

New Probation Manual

New Probation Manual

Task Force

Policy. Copies of investigative reports and other materials may be provided to other agencies in accordance with applicable laws, TF rules, and Records Maintenance and Release Policy.

514.6 MANDATORY SHARING AND TRAINING

When equipment and/or supplies maintained by the department have been purchased with federal funds or grants and are subject to agency sharing requirements, the Chief Probation Officer or authorized designee should regularly document:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
 - 1. The use of the equipment and supplies.
 - 2. The members trained in the use of the equipment and supplies.
- (c) Any other requirements in the use of the equipment and supplies.

Copies of this documentation should be maintained by the Chief Probation Officer or authorized designee.

The Training Manager should maintain documentation that the appropriate members have received the required training.

514.7 NEWS MEDIA

Media inquiries should be referred to the Task Force Coordinator of the agency responsible for coordinating the activities of the TF.

Operations Planning and Deconfliction

515.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction, and execution of high-risk operations.

515.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

515.2 POLICY

It is the policy of the Trinity County Probation Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations, and prevent duplicating efforts.

515.3 OPERATIONS DIRECTOR

The Chief Probation Officer will designate a member of this department to be the Operations Director.

The Operations Director will develop and maintain a risk assessment form to assess, plan, and coordinate operations. This form should provide a process to identify high-risk operations.

The Operations Director will review risk assessment forms with involved supervisors to determine whether an incident qualifies as a high-risk operation. The Operations Director will also have the responsibility for coordinating operations that are categorized as high risk.

515.4 RISK ASSESSMENT

515.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject or others who may be present at the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases, and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes but is not limited to:

- (a) Photographs, including aerial photographs, of the involved location, neighboring yards, and obstacles.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Operations Planning and Deconfliction

- (b) Maps of the location.
- (c) Diagrams of any property and the interior of any buildings that are involved.
- (d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against law enforcement, gang affiliation, criminal history).
- (e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
- (f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals, or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
- (g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
- (h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest).

515.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants, affidavits and arrest warrants) to their supervisor and the Operations Director.

The supervisor and Operations Director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

515.4.3 HIGH-RISK OPERATIONS

If the Operations Director, after consultation with the involved supervisor, determines that the operation is high risk, the Operations Director should:

- (a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:
 1. Additional personnel
 2. Outside agency assistance, including local law enforcement
 3. Special equipment
 4. Medical personnel
 5. Persons trained in negotiation
 6. Additional surveillance
 7. Canines
 8. Evidence Room or analytical personnel to assist with cataloging seizures
 9. Forensic specialists

Trinity County Probation Department

New Probation Manual

New Probation Manual

Operations Planning and Deconfliction

10. Specialized mapping for larger or complex locations
 - (b) Contact the appropriate department members or other agencies as warranted to begin preparation.
 - (c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
 - (d) Coordinate the actual operation.

515.5 DECONFLICTION

Deconfliction systems are designed to identify persons and locations associated with investigations or probation operations, and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups, or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

515.6 OPERATIONS PLAN

The Operations Director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

- (a) Operation goals, objectives, and strategies.
- (b) Operation location and people:
 1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history).
 2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals, or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams, and other visual aids.
 3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Operations Planning and Deconfliction

4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties, and children.
- (c) Information from the risk assessment form by attaching a completed copy in the operational plan.
 1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.
- (d) Participants and their roles.
 1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate probation operation.
 2. How all participants will be identified as probation.
- (e) Whether deconfliction resources (e.g., databases, human intelligence, written reports) are current and all involved individuals, groups, and locations have been deconflicted to the extent reasonably practicable.
- (f) Identification of all communications channels and call-signs.
- (g) Use of force issues.
- (h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (i) Plans for detaining people who are not under arrest.
- (j) Contingencies for handling children, dependent adults, animals, and other people who might be at the location in accordance with the Mandatory Reporting and Child and Dependent Adult Safety policies.
- (k) Communications plan.
- (l) Responsibilities for writing, collecting, reviewing, and approving reports.

515.6.1 OPERATIONS PLAN RETENTION

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

515.7 OPERATIONS BRIEFING

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities, and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
- (b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and

Trinity County Probation Department

New Probation Manual

New Probation Manual

Operations Planning and Deconfliction

initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.

- (c) The Operations Director shall ensure that all participants are visually identifiable as probation officers.
 - 1. Exceptions may be made by the Operations Director for officers who are conducting surveillance or working undercover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
 - 1. It is the responsibility of the Operations Director to ensure that TCSO Dispatch is notified of the time and location of the operation, and to provide a copy of the operations plan prior to officers arriving at the location.
 - 2. If the radio channel needs to be monitored by TCSO Dispatch, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operations plan.
 - 3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

515.8 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Chief Probation Officer. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

515.9 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible.

515.10 TRAINING

The Training Manager should ensure officers who participate in operations subject to this policy receive periodic training, including but not limited to topics such as legal issues, deconfliction practices, operations planning concepts, and reporting requirements.

Transporting Persons in Custody

516.1 PURPOSE AND SCOPE

This policy provides guidelines for transporting persons who are in the custody of the Trinity County Probation Department.

Additional guidance can be found in the Medical Aid and Response Policy.

516.2 POLICY

It is the policy of the Trinity County Probation Department to make reasonable efforts to protect the safety of persons in custody while they are being transported.

516.3 CHIEF PROBATION OFFICER RESPONSIBILITIES

The Chief Probation Officer or authorized designee is responsible for reviewing the safety and restraint systems for all vehicles used to transport persons in custody. The review shall ensure the restraint systems comply with the law and shall determine whether they reasonably meet the needs of the Department. Safety systems should allow for transporting members to be in constant and reasonably clear audio contact with each person being transported.

The Chief Probation Officer or authorized designee should establish related procedures for safely transporting persons in custody who have their legs restrained in some manner other than leg shackles.

516.4 TRANSPORTING MEMBER RESPONSIBILITIES

Members transporting a person in custody in a department vehicle should ensure:

- (a) All areas of the vehicle accessible to a person in custody are searched before and after each transport.
- (b) All persons in custody are searched prior to a transport.
- (c) All persons are properly restrained in the vehicle's safety restraint system in a seated position.
- (d) Any person behaving in a manner so violent or uncooperative that the person cannot or will not sit upright is considered as possibly being in need of medical aid, see the Medical Aid and Response Policy.
- (e) A verbal welfare check is made with a person in custody every 10 minutes or less.
- (f) Transport is accomplished in a direct and timely manner.
- (g) The same consideration is shown to a person in custody as would be reasonably shown to any other passenger during transport (e.g., avoiding loud or objectionable music, rough rides, excessive heat or cold).
- (h) Persons suspected of having a communicable disease are transported in compliance with the exposure control plan.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Transporting Persons in Custody

- (i) Persons in custody are transported individually when practical, or within their own compartment of a multiple-compartment vehicle, unless supervisor approval is received based on unusual circumstances.
- (j) Persons in custody should not be transported in vehicles that are not equipped with restraints or barriers.
- (k) A Prisoner Transport Log is completed on all juvenile transports that contains justification for the use of restraints per WIC 210.6.
- (l) TCSO Dispatch is advised of:
 - 1. The time when a transport begins and the vehicle's mileage.
 - 2. The time, vehicle's mileage, and reason for any stops.
 - 3. The time of arrival at the destination and the vehicle's mileage.
- (m) Reasonable efforts are made to prevent inappropriate conversations between persons being transported (e.g., demeaning or insulting language) or conversations between a person being transported and someone outside the vehicle.
- (n) Sufficient visual observation and communication is maintained to determine whether a person is experiencing any stress or trauma during the transport of:
 - 1. Persons who were placed in any restraints beyond just handcuffs due to their violent or uncooperative behavior (see the Handcuffing and Restraints Policy).
 - 2. Persons wearing a spit hood.
 - 3. Persons who are a suspected suicide risk.
 - 4. Persons who are ill or injured.

516.5 PROHIBITIONS

Transporting members should not:

- (a) Transport juveniles with adults.
- (b) Transport females with males. When possible, transgender or intersex persons should be transported with persons of the gender they identify with if circumstances do not allow for single transport.
- (c) Transport persons with known hostilities toward each other together, such as mutual combatants or rival gang members.
- (d) Leave the vehicle unattended with a person in custody inside.
- (e) Leave a vehicle with its keys or an unsecured weapon inside with a person in custody in the vehicle.
- (f) Handcuff a person to any part of a vehicle other than to an approved restraint device.
- (g) Place a person in custody in an unreasonable risk of harm (e.g., engaging in a pursuit, responding to a high-risk incident).
- (h) Allow any person who is not in custody (i.e., friends, family) to have contact with or be in close proximity to the person in custody.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Transporting Persons in Custody

- (i) Allow any food, drink, or other consumables to be given to the person in custody by anyone other than department personnel or receiving agency personnel.

516.6 SPECIFIC TRANSPORTATION ISSUES

516.6.1 TRANSPORTING PERSONS WITH DISABILITIES

When transporting a person with a disability, a transporting member should request assistance as necessary to transport the person in a reasonable and safe manner. The transporting member should ensure that any special equipment (e.g., canes, wheelchairs, prosthetics) is transported in such a manner that it not be damaged or pose a security threat.

516.6.2 TRANSPORTING ILL OR INJURED PERSONS

See the Medical Aid and Response Policy.

516.6.3 DELIVERING A PERSON IN CUSTODY TO A FACILITY

Members delivering persons to other facilities (e.g., hospital, other agency, court, jail) should:

- (a) Secure weapons in a manner mandated by the facility or in a manner that is appropriate for the facility.
- (b) Remove restraints in coordination with facility personnel.
- (c) Deliver the appropriate documentation concerning the person to facility personnel.
- (d) Notify the receiving facility of any known medical or safety issues, including whether restraints beyond handcuffs were applied due to the person's violent or uncooperative behavior.

516.6.4 LONG-DISTANCE TRANSPORTS

Absent exigent circumstances, members should only stop during long-distance transports for:

- Fuel
- Meals
- Restroom breaks

Where practicable, time-stamped receipts for purchases should be retained and all stops should be logged in a manner that includes the following:

- The time when a transport begins and the vehicle's mileage
- The time, vehicle's mileage, and reason for any stops
- The time of arrival at the destination and the vehicle's mileage

516.6.5 TRANSPORT VAN

A member trained on the safety and restraint systems of a transport van should be present during its use for transporting a person in custody. Training regarding the use of the van's safety and restraint systems shall be followed.

A member should assist persons getting into and out of the transport van to avoid falls.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Transporting Persons in Custody

516.7 TRAINING

The Training Manager should ensure that members receive training on proper procedures for transporting persons in custody.

Clients as Informants

517.1 POLICY

The Trinity County Probation Department will cooperate with the District Attorney's Office regarding the use of clients as confidential informants under the following guidelines:

- (a) A client who requests or is requested to act as a confidential informant will be screened by a Probation Supervisor for appropriateness. The District Attorney's Office should provide the following information:
 - 1. Scope of involvement
 - 2. Duration of Activity
 - 3. Out of area travel requirements
- (b) If the District Attorney's Office uses a client as a confidential informant, all documents pertaining to the client's role as an informant will be kept in a separate, locked, confidential file and retained under the control of the Probation Supervisor of the appropriate unit.
- (c) Under no circumstances will Probation Officers make informal agreements with clients for their use as informants in order to hold in abeyance a violation of probation.
- (d) Should a client who is acting as a confidential informant commit a significant violation of probation or post-release community supervision, the Probation Supervisor will confer with the District Attorney's Office regarding the appropriate action to take.

Juveniles are not to be used as informants under any circumstances.

Chapter 6 - Equipment

Department-Owned and Personal Property

600.1 PURPOSE AND SCOPE

This policy addresses the care of department-owned property and the role of the Department when personal property, the property of another person or entity, or department-owned property is damaged or lost.

600.2 POLICY

The Trinity County Probation Department will ensure that members are issued appropriate property and equipment necessary for the member's job function. The Department will take steps to minimize the cost associated with maintaining department property, including personal property authorized for use in the member's duties.

600.3 DEPARTMENT/AGENCY-ISSUED PROPERTY

The Chief Probation Officer or the designee should document all property and equipment issued by the Department in the appropriate file at the time of issuance. Receipt of issued items shall be acknowledged by the receiving member's signature. Upon separation from the Department, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

600.3.1 MEMBER RESPONSIBILITIES

Members shall be responsible for the safekeeping, serviceable condition, proper care, proper use, and replacement of department property that has been assigned or entrusted to them.

- (a) Members shall promptly report, through their chain of command, any loss, damage to, or unserviceable condition of any department-issued property or equipment.
- (b) The use of damaged or unserviceable property should be discontinued as soon as practicable, and the item replaced with a comparable item as soon as available.
- (c) Except when otherwise directed by a supervisor or when exigent circumstances exist, department-issued property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department-issued property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without prior approval.
- (e) Members should obtain a supervisor's approval before any attempt to repair damaged or unserviceable property, unless the repair is of a minor or temporary nature.

600.4 PERSONAL PROPERTY

Carrying and/or using personal property or equipment on-duty requires prior written approval by the Chief Probation Officer or appropriate Assistant Chief. The member should submit a request that includes a description of the property and the reason and length of time it will be used. Personal property of the type routinely carried by persons who are not performing law enforcement duties, and that is not a weapon, is excluded from this requirement.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Department-Owned and Personal Property

The Department will not replace or repair items (e.g., jewelry, expensive watches) that are not reasonably required as part of work.

600.4.1 FILING CLAIMS FOR PERSONAL PROPERTY

A member requesting reimbursement for damage to, or loss of, personal property must submit the request in writing to the member's immediate supervisor. The supervisor may require a separate written report.

Upon review by the Assistant Chief and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief Probation Officer, who will then forward the claim to the County department responsible for issuing payments.

600.5 SUPERVISOR RESPONSIBILITIES

The supervisor receiving a report that property, including personal property authorized for use, has been damaged should conduct an investigation and direct a memo to the appropriate Assistant Chief. The memo should include the result of the investigation and whether reasonable care was taken to prevent the loss, damage, or unserviceable condition.

Cases where the supervisor has reason to believe that misconduct or negligence was involved in the loss, damage, or unserviceable condition of property should be handled in accordance with the Standards of Conduct and Personnel Complaints policies.

600.6 DAMAGE TO PROPERTY OF ANOTHER PERSON OR ENTITY

A member who intentionally or unintentionally damages or causes to be damaged the real or personal property of another person or entity while performing any probation function shall promptly report the damage through the chain of command.

600.6.1 DAMAGE BY PERSONNEL OF ANOTHER AGENCY

Personnel from another agency may intentionally or unintentionally cause damage to the real or personal property of the Trinity County Probation Department or of another person while performing their duties within the jurisdiction of this department. The department member present or the member responsible for the property is responsible to report the damage as follows:

- (a) A verbal report shall be made to the member's immediate supervisor as soon as circumstances permit.
- (b) A written report shall be submitted before the member goes off-duty or as otherwise directed by the supervisor.

Personal Communication Devices

601.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless-capable tablets, and similar wireless two-way communications and/or portable internet-access devices. PCD use includes but is not limited to placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games, and accessing sites or services on the internet.

601.2 POLICY

The Trinity County Probation Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under the California Public Records Act (CPRA) (Government Code § 7920.000 et seq.).

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

601.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received, or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location-detection capabilities (see the Information Technology Use Policy for additional guidance).

601.3.1 CALIFORNIA ELECTRONIC COMMUNICATIONS PRIVACY ACT

No member is authorized to be the sole possessor of a department-issued PCD. Department-issued PCDs can be retrieved, reassigned, accessed, or used by any member as directed by a supervisor without notice. Member use of a department-issued PCD and use of a personal PCD at work or for work-related business constitutes specific consent for access for department purposes. Prior to conducting an administrative search of a PCD, supervisors should consult legal counsel to ensure access is consistent with the California Electronic Communications Privacy Act (Penal Code § 1546; Penal Code § 1546.1).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personal Communication Devices

601.4 DEPARTMENT/AGENCY-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD for the member's use to facilitate on-duty performance. Department-issued or funded PCDs may not be used for personal business either on- or off-duty unless authorized by the Chief Probation Officer or the authorized designee. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

Unless a member is expressly authorized by the Chief Probation Officer or the authorized designee for off-duty use of the PCD, the PCD will be either secured in the workplace at the completion of the tour of duty or turned off when leaving the workplace.

601.5 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used, and maintained solely at the member's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of department communications). Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy regarding any department business-related communication.
 - 1. Members may use personally owned PCDs on-duty for routine administrative work as authorized by the Chief Probation Officer.
- (e) The device shall not be utilized to record or disclose any department business-related information, including photographs, video, or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the Department, without the express authorization of the Chief Probation Officer or the authorized designee.
- (f) Use of a personally owned PCD while at work or for work-related business constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, CPRA retention and release obligations, and internal investigations. If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.
- (g) All work-related documents, emails, photographs, recordings, or other public records created or received on a member's personally owned PCD should be transferred to the Trinity County Probation Department and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personal Communication Devices

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor, or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the member has prior express authorization from a supervisor, the member may engage in department business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

601.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.
- (b) All PCDs in the workplace shall be set to silent or vibrate mode.
- (c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (d) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.
- (e) Members are prohibited from taking pictures, audio or video recordings, or making copies of any such picture or recorded media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief Probation Officer or the authorized designee, may result in discipline.
- (f) Members will not access social networking sites for any purpose that is not official department business.
- (g) Using PCDs to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

601.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personal Communication Devices

- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
 - 1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
 - 2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Chief Probation Officer or the authorized designee.

601.8 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while using PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

601.9 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions, and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating department vehicles that are not authorized emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use. Hands-free use should be restricted to business-related calls or calls of an urgent nature (Vehicle Code § 23123; Vehicle Code § 23123.5).

Vehicle Use, Safety, and Maintenance

602.1 PURPOSE AND SCOPE

The Department uses department-owned motor vehicles for a variety of applications. To maintain a system of accountability and ensure that department-owned vehicles are used and maintained appropriately, regulations relating to the use and maintenance of these vehicles have been established. The term department-owned as used in this section also refers to any vehicle leased or rented by the Department.

602.2 POLICY

It is the policy of this department to maintain and operate the vehicles assigned to this facility in a lawful and safe manner. The Trinity County Probation Department provides vehicles for official business use and may, with County CAO approval, assign take-home vehicles based on its determination of operational efficiency, economic impact to the Department, tactical deployments, and other considerations. The department will provide service for department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

602.3 USE OF DEPARTMENT VEHICLES

Only authorized members should operate department-owned vehicles. Members who operate department-owned vehicles must comply with all applicable state laws and must possess a valid driver's license endorsed for the type of vehicle operated.

Additionally, members are responsible for helping maintain department vehicles so they are properly equipped, maintained, refueled, and cleaned.

A list of members authorized to drive department-owned vehicles shall be maintained by the department supervisor in charge of vehicle maintenance. The list shall be updated monthly to ensure that only qualified personnel with a current and appropriately endorsed driver's license are on the list.

602.3.1 VEHICLE LOCATION SYSTEM

At the discretion of the Chief Probation Officer, vehicles may be equipped with a system to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the vehicle location system. When members check out a vehicle, they shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during a shift, the member should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors. However, access to historical data by individuals other than supervisors will require supervisor approval.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Vehicle Use, Safety, and Maintenance

All data captured by the system shall be retained in accordance with the established records retention schedule.

602.3.2 KEYS

Vehicle keys will be accessible to members. Members checking out department vehicles shall place their initials next to the keys on the sign out board. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

Under no circumstances will clients be allowed to operate a vehicle or have possession of any vehicle keys.

602.3.3 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than County personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Alongs Policy.

602.3.4 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle. Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

602.3.5 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor.

602.3.6 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions, or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

602.3.7 MEMBER USE

Members using department-owned vehicles shall ensure that all weapons have been removed from a vehicle before going into service.

602.4 VEHICLE SECURITY

Department vehicles will be locked, and the keys will be secured when not in use. No keys should be left in the vehicle except when it is necessary to keep the vehicle running (e.g., equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Vehicle Use, Safety, and Maintenance

Members will make every effort to ensure that department vehicles are parked in a secure location. Members shall ensure all weapons and control devices are secured while a vehicle is unattended.

602.4.1 REMOVAL OF WEAPONS

All firearms, weapons, and control devices shall be removed from a vehicle and properly secured in the department armory or designated storage area before releasing the vehicle for maintenance, service, or repair.

602.5 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department-owned vehicles may be assigned to individual members at the discretion of the Chief Probation Officer or the authorized designee. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform the member's regular assignment.

602.5.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description, essential functions, and employment or appointment status. Vehicles may be reassigned or used by other department members at the discretion of the Chief Probation Officer or the authorized designee.

602.5.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where members must use department-owned vehicles to commute to and from a work assignment. Members may take home department-owned vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the Department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the County limits.
- (d) Off-street parking will be available at the member's residence.
- (e) The vehicle will be locked when not attended.
- (f) All firearms, weapons, and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

602.5.3 ASSIGNED VEHICLES

Assignment of take-home vehicles, if so authorized by the Chief Probation Officer and approved by the County CAO, shall be based on the location of the member's residence; the nature of the member's duties, job description, and essential functions; and the member's employment or appointment status. Residence in County is a prime consideration for assignment of a take-home

Trinity County Probation Department

New Probation Manual

New Probation Manual

Vehicle Use, Safety, and Maintenance

vehicle. Members who reside outside the County may be required to secure the vehicle at a designated location or at the Department at the discretion of the Chief Probation Officer or the authorized designee.

Department members shall sign a take-home vehicle agreement that outlines certain standards, including but not limited to how the vehicle shall be used, where it shall be parked when the member is not on-duty, vehicle maintenance responsibilities, and member enforcement actions.

Members are cautioned that under federal and local tax rules, personal use of a County vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or personal transportation, unless special circumstances exist and the Chief Probation Officer or authorized designee gives authorization.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) Vehicles will not be used when off-duty except:
 - 1. In circumstances when a member has been placed on call by the Chief Probation Officer or the authorized designee and there is a high probability that the member will be called back to duty.
 - 2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
 - 3. When the member has received permission from the Chief Probation Officer or the authorized designee.
 - 4. When the vehicle is being used by the Chief Probation Officer or the authorized designee or members who are in on-call administrative positions.
 - 5. When the vehicle is being used by on-call investigators.
- (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (e) The two-way communications radio and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (f) Unattended vehicles are to be locked and secured at all times.
 - 1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., equipment charging).
 - 2. All weapons shall be secured while the vehicle is unattended.
 - 3. All department identification, portable radios, and equipment should be secured.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Vehicle Use, Safety, and Maintenance

- (g) Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Chief Probation Officer or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and control devices shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department, when a member will be away (e.g., on vacation) for periods exceeding one week.
 - 1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
 - 2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.
- (i) The member is responsible for the care and maintenance of the vehicle.

602.6 USE OF PERSONAL VEHICLES

The Chief Probation Officer or the authorized designee must approve use of personal vehicles for official business.

The Chief Probation Officer or the authorized designee shall verify that the personal vehicle meets the state's insurance requirements. A copy of the insurance card shall be retained in the vehicle and in a department file. All policies and procedures applicable to department vehicles shall apply to the personal vehicle while it is being used for official business.

602.7 VEHICLE MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall inspect their assigned vehicles daily for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure the assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department member in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.

602.7.1 VEHICLE INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Vehicle Use, Safety, and Maintenance

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any client, the transporting member shall search all areas of the vehicle that are accessible by the client before and after that person is transported.

All department-owned vehicles are subject to inspection and/or search at any time by a supervisor. No member assigned to or operating such vehicle may have any expectation of privacy regarding the vehicle or any of its contents, regardless of who owns the contents. At a minimum, supervisors shall make monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

602.7.2 VEHICLE SAFETY REPAIRS

Anyone authorized to drive department vehicles is responsible for inspecting the interior and exterior of any assigned vehicle before placing the vehicle into service and again at the conclusion of the shift. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented.

Vehicles that are deemed unsafe shall not be used until necessary repairs are made. The written request for repairs shall be submitted before the operator checks out a replacement vehicle. The supervisor or the authorized designee shall monitor the maintenance requests and ensure that the necessary repairs are made before the vehicle is placed back into service.

All vehicles owned, leased, or used by this department shall be inspected annually by a qualified individual. Inspection reports will be forwarded to and maintained by the supervisor or the authorized designee.

602.8 TOLL ROAD USAGE

Probation vehicles are not routinely exempt from incurring toll road charges. Members responding to or returning from an emergency call on toll roads while on-duty are exempt from paying the toll if driving an authorized emergency vehicle as provided in Vehicle Code § 23301.5.

Commuting or returning to the Department after an emergency does not qualify for this exemption; members using department-owned vehicles are subject to the toll charge.

To avoid unnecessary toll road violation charges, members shall adhere to the following:

- (a) Members operating department-owned vehicles on toll roads for any reason other than responding to an emergency or urgent call shall pay the appropriate toll charge or use the appropriate tollway transponder. Members may seek reimbursement from the County for any toll fees incurred in the course of official business.
- (b) Members driving department-owned vehicles through a toll plaza while responding to an emergency or urgent call shall notify, in writing, the appropriate Supervising Deputy Probation Officer within five working days explaining the circumstances.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Vehicle Use, Safety, and Maintenance

602.9 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever a member is in public view or has contact with the public, the member's attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

602.10 COLLISION, DAMAGE, ABUSE, AND MISUSE

When any department-owned vehicle is involved in a traffic collision, the involved member shall promptly notify a supervisor. A traffic collision report shall be filed with the agency having jurisdiction. The member shall complete the department's vehicle collision form.

When a collision involves an department-owned vehicle or when a member of this department is an involved driver in a collision that occurs in this jurisdiction, and the collision results in serious injury or death or potentially involves any criminal charge, an outside agency should be summoned to handle the investigation. If the member is incapable of completing this department's vehicle collision form, a supervisor shall complete the form.

Any damage to a vehicle that was not caused by a traffic collision shall be immediately reported during the workday in which the damage was discovered. It shall be documented in memorandum format and forwarded to the appropriate Supervising Deputy Probation Officer. An administrative investigation should be conducted to determine if there is any vehicle abuse or misuse. If it is determined that misuse or abuse was a result of negligent conduct or operation, appropriate disciplinary action may result.

Personal Protective Equipment

603.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well as the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Disposable particulate mask - A class of disposable respirators approved by the Food and Drug Administration (FDA) and the National Institute for Occupational Safety and Health (NIOSH) as suitable for use where fluid or particulate resistance is a priority. Examples are N95 and N100 masks.

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical, or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

603.2 POLICY

The Trinity County Probation Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

603.3 OFFICER/AGENT RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

603.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in 8 CCR 5098.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personal Protective Equipment

603.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training or during situations in which eye protection may be warranted (e.g., cleaning areas where bloodborne pathogens were spilled, urine sample collections with clients). Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in 8 CCR 3382.

603.6 RESPIRATORY PROTECTION

The Chief Probation Officer or the authorized designee is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan shall include procedures for (8 CCR 5144):

- (a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.
- (b) Fit testing, including identification of members or contractors qualified to conduct fit testing.
- (c) Medical evaluations.
- (d) PPE inventory control.
- (e) PPE issuance and replacement.
- (f) Cleaning, disinfecting, storing, inspecting, repairing, discarding, and otherwise maintaining respiratory PPE, including schedules for these activities.
- (g) Regularly reviewing the PPE plan.
- (h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA), and state PPE standards and guidelines.

[See attachment: Respiratory Protection Plan policy no 2020-01 Memo to DH 2020.pdf](#)

[See attachment: Respiratory Protection Plan policy no 2020-01 \(002\).pdf](#)

[See attachment: Respiratory Medical Evaluation Form - fillable \(002\).pdf](#)

[See attachment: Respirator Medical Clearance form \(002\).pdf](#)

[See attachment: Respiratory Protection Plan - signature page \(002\).pdf](#)

603.6.1 RESPIRATORY PROTECTION USE

Disposable particulate masks should only be used to protect the member from particulate contaminants and are not suitable in an oxygen-deficient atmosphere or where an unsafe level of gases or fumes exists. See also the Communicable Diseases Policy.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personal Protective Equipment

Designated members may be issued respiratory PPE based on the member's assignment (e.g., narcotics task force).

Respiratory PPE may be worn when authorized by a scene commander who will determine the type and level of protection appropriate at a scene based upon an evaluation of the hazards present.

Scene commanders are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the scene commander shall reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene commander reasonably believes (8 CCR 5144):

- (a) The member's face and respirator facepiece need to be washed to prevent eye or skin irritation associated with respirator use.
- (b) The member detects vapor or gas breakthrough, a change in breathing resistance, or leakage of the facepiece.
- (c) The member needs to replace the respirator, filter, cartridge, or canister.

603.6.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators, or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke, or vapors shall use respiratory PPE.

Members using respiratory PPE shall (8 CCR 5144):

- (a) Ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.
- (b) Not wear corrective glasses, goggles, or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.
- (c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.
- (d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance, or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

603.6.3 SELF-CONTAINED BREATHING APPARATUS

Scene commanders may direct members to use SCBA when entering an atmosphere that may pose an immediate threat to life, would cause irreversible adverse health effects, or would impair an individual's ability to escape from a dangerous atmosphere. These situations may include but are not limited to:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personal Protective Equipment

- (a) Entering the hot zone of a hazardous materials incident.
- (b) Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.
- (c) Entering a smoke- or chemical-filled area.

The use of SCBA should not cease until approved by a scene commander.

603.6.4 RESPIRATOR FIT TESTING

No member shall be issued respiratory PPE until proper fit testing has been completed by a designated member or contractor (8 CCR 5144).

After initial testing, fit testing for respiratory PPE shall be repeated (8 CCR 5144):

- (a) At least once every 12 months.
- (b) Whenever there are changes in the type of SCBA or facepiece used.
- (c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery, or any other condition that may affect the fit of the facepiece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

603.6.5 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE

No member shall be issued respiratory protection that forms a complete seal around the face until (8 CCR 5144):

- (a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.
- (b) A physician or other licensed health care professional has reviewed the questionnaire.
- (c) The member has completed any physical examination recommended by the reviewing physician or health care professional.

603.7 RECORDS

The Training Manager is responsible for maintaining records of all:

- (a) PPE training.
- (b) Initial fit testing for respiratory protection equipment.
- (c) Annual fit testing.
- (d) Respiratory medical evaluation questionnaires and any subsequent physical examination.
 1. These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the Department records retention schedule and 8 CCR 5144.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personal Protective Equipment

603.8 TRAINING

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (8 CCR 3380).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (8 CCR 5144).

Body Armor

604.1 PURPOSE AND SCOPE

The purpose of this policy is to provide officers with guidelines for the proper use of body armor.

604.2 POLICY

It is the policy of the Trinity County Probation Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for observing officer safety procedures.

604.3 ISSUANCE

The Rangemaster shall ensure that body armor is issued to all officers and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

Body armor shall be issued when an officer begins service at the Trinity County Probation Department and shall be replaced when the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

The Chief Probation Officer may authorize issuing body armor to uniformed, non-sworn members whose jobs may make wearing of body armor advisable.

604.3.1 USE

Generally, the required use of body armor is subject to the following:

- (a) Members shall only wear department-approved body armor.
- (b) Members shall wear body armor any time they are in a situation where they could reasonably be expected to take enforcement action, including but not limited to when they are participating in field supervision activities.
- (c) Members shall wear body armor when working in uniform or taking part in department range training.
- (d) Members are not required to wear body armor when they are functioning primarily in an administrative or support capacity and would not reasonably be expected to take enforcement action.
- (e) Officers may be excused from wearing body armor when they are involved in undercover or plainclothes work that their supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.
 1. In those instances when body armor is not worn, officers should have reasonable access to their body armor.

604.3.2 INSPECTION

Supervisors should ensure through routine observation and periodic documented inspections that body armor is worn and maintained in accordance with this policy.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Body Armor

Annual inspections of body armor should be conducted by a person trained to perform the inspection for fit, cleanliness, and signs of damage, abuse, and wear.

604.3.3 CARE AND MAINTENANCE

The required care and maintenance of body armor is subject to the following criteria:

- (a) Members are responsible for inspecting their body armor for signs of damage, wear, and cleanliness at the start of each shift.
 - 1. Unserviceable body armor shall be reported to the supervisor.
- (b) Members are responsible for properly storing their body armor.
 - 1. Body armor should not be stored for an extended period in an area where environmental conditions (e.g., temperature, light, humidity) could potentially degrade its effectiveness.
- (c) Members are responsible for the care and cleaning of their body armor pursuant to the manufacturer's care instructions.
 - 1. Body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer.
 - 2. Failure to follow manufacturer's care instructions may damage the ballistic performance capabilities of the body armor. If care instructions for the body armor cannot be located, the manufacturer should be contacted to request the instructions.
- (d) Body armor should be replaced in accordance with the manufacturer's recommended replacement schedule, or when its effectiveness or functionality has been compromised.

604.4 FIREARMS INSTRUCTOR RESPONSIBILITIES

The responsibilities of the Rangemaster include but are not limited to:

- (a) Monitoring technological advances in the body armor industry for any appropriate changes to department-approved body armor.
- (b) Assessing the level of weapons and ammunition currently utilized by the public and the suitability of approved body armor to protect against those threats.
- (c) Educating officers about the safety benefits of wearing body armor.

Emergency Vehicle Operation

605.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate use and operation of Departmental vehicles equipped with emergency lighting and sirens.

605.2 POLICY

The use of emergency Lights/Auditory signals shall be limited to identifying the probation vehicle as a law enforcement vehicle to other law enforcement agencies, the community during various emergency situations, and probation-related duties (e.g. urgent response, perimeter assistance,).

605.3 MEMBER RESPONSIBILITIES

- (a) Only those members that have completed training in Emergency Vehicle Operations are authorized to use vehicle Emergency Lights/Auditory Signals.
- (b) Members shall be familiar with and adhere to that portion of the California Vehicle Code 21056 which states that exemption from certain provisions of the code “does not relieve the driver of a vehicle from the duty to drive with due regard for the safety of all persons using the highway”.
- (c) Members shall, at all times, drive defensively and with due consideration for the safety of persons and property.
- (d) Absent exigent circumstances, members shall not use Emergency Lights/Auditory Signals to initiate a traffic stop without supervisory approval.
- (e) The activation of these devices shall not be used as a means to initiate a vehicle stop or assist in high speed vehicle pursuits.

605.4 TRAINING

Emergency Vehicle Operations Training will be provided for those officers that drive vehicles which are equipped with lights and/or auditory signals.

Chapter 7 - Support Services

Property

700.1 PURPOSE AND SCOPE

This policy provides guidelines for the proper processing, storage, security, and disposition of evidence, and other property.

700.1.1 DEFINITIONS

Definitions related to this policy include:

Property - All articles placed in secure storage within the Trinity County Probation Department, including evidence, and items taken for safekeeping.

700.2 POLICY

It is the policy of the Trinity County Probation Department to process, store, secure, and dispose of all property in a reasonable manner and to maintain documentation that tracks the location of property and its disposition.

700.3 RESPONSIBILITIES

The Chief Probation Officer should designate a property custodian responsible for the management of property held by the Trinity County Probation Department.

The property custodian should:

- (a) Maintain procedures for the safety, security, and chain of custody for property received, including procedures for packaging, submitting, storing, transferring, releasing, and disposing of property.
- (b) Maintain procedures for facility security and access control, including access logs.
- (c) Maintain emergency procedures and supplies for the continuity of operations if the facility must be evacuated or moved (e.g., for hazardous spills, fires, floods), including protective equipment for personnel, lighting, and ventilation.
- (d) Develop and make available appropriate forms.
- (e) Maintain procedures for the use of property for investigative or training purposes.
- (f) Conduct inventories and participate in audits and inspections as provided in this policy and address identified issues as appropriate.
- (g) Establish agreements with other appropriate organizations that have resources and expertise to store and destroy hazardous materials, flammable materials, explosive materials, narcotics and dangerous drugs, and other materials requiring specialized destruction.

700.4 SECURITY

Only authorized members should have access to property. Members authorized to access secure property storage areas should take reasonable steps to prevent access by unauthorized persons. This includes preventing others from accessing related keys, access codes, passwords, or access cards and reporting any possible breaches or security concerns as soon as practicable.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Property

700.5 PROPERTY HANDLING

The member who first comes into possession of property is generally responsible for the collection, care, custody, and control of the property until it is securely stored.

Receipts should be provided to individuals when property is received or removed from them.

A supervisor should be notified when a submitting member did not follow appropriate procedures.

Members should securely store property prior to going off-duty.

See Procedures Manual on Evidence Collection and Chain of Custody for further information.

- [Evidence Collection and Chain of Custody Procedures](#)

700.6 SPECIAL CONSIDERATIONS

The following items require special handling and should be processed according to department procedures and as follows:

700.6.1 CONTROLLED SUBSTANCES

- Controlled dangerous substances should only be handled using the appropriate type and level of personal protective equipment.
- Controlled dangerous substances should only be tested, opened, or repackaged in authorized areas and only by trained members.
- Controlled substances shall not be packaged with other property.
- Appropriate weights should be obtained and documented.
- Marijuana should be packaged in a container that allows for drying.
- The property custodian should monitor stored marijuana for growth of mold.

700.6.2 MISCELLANEOUS

The following items require special consideration and should be handled in line with current department procedures, to include the following:

- Cash should be counted in the presence of another member. The cash shall be placed in a property envelope and initialed by both members. A supervisor should be contacted for cash in excess of \$1,000. The supervisor shall witness the count, initial and date the envelope. After initial submission, cash should be stored in a controlled-access safe.

Digital evidence should be stored in a manner to prevent it from becoming demagnetized.

Explosives, fireworks, ammunition, and hazardous and flammable substances should be secured either off-site or on-site in containers appropriate for the contents. These items should be removed or destroyed as soon as it is practical and legal to do so.

Firearms shall be unloaded and packaged separately from ammunition. Members submitting firearms should package them in such a way as to provide visual confirmation that the firearm is unloaded. Knife boxes should be used to package knives.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Property

Syringe tubes or other sharps containers should be used to package syringes, needles and other sharps.

700.7 RECORDING OF PROPERTY

Members should ensure that all documentation and tagging is completed when entering property and evidence. The property custodian receiving custody of property shall ensure a property control record for each item or group of items has been created.

The property custodian shall ensure that a unique property number is obtained for each item or group of items.

700.8 INSPECTION OF THE PROPERTY STORAGE AREA

The Assistant Chief shall ensure that periodic, unannounced inspections of the storage facilities are conducted to ensure adherence to appropriate policies and procedures. The Assistant Chief also shall ensure that an audit is conducted annually, or as directed by the Chief Probation Officer. Inspections and audits shall be conducted by a member of this department who is not routinely or directly connected with the property operations.

Whenever there is a change of assignment for any member with authorized access to the stored property, an inventory of all property shall be conducted by a person who is not associated with the stored property, or its function. This is to ensure that all property is accounted for and the records are correct.

Records Maintenance and Release

701.1 PURPOSE AND SCOPE

This policy establishes guidelines for the maintenance, release, and disposition of records maintained by the Department. The policy addresses responsibilities of the Custodian of Records for the management of file access, and requests for release of information and records.

701.2 POLICY

It is the policy of the Department to maintain client records and to provide for the access to and release of records consistent with department policies, administrative directives, and applicable state law.

701.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Chief Probation Officer shall designate the Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to:

- (a) Maintaining and updating a records procedure manual.
- (b) Supervising the access, use, and release of protected information (see the Protected Information Policy).
- (c) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.
- (d) Maintaining and updating the department records retention schedule, including:
 1. Identifying the minimum length of time the Department must keep records.
 2. Identifying who has the responsibility for the original record.
- (e) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records (Government Code § 6253).
- (f) Identifying records or portions of records that have release restrictions or are confidential under state or federal law and not open for inspection or copying.
- (g) Establishing procedures for sharing records as permitted by law with clients, their designees, and coordinating agencies, including law enforcement agencies, social service agencies, and medical and mental health providers.
- (h) Establishing rules regarding the processing of subpoenas for the production of records.
- (i) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of data.
- (j) Ensuring the availability of a current schedule of fees for public records as allowed by law (Government Code § 6253).
- (k) Determining how the department's website may be used to post public records in accordance with Government Code § 6253.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Records Maintenance and Release

- (l) Ensuring that public records posted on the department website meet the requirements of Government Code § 6253.10, including but not limited to posting in an open format where a record may be retrieved, downloaded, indexed, and searched by a commonly used internet search application.

See Procedures Manual on Records Maintenance and Release for further information.

- [Records Maintenance and Release Procedures](#)

701.4 PROCESSING REQUESTS FOR RECORDS

Any department member who receives a request for any records shall route the request to the Custodian of Records or authorized designee.

701.4.1 REQUESTS FOR PUBLIC RECORDS

The processing of requests for public records is subject to the following (Government Code § 7922.530):

- (a) The Department is not required to create records that do not exist.
- (b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
 - 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions.
 - 2. If the record is an audio or video recording, a copy of the redacted audio/video recording release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.
- (c) Either the requested record or the reason for nondisclosure will be provided promptly, but no later than 10 days from the date of request, unless unusual circumstances preclude doing so. If more time is needed, an extension of up to 14 additional days may be authorized by the Custodian of Records or the authorized designee. If an extension is authorized, the Department shall provide the requester written notice that includes the reason for the extension and the anticipated date of the response.
 - 1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request, including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information and technology and physical location in which the record exists (Government Code § 7922.600).
 - 2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Records Maintenance and Release

- (d) Upon request, a record shall be provided in an electronic format utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 7922.570; Government Code § 7922.580).

701.4.2 DENIALS

The denial of a request for public records is subject to the following:

- (a) If a record request is denied in whole or part, the requester shall be provided a written response that includes the statutory exemption for withholding the record or facts that the public interest served by nondisclosure outweighs the interest served by disclosure (Government Code § 7922.000; Government Code § 7922.540).
- (b) The written response to the denial shall include the names, titles, or positions of each person responsible for the denial (Government Code § 7922.540).

701.4.3 RELEASE RESTRICTIONS

Examples of release restrictions include (except where allowed by law or court order):

- (a) Client records, including client classification, disciplinary records, pre-sentence or disposition reports, supervision reports, and progress reports.
- (b) Probation reports filed with a court (Penal Code § 1203.03; Penal Code § 1203.05).
- (c) Records relating to juveniles (Welfare and Institutions Code § 827; Welfare and Institutions Code § 827.95; Welfare and Institutions Code § 831).
- (d) Client medical, mental health, and substance abuse records (Government Code § 7930.130; Government Code § 7930.170; 42 CFR 2.35).
- (e) Client education records (Family Education Rights and Privacy Act of 1974 (FERPA); Education Code § 49076).
- (f) Personnel records, medical records, or similar files that would involve an unwarranted invasion of personal privacy (Government Code § 7927.700; Penal Code § 832.8; Evidence Code § 1043 et seq.).
- (g) Home addresses, home telephone numbers, personal cellular telephone numbers, and birth dates of department members except as allowed by Government Code § 7928.300.
- (h) Criminal intelligence and criminal history information (Penal Code § 13102; Penal Code § 13300) (see also the Protected Information Policy).
- (i) A record of a complaint, or the investigations, findings, or dispositions of that complaint, if the complaint is frivolous, as defined by Code of Civil Procedure § 128.5, or if the complaint is unfounded (Penal Code § 832.7(b)(9)).

701.5 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Records Maintenance and Release

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the appropriate prosecutor or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

701.6 RELEASED RECORDS TO BE MARKED

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

701.7 SECURITY BREACHES

Members who become aware that any Trinity County Probation Department system containing personal information may have been breached should notify the Custodian of Records as soon as practicable.

The Custodian of Records shall ensure notice is given anytime there is a reasonable belief an unauthorized person has acquired either unencrypted personal identifying information or encrypted personal information along with the encryption key or security credential stored in any department information system (Civil Code § 1798.29).

Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system (Civil Code § 1798.29).

If a single breach requires the Department to notify more than 500 California residents, the Department shall electronically submit a sample copy of the notification, excluding any personally identifiable information, to the California Attorney General (Civil Code § 1798.29).

For the purposes of the notice requirement, personal information includes (Civil Code § 1798.29):

- (a) An individual's first name or first initial and last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted:
 - 1. Social Security number
 - 2. Driver's license number, California identification card number, tax identification number, passport number, military identification number, or other unique identification number issued on a government document commonly used to verify the identity of a specific individual

Trinity County Probation Department

New Probation Manual

New Probation Manual

Records Maintenance and Release

3. Full account number, credit or debit card number, or any required security code, access code, or password that would permit access to an individual's financial account
 4. Medical information
 5. Health insurance information
 6. Unique biometric data
 7. Genetic data
- (b) A username or email address, in combination with a password or security question and answer that would permit access to an online account.

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Custodian of Records should promptly notify the appropriate member designated to oversee the security of protected information (see the Protected Information Policy).

701.8 SEALED RECORD ORDERS

Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records and, if appropriate, the member assigned to supervision of the client.

The Custodian of Records shall seal such records as ordered by the court. Once a record is sealed, members shall respond to any inquiry as though the record did not exist (Penal Code § 851.8; Welfare and Institutions Code § 781; Welfare and Institutions Code § 786; Welfare and Institutions Code § 786.5).

701.8.1 SEALED JUVENILE ARREST RECORDS

The Custodian of Records shall seal the arrest and other records in department custody relating to a juvenile's arrest and referral and participation in a diversion or supervision program as provided by Welfare and Institutions Code § 786.5.

The Custodian of Records should ensure that an arresting law enforcement agency is notified to seal any arrest records required by Welfare and Institutions Code § 786.5. Within 30 days of receipt of notification from the arresting law enforcement agency that the records have been sealed, the Custodian of Records should ensure that the involved minor receives written notification that their records have been sealed. If the records are not sealed, written notice shall inform the minor of their ability to petition the court directly to seal their arrest and other related records (Welfare and Institutions Code § 786.5).

701.9 RELEASE OF AUDIO OR VIDEO RECORDINGS RELATED TO CRITICAL INCIDENTS

Video and audio recordings related to critical incidents shall be released pursuant to a proper public record request and subject to delayed release, redaction, and other release restrictions as provided by law (Government Code § 7923.625).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Records Maintenance and Release

For purposes of this section, a video or audio recording relates to a critical incident if it depicts an incident involving the discharge of a firearm at a person by any officer, or depicts an incident in which the use of force by any officer against a person resulted in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) (Government Code § 7923.625).

The Custodian of Records should work as appropriate with the Chief Probation Officer or the Assistant Chief or the authorized designee supervisor in determining what recordings may qualify for disclosure when a request for a recording is received and if the requested recording is subject to delay from disclosure, redaction, or other release restrictions.

701.9.1 DELAY OF RELEASE

Disclosure of critical incident recordings during active criminal or administrative investigations may be delayed if disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source. Disclosure may be delayed up to 45 days from the date the Department knew or reasonably should have known about the incident. After the initial 45 days and up to one year, delayed disclosure may continue if the Department demonstrates substantial interference with the investigation. Any delayed disclosure longer than one year must be supported by clear and convincing evidence (Government Code § 7923.625).

701.9.2 NOTICE OF DELAY OF RELEASE

When there is justification to delay disclosure of a recording, the Custodian of Records shall provide written notice to the requester as follows (Government Code § 7923.625):

- (a) During the initial 45 days, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination that disclosure would substantially interfere with the investigation. The notice shall also include the estimated date for the disclosure.
- (b) When delay is continued after the initial 45 days, the Custodian of Records shall promptly provide the requester with written notice of the specific basis for the determination that the interest in preventing interference with an active investigation outweighs the public interest in the disclosure, and the estimated date for the disclosure. The Custodian of Records should work with the Chief Probation Officer in reassessing the decision to continue withholding a recording and notify the requester every 30 days.

Recordings withheld shall be disclosed promptly when the specific basis for withholding the recording is resolved.

701.9.3 REDACTION

If the Custodian of Records, in consultation with the Chief Probation Officer or the authorized designee, determines that specific portions of the recording may violate the reasonable expectation of privacy of a person depicted in the recording, the Department should use redaction technology to redact portions of recordings made available for release. The redaction should not interfere with the viewer's ability to fully, completely, and accurately comprehend the

Trinity County Probation Department

New Probation Manual

New Probation Manual

Records Maintenance and Release

events captured in the recording, and the recording should not otherwise be edited or altered (Government Code § 7923.625).

If any portions of a recording are withheld to protect the reasonable expectation of privacy of a person depicted in the recording, the Custodian of Records shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served (Government Code § 7923.625).

701.9.4 RECORDINGS WITHHELD FROM PUBLIC DISCLOSURE

If the reasonable expectation of privacy of a person depicted in the recording cannot adequately be protected through redaction, and that interest outweighs the public interest in disclosure, the Department may withhold the recording from the public, except that the recording, either redacted or unredacted, shall be disclosed promptly, upon request, to any of the following (Government Code § 7923.625):

- (a) The person in the recording whose privacy is to be protected, or the authorized representative.
- (b) If the person is a minor, the parent or legal guardian of the person whose privacy is to be protected.
- (c) If the person whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased person whose privacy is to be protected.

If the Department determines that this disclosure would substantially interfere with an active criminal or administrative investigation, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination and the estimated date of disclosure (Government Code § 7923.625).

The Department may continue to delay release of the recording from the public for 45 days with extensions as provided in this policy (Government Code § 7923.625).

701.10 REFERENCES

See Procedures Manual on Records Maintenance and Release for further information. [PROCESSING OF REQUESTS](#)

Protected Information

702.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release, and security of protected information by members of the Trinity County Probation Department. This policy addresses the protected information used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

702.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data collected, stored, or accessed by members of the Trinity County Probation Department and that is subject to any access or release restrictions imposed by law, regulation, order, or use agreement. This includes all information in federal, state, or local law enforcement databases that is not accessible to the public.

702.2 POLICY

Members of the Trinity County Probation Department will adhere to all applicable laws, orders, regulations, use agreements, and training related to the access, use, dissemination, and release of protected information.

702.3 RESPONSIBILITIES

The Chief Probation Officer shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicles (DMV) records, and California Law Enforcement Telecommunications System (CLETS).
- (b) Developing, disseminating, and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating, and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release, and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.
- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Protected Information

702.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Trinity County Probation Department policy, or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

702.4.1 PENALTIES FOR MISUSE OF RECORDS

It is a misdemeanor to furnish, buy, receive, or possess Department of Justice criminal history information without authorization by law (Penal Code § 11143).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI (11 CCR 702).

702.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to the Chief Probation Officer or the authorized designated designee for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from law enforcement agencies who are assisting in an investigation or conducting a related investigation. Any such information should be released through the Supervisor to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

See [CJIS Security Policy Resource Center](#) for further information.

702.5.1 REVIEW OF CRIMINAL OFFENDER RECORD

Individuals requesting to review their own California criminal history information shall be referred to the Department of Justice (Penal Code § 11121).

Individuals shall be allowed to review their arrest or conviction record on file with the Department after complying with all legal requirements regarding authority and procedures in Penal Code § 11120 through Penal Code § 11127 (Penal Code § 13321).

702.5.2 TRANSMISSION GUIDELINES

Protected information, such as restricted Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should not be transmitted via unencrypted radio.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Protected Information

When circumstances reasonably indicate that the immediate safety of officers, other department members, or the public is at risk, only summary information may be transmitted.

In cases where the transmission of protected information, other than CJI and CHRI, is necessary to accomplish a legitimate law enforcement purpose, and utilization of an encrypted radio channel is infeasible, a department-issued cellular telephone should be utilized when practicable. If neither are available, unencrypted radio transmissions shall be subject to the following:

- Elements of protected information should be broken up into multiple transmissions, to minimally separate an individual's combined last name and any identifying number associated with the individual, from either first name or first initial.
- Additional information regarding the individual, including date of birth, home address, or physical descriptors, should be relayed in separate transmissions.

Nothing in this policy is intended to prohibit broadcasting warrant information.

702.6 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any program compiling data on individuals based on religious belief, practice, affiliation, national origin, or ethnicity (Government Code § 8310.3).

702.7 SECURITY OF PROTECTED INFORMATION

The Chief Probation Officer will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include but are not limited to:

- (a) Developing and maintaining security practices, procedures, and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents, including computer attacks.
- (d) Tracking, documenting, and reporting all breach of security incidents to the Chief Probation Officer and appropriate authorities.

702.7.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk, in or on an unattended vehicle, in an unlocked desk drawer or file cabinet, on an unattended computer terminal).

702.8 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to, or obtain information from a criminal intelligence system unless the Chief Probation Officer has approved the system for department use.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Protected Information

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for supervising the use of any criminal intelligence system by members. The supervisor or the authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

702.8.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, case notes, a photo, or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Custodian of Records. Any supporting documentation for an entry shall be retained by the Custodian of Records in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Custodian of Records are appropriately marked as intelligence information. The Custodian of Records may not purge such documents without the approval of the designated supervisor.

702.8.2 SHARED GANG DATABASE

Any shared gang database shall be accessed and maintained in accordance with state and federal law, guidelines, and regulations (Penal Code § 186.36).

702.9 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

Criminal Justice Information Management

703.1 PURPOSE AND SCOPE

This policy provides guidelines for the protection and security of any criminal justice information obtained from CLETS, release of criminal justice information, security of that information, and persons authorized to release that information.

703.2 AUTHORITY

This policy is established pursuant to the mandate of the Regulations Regarding Security of Criminal Offender Record Information in California, Title 11, California Code of Regulations. Other authority includes Penal Code § 11105, which delineates who has access to Criminal Offender Record Information (CORI), and Penal Code §§ 11140 through 11144, which establishes penalties for the improper use of rap sheets.

703.3 DEFINITIONS

Criminal Offender Record Information - (CORI) shall include CII manual/automated rap sheets and abstracts, CII crime summaries, CII criminal history transcripts, FBI rap sheets, and any TCPD documents containing a list of prior arrests.

Criminal Justice Agency - A public agency or component thereof which performs a criminal justice activity as its principal function.

Authorized Recipient - Any person or agency authorized by court order, statute or case law to receive CORI.

Right to Know - Persons or agencies authorized by court order, statute or decisional case law to receive the information.

Need to Know - A necessity exists to obtain CORI in order to execute official responsibilities.

703.4 AUTHORIZED RECIPIENTS OF CORI

CORI may be released only to authorized recipients who have both a right to know and a need to know. All law enforcement personnel with proper identification are authorized recipients, if they have an official need to know.

The California Department of Justice has issued a list of agencies authorized to receive criminal history information. Persons not included in the Department of Justice list are not authorized recipients and shall not receive CORI.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Criminal Justice Information Management

703.4.1 CRIMINAL RECORD SECURITY OFFICER

The Supervising Probation Officer is the designated Criminal Record Security Officer for the Trinity County Probation Department. This supervisor is responsible for ensuring compliance with this procedure and with applicable records security regulations and requirements imposed by federal and state law. The Criminal Record Security Officer will resolve specific questions that arise regarding authorized recipients of CORI.

703.4.2 RELEASE OF CORI

Only the persons listed below are authorized to release CORI. Each authorized person releasing CORI is responsible to ensure that each request granted appears legitimate and that the requester is an authorized recipient with a right and need to know.

- (a) Supervising Probation Officer
- (b) Designated employees of the supervisor

703.5 JUVENILE RECORDS

Nothing in this procedure is intended to alter existing statutes, case law, or the policies and orders of the Juvenile Court regarding the release of juvenile offender records.

703.6 REVIEW OF CRIMINAL OFFENDER RECORD

Penal Code §§ 11120 through 11127 provide the authority and procedure whereby an individual may review his/her own California Department of Justice (CII) rap sheet.

Individuals shall be allowed to review their arrest or conviction record on file with the Department after complying with all legal requirements.

703.7 PROTECTION OF CORI

CORI shall be stored in the Records Center where constant personnel coverage will be provided. CORI stored elsewhere shall be secured in locked desks, locked file cabinets, or in locked rooms.

Direct access to CORI stored in the Records Center shall be restricted to the Records Center personnel authorized to release it. Direct access to CORI stored in desks, file cabinets, and rooms outside the Records Center shall be restricted to those persons who possess both the right to know and the need to know the information.

703.7.1 PHYSICAL PROTECTION MEASURES

All staff having access to the building will be issued digital reader cards to enter the building. Additionally, limited secondary access shall be maintained in the office where the CLETS terminal is housed, and when not in use, the room shall remain locked. Computer monitors shall have a screen protector that limits side viewing, and the monitor shall face away from any windows in the office.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Criminal Justice Information Management

703.7.2 COMPUTER TERMINAL AND SYSTEM SECURITY

Computer terminal equipment capable of providing access to automated criminal offender record information is located in the office of a probation officer to preclude access by unauthorized persons.

No employee shall be authorized to operate computer terminal equipment with access to CORI until the operator has completed the appropriate training.

Any terminal accessing CORI information, and the network its connected to, shall meet CJIS security standards, including but not limited to encryption and virus protection,

Security Patches, hot fixes, service packs, updates, patches will be conducted in the following manner:

- (a) Weekly antivirus scans of computer equipment will be conducted.
- (b) Routine checks for updates and maintenance patches, configurations, or applications will be conducted, and any failures of patch updates or system incompatibility brought to the immediate attention of the Chief Probation Officer.
- (c) Testing must be conducted prior to implementation of any application, system patches, service pack updates, or hot fixes.
- (d) Back-ups must be performed in a secure manner and in compliance with CJIS security standards.

703.7.3 MEDIA HANDLING

All media containing CORI information shall be stored, accessed, transported, sanitized, and disposed of in the following manner:

- (a) **STORAGE & ACCESS:** Department personal shall store digital and physical media within physically secure and controlled areas. Access to digital and physical media is to be limited to authorized individuals. If physical and personnel restrictions are not feasible then the data should be encrypted.
- (b) **DIGITAL MEDIA TRANSPORT:** Only authorized employees shall transport media and shall protect and control said media when moving it from a controlled area to prevent any compromise of the data.
- (c) **PHYSICAL MEDIA TRANSPORT:** Only authorized employees shall transport media (printed documents, photos, etc.) and shall protect and control said media at the same level as electronic form when moving it from a controlled area to prevent any compromise of the data.
- (d) **DIGITAL MEDIA SANITATION AND DISPOSAL:** To sanitize and destroy digital media the media should be overwritten at least three times or degauss digital media using the degaussing magnet after which said media will be destroyed by cutting up or shredding. This is to be done by authorized personnel.
- (e) **DISPOSAL OF PHYSICAL MEDIA:** At the time it is determined that physical media is no longer needed it shall be shredded by authorized personnel.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Criminal Justice Information Management

703.7.4 DESTRUCTION OF CORI

When any document providing CORI has served the purpose for which it was obtained, it shall be destroyed by shredding.

Each employee shall be responsible for destroying the CORI documents they receive.

703.7.5 CUSTODIAN OF CRIMINAL RECORDS

The Administrative Services Officer, unless otherwise directed by the Administration, shall be the Department's official Custodian of Criminal Records. The Custodian of Criminal Records shall be responsible for the security, storage, dissemination and destruction of criminal records, and will serve as a primary contact for the California Department of Justice for any related issues. The Administration may appoint other department employees to the role of Custodian of Criminal Records, who will share the same responsibilities regarding criminal records.

The Administration will ensure that he/she makes the appropriate applications and notifications to the California Department of Justice regarding the Department's Custodian of Criminal Record appointments, per the requirements of Penal Code § 11102.2.

This subsection is not intended to interfere with any other employee acting as a custodian of records for other statutory purposes but is narrowly tailored to address issues of criminal history records.

703.8 TRAINING PROGRAM

All personnel authorized to process or release CORI shall be required to complete a training program prescribed by the Criminal Record Security Officer. The Training Bureau shall coordinate the course to provide training in the proper use, control, and dissemination of CORI.

703.9 PENALTIES FOR MISUSE OF RECORDS

Penal Code §§ 11140 and 11144 make it a misdemeanor to furnish, buy, receive, or possess Department of Justice rap sheets without authorization by a court, statute, or case law.

Title 11, California Administrative Code § 702 provides that authorized persons or agencies violating the Regulations Regarding the Security of Criminal Offender Record Information in California may lose direct access to CORI maintained by the California Department of Justice.

Divulging the content of any criminal record to anyone other than authorized personnel is a violation of Policy Manual § 315 - Standards and Conduct.

Employees who violate this policy, or otherwise obtain, or attempt to obtain, information from department files and sources other than that to which they are entitled to in accordance with their official duties is a violation of Policy Manual 315 - Standards and Conduct, will be investigated and disciplinary action undertaken where appropriate.

703.10 REPORTING INFORMATION SECURITY EVENTS

All department staff shall promptly report all information security incidents and events including but not limited to system vulnerabilities, data breaches, inappropriate record handling, unauthorized access, and improper dissemination, in writing to their immediate supervisor.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Criminal Justice Information Management

The department's Custodian of Records will ensure that on-going training is provided to all employees, contractors and third party users of the procedures for reporting the different types of events and weakness that might have an impact on the security of agency assets, and further that they are required to report any information security events and weaknesses as quickly as possible to their immediate supervisor or the department's Custodian of Records.

All reported security incidents and events are to be investigated by the Assistant Chief or his/her designee, along with the departmental Custodian of Records, and a full report submitted to the Chief for review and implementation of necessary follow-up action. (FBI CJIS Security Policy 5.3.1 Reporting Information Security Events). See [CJIS Security Policy Resource Center](#) for further information.

703.11 INCIDENT REPORT TO DATA BREACH

In the event that a data breach involving CORI information occurs, employees are to follow the Incident Response Plan for the Department.

Chapter 8 - Personnel

Recruitment and Selection

800.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Trinity County Probation Department and that are promulgated and maintained by Department of Human Resources.

800.2 POLICY

In accordance with applicable federal, state, and local law, the Trinity County Probation Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

800.3 RECRUITMENT

The Chief Probation Officer should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.
- (e) Employee referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Recruitment and Selection

The Chief Probation Officers shall avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process and should periodically inform each candidate of the candidate's status in the recruiting process.

800.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record).
 - 1. The personnel records of any applicant with prior peace officer experience in this state shall be requested from the appropriate law enforcement agency and reviewed before extending an offer of employment (Penal Code § 832.12).
- (b) Driving record.
- (c) Reference checks.
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents consistent with Labor Code § 1019.1. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites.
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.).
- (g) Local, state, and federal criminal history record checks.
- (h) Lie detector test (when legally permissible) (Labor Code § 432.2).
- (i) Medical and psychological examination (may only be given after a conditional offer of employment).
- (j) Review board or selection committee assessment.

800.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify the candidate's personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Trinity County Probation Department (Government Code § 1031; 15 CCR 131).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Recruitment and Selection

800.5.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the California Investigative Consumer Reporting Agencies Act (15 USC § 1681d; Civil Code § 1786.16).

800.5.2 STATE NOTICES

If information disclosed in a candidate's criminal offender record information (CORI) is the basis for an adverse employment decision, a copy of the CORI shall be provided to the applicant (Penal Code § 11105).

800.5.3 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private, or protected information, the Chief Probation Officer shall not require candidates to provide passwords, account information, or access to password-protected social media accounts (Labor Code § 980).

The Chief Probation Officer should consider utilizing the services of an appropriately trained and experienced third party to conduct open-source, internet-based searches and/or review information from social media sites to ensure that:

- The legal rights of candidates are protected.
- Material and information to be considered is verified, accurate, and validated.
- The Department fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the Chief Probation Officer should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

800.5.4 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

800.5.5 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

The narrative report and any other relevant information pertaining to all candidates should be shared with the psychological evaluator. Information should also be shared with others involved in the hiring process if it is relevant to their respective evaluations.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Recruitment and Selection

800.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators, candidate information, and records shall be evaluated by considering the candidate as a whole and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

800.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community (Government Code § 1029; Government Code § 1031; 15 CCR 131).

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

800.7.1 STANDARDS FOR OFFICERS

Candidates shall meet the minimum standards established by California law, including those provided in Government Code § 1029, Government Code § 1031, and 15 CCR 131:

- (a) Free of any felony convictions
- (b) Legally authorized to work in the United States under federal law
- (c) At least 18 years of age
- (d) Fingerprinted for local, state, and national fingerprint check
- (e) Good moral character as determined by a thorough background investigation
- (f) High school graduate, passed the GED or other high school equivalency test, or obtained a two-year, four-year, or advanced degree from an accredited or approved institution

Trinity County Probation Department

New Probation Manual

New Probation Manual

Recruitment and Selection

- (g) Free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation, that might adversely affect the exercise of peace officer powers
- (h) Free of hate group memberships, participation in hate group activities, or advocacy of public expressions of hate within the previous seven years and since age 18 as determined by a background investigation (Penal Code § 13681)

Candidates must also satisfy the Board of State and Community Corrections selection requirements.

800.8 JOB DESCRIPTIONS

The Chief Probation Officer should ensure that a current job description is maintained for each position in the Department.

800.9 PROBATIONARY PERIODS

The Chief Probation Officer should coordinate with the County Department of Human Resources to identify positions subject to probationary periods and procedures for:

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

Standards of Conduct

801.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Trinity County Probation Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

801.2 POLICY

The continued employment or appointment of every member of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

801.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

801.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law, or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that conflicts with a previous lawful order, department policy, or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the

Trinity County Probation Department

New Probation Manual

New Probation Manual

Standards of Conduct

previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict will not be held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

801.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to the immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiescing to such a violation, or exhibiting indifference to such a violation.
- (d) Exercising unequal or disparate authority toward any member for malicious or other improper purpose.

801.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty (see the Policy Manual Policy).

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

801.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics, and specific action or inaction that is detrimental to efficient department service.

801.5.1 LAWS, RULES, AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive, or requirement, or failure to follow instructions contained in department or county manuals.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Standards of Conduct

- (b) Disobeying any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local, or administrative laws, rules, or regulations.

801.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Trinity County Probation Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) Wrongfully or unlawfully exercising authority on the part of any member for malicious purpose, personal gain, willful deceit, or any other improper purpose.
- (c) Receiving or accepting a reward, fee, or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Accepting fees, gifts, or money contrary to the rules of this department and/or laws of the state.
- (e) Offering or accepting of a bribe or gratuity.
- (f) Misappropriating or misusing public funds, property, personnel, or services.
- (g) Any other failure to abide by the standards of ethical conduct.

801.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

801.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including but not limited to sexual intercourse, excessive displays of public affection, or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect, probationer, supervised person, or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime, and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Standards of Conduct

- (e) Associating on a personal, rather than official, basis with persons who demonstrate recurring involvement in serious violations of state or federal laws, or who are under the supervision of the courts, any probation department, or any correctional authority after the member knows, or reasonably should know, of such criminal activities, except as specifically directed and authorized by this department.
- (f) Participation in a law enforcement gang as defined by Penal Code § 13670. Participation is grounds for termination (Penal Code § 13670).

801.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.

801.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.
 - 1. Members of this department shall not disclose the name, address, or image of any victim of human trafficking except as authorized by law (Penal Code § 293).
- (b) Disclosing to any unauthorized person any active investigation, client, or critical incident information.
- (c) Using any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief Probation Officer or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any Trinity County Probation Department badge, uniform, identification card, or department property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

801.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Standards of Conduct

- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within a reasonable time of any change in residence address or contact telephone numbers.
- (f) Failure to notify the Department of Human Resources of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

801.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report, or form, or during the course of any work-related investigation.
- (b) Falsifying any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction, and/or mutilation of any department record, public record, book, paper, or document.
- (c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading, or malicious statements that are reasonably calculated to harm the reputation, authority, or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency, and discipline of this department, or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system
- (g) Improper political activity, including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches, or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by County policy, the collective bargaining agreement or memorandum of understanding, or the Chief Probation Officer.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by Trinity policy, the collective bargaining agreement or memorandum of understanding, or the Chief Probation Officer.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Standards of Conduct

- (i) Any act on- or off-duty that brings discredit to this department.

801.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on the member's part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful probation officer powers by unreasonable, unlawful, or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful, or discriminatory treatment of any member of the public or any member of this department or the County.
- (g) Use of obscene, indecent, profane, or derogatory language while on-duty or in uniform.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel, or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or memorandum of understanding, including fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief Probation Officer of such action.
- (m) Any other on- or off-duty conduct that any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency, or morale, or reflects unfavorably upon this department or its members.

801.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Standards of Conduct

- (c) Failure to maintain good physical condition sufficient to adequately and safely perform probation duties.
- (d) Unsafe firearm or other dangerous weapon handling including loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on the premises of the work site, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic accident.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable within 24 hours of the event.

801.5.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication, or drugs, whether legal, prescribed, or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug, or non-prescribed medication to any work site.

Performance Evaluations

802.1 PURPOSE AND SCOPE

This policy provides guidelines for the Trinity County Probation Department performance evaluation system.

802.2 POLICY

The Trinity County Probation Department shall use a performance evaluation system to measure, document, and recognize work performance. The performance evaluation will serve as an objective guide for the recognition of good work and the development of a process for improvement.

The Department evaluates employees in a nondiscriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

802.3 TYPES OF EVALUATIONS

The Department shall use the following types of evaluations:

Regular - An evaluation completed at regular intervals by the employee's immediate supervisor. Employees who have been promoted should be evaluated as established by the Department of Human Resources or, minimally, on the anniversary of the last promotion.

When an employee transfers to a different assignment in the middle of an evaluation period, and fewer than six months has transpired since the transfer, the evaluation should be completed by the current supervisor with input from the previous supervisor.

Special - An evaluation that may be completed at any time the supervisor and Assistant Chief or the authorized designee determine an evaluation is necessary to address less than standard performance. The evaluation may include a plan for follow-up action (e.g., performance improvement plan (PIP), remedial training, retraining).

802.3.1 RATINGS

When completing the Employee Performance Evaluation, the rater will place a check mark in the column that best describes the employee's performance. The definition of each rating category is as follows:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Performance Evaluations

Role Model - Consistently exceeds established goals and performance expectations, is a role model to others in all competencies critical to the job performance. Seeks opportunities to share expertise and serves as a mentor.

Above Target - Often exceeds established goals and performance expectations. Demonstrates strengths in competencies critical to job performance. Continually grows in role and seeks opportunities to expand responsibilities/knowledge.

On Target - Successfully meets established goals. Demonstrates competencies critical to job performance. Maintains knowledge base required to perform job responsibilities.

Development Opportunity - Meets some but not all established goals. Is developing competencies critical to job performance. Further coaching and training is required.

Needs Improvement - Established responsibilities and goals are not met. Does not demonstrate competencies critical to job performance. Continued guidance or supervision is required to meet expectations. Needs to improve performance immediately. A Corrective Action Plan is required. A special evaluation is recommended in 3 to 6 months to monitor improvement.

Space for written comments is provided at the end of the evaluation in the rater comments section. This section allows the rater to document the employee's strengths, weaknesses, and suggestions for improvement. Any rating under any job dimension marked unsatisfactory or outstanding shall be substantiated in the rater comments section.

802.3.2 PERFORMANCE IMPROVEMENT PLAN

Employees who receive an unsatisfactory rating may be subject to a PIP. The PIP shall delineate areas that need improvement, any improvement measures, and a timetable in which to demonstrate improvement. The issuing supervisor shall meet with the employee to review the employee's performance and the status of the PIP at least monthly.

802.4 EVALUATION PROCESS

Supervisors should meet with the employees they supervise at the beginning of the evaluation period to discuss expectations and establish performance standards. Each supervisor should discuss the tasks of the position, standards of expected performance, and the evaluation criteria with each employee.

Performance evaluations cover a specific period and should be based on documented performance dimensions that are applicable to the duties and authorities granted to the employee during that period. Evaluations should be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the evaluating supervisor for input.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise and to acknowledge good work. Periodic discussions with the employee during the

Trinity County Probation Department

New Probation Manual

New Probation Manual

Performance Evaluations

course of the evaluation period are encouraged. Supervisors should document all discussions in the prescribed manner.

Non-probationary employees demonstrating substandard performance shall be notified in writing as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days' written notice prior to the end of the evaluation period.

All supervisors shall receive training on performance evaluations within one year of a supervisory appointment.

802.5 EVALUATION FREQUENCY

Supervisors shall ensure that all employees they supervise are evaluated at least once every year on the anniversary of the employee's date of appointment or hire.

Those employees who are required to successfully complete a probationary period should be evaluated monthly.

802.6 EVALUATION INTERVIEW

When the supervisor has completed the employee's evaluation, a private discussion of the evaluation should be scheduled with the employee. The supervisor should discuss the evaluation ratings and respond to any questions the employee may have. The supervisor should provide relevant counseling regarding advancement, specialty positions, and training opportunities. Any performance areas in need of improvement and goals for reaching the expected level of performance should be identified and discussed. If the employee has reasonable objections to any of the ratings, the supervisor may make appropriate adjustments to the evaluation. The reason for such adjustments shall be documented.

Employees may write comments in an identified section of the evaluation. The supervisor and employee will sign and date the evaluation.

802.6.1 DISCRIMINATORY HARASSMENT FORM

At the time of each employee's annual evaluation, the supervisor shall provide access to and require the employee to read the County harassment and discrimination policies. The supervisor shall give the employee a form to be completed and returned that acknowledges the following:

- (a) The employee understands the harassment and discrimination policies.
- (b) The employee has had all questions regarding the policies sufficiently addressed.
- (c) The employee knows how to report alleged harassment and discrimination policy violations.
- (d) Whether the employee has been the subject of, or witness to, any unreported conduct that may violate the discrimination or harassment policies.

The completed form should be returned to the supervisor (or other authorized individual if the employee is uncomfortable returning the form to the presenting supervisor) within one week. If the

Trinity County Probation Department

New Probation Manual

New Probation Manual

Performance Evaluations

employee has expressed any questions or concerns, the receiving supervisor or other authorized individual shall ensure that appropriate follow-up action is taken.

802.7 APPEAL

An employee who disagrees with the evaluation may provide a formal written response that will be attached to the evaluation, or may request an appeal.

To request an appeal, the employee shall forward a written memorandum within three days to the evaluating supervisor's Assistant Chief or the authorized designee. The memorandum shall identify the specific basis for the appeal and include any relevant information for the reviewer to consider.

802.8 CHAIN OF REVIEW

The signed performance evaluation and any employee attachment should be forwarded to the evaluating supervisor's Assistant Chief or the authorized designee. The Assistant Chief or the authorized designee shall review the evaluation for fairness, impartiality, uniformity, and consistency, and shall consider any written response or appeal made by the employee.

The Assistant Chief or the authorized designee should evaluate the supervisor on the quality of ratings given.

802.9 RETENTION AND DISTRIBUTION

The original performance evaluation and any original correspondence related to an appeal shall be maintained by the Department in accordance with the Personnel Records Policy.

A copy of the evaluation and any documentation of a related appeal shall be provided to the employee and also forwarded to the County Department of Human Resources.

Special Assignments and Promotions

803.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Trinity County Probation Department.

803.2 POLICY

The Trinity County Probation Department determines assignments and promotions in a non-discriminatory manner based upon job-related factors, candidate skills, and qualifications. Assignments and promotions are made by the Chief Probation Officer.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

803.3 SPECIAL ASSIGNMENT POSITIONS

The following positions are considered special assignments and not promotions:

- (a) Inter-agency task force
- (b) Field Training Officer
- (c) Court officer

803.3.1 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

- (a) Three years of relevant experience
- (b) Off probation
- (c) Possession of or ability to obtain any certification required by the California Board of State and Community Corrections (BSCC) or Standards and Training for Corrections (STC)
- (d) Exceptional skills, experience, or abilities related to the special assignment

803.3.2 EVALUATION CRITERIA

The following criteria will be used in evaluating candidates for a special assignment:

- (a) Presents a professional, neat appearance
- (b) Maintains a physical condition that aids in performance
- (c) Expressed an interest in the assignment
- (d) Demonstrates the following traits:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Special Assignments and Promotions

1. Emotional stability and maturity
2. Stress tolerance
3. Sound judgment and decision-making
4. Personal integrity and ethical conduct
5. Leadership skills (e.g., ability to guide others, composure, fairness, values, motivation, decision quality, trust, honesty, team development, courage, continuous learning, clear oral communication, resilience, decisiveness, accountability, strategic thinking)
6. Initiative
7. Adaptability and flexibility
8. Ability to conform to department goals and objectives in a positive manner

803.3.3 SELECTION PROCESS

The administrative evaluation selection process for special assignments will be determined by the Chief Probation Officer and may include:

- (a) Supervisor recommendations - Each supervisor who has supervised or otherwise been involved with the candidate will submit a recommendation.
 1. The supervisor recommendations will be submitted to the Assistant Chief for whom the candidate will work.
- (b) Assistant Chief interview - The Assistant Chief will schedule interviews with each candidate.
 1. Based on supervisor recommendations and those of the Assistant Chief after the interview, the Assistant Chief will submit recommendations to the Chief Probation Officer.

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training, and at the discretion of the Chief Probation Officer.

803.4 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any promotional process are available at the County Department of Human Resources.

Grievances

804.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the Trinity County Probation Department grievance system. The grievance system is intended to facilitate communication and to promptly and equitably address employee grievances in the workplace.

804.1.1 GRIEVANCE DEFINED

A grievance is a difference of opinion or dispute regarding the meaning, interpretation, or application of any of the following:

- The collective bargaining agreement or memorandum of understanding
- This Policy Manual
- Rules and regulations governing personnel practices or working conditions
- Workplace issues that do not amount to misconduct under the Personnel Complaints Policy, such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices, including violations that may threaten the health, safety, or well-being of members

Specifically outside the category of grievances are complaints related to allegations of discrimination or harassment subject to the Discriminatory Harassment Policy. Also outside the category of grievances are personnel complaints regarding any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy or federal, state, or local law, as set forth in the Personnel Complaints Policy.

804.2 POLICY

It is the policy of the Trinity County Probation Department to provide a just and equitable system for the prompt handling of employee grievances without discrimination, coercion, restraint, or retaliation against any employee who submits or is otherwise involved in a grievance.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

804.3 PROCESS

Grievances may be brought by an individual employee or by an employee group representative. Employees may have representation during the grievance process.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Grievances

Except as otherwise required under a collective bargaining agreement or memorandum of understanding, if an employee comes to believe behavior constituting a grievance as defined above may have occurred, the employee shall:

- (a) Attempt to resolve the issue through informal discussion with the employee's immediate supervisor.
- (b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with the appropriate Assistant Chief.
- (c) If a successful resolution is not found with the Assistant Chief, the employee may request a meeting with the Chief Probation Officer.
- (d) If the employee and the Chief Probation Officer are unable to arrive at a mutual solution, the employee shall proceed as follows:
 1. Submit a written statement of the grievance to the Chief Probation Officer and provide a copy to the employee's immediate supervisor.
 2. Include the following information in the written statement:
 - (a) The basis for the grievance (i.e., the facts of the case).
 - (b) The allegation of any specific wrongful act and the harm done.
 - (c) The specific policies, rules, or regulations at issue.
 - (d) The remedy or goal being sought by the grievance.
- (e) The supervisor shall provide the employee with a signed acknowledgment of the grievance that shall include the date and time of receipt.
- (f) The Chief Probation Officer and the Department of Human Resources should review the grievance and respond to the employee within 14 calendar days.
 1. The response will be in writing and will affirm or deny the allegations.
 2. The response shall include any remedies, if appropriate.
 3. The decision of the Department of Human Resources is considered final.

804.4 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to the Administration for inclusion into a secure file for all written grievances. Copies of the documents should also be sent to the Department of Human Resources.

Anti-Retaliation

805.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices, including violations that may threaten the health, safety, or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines should supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member under any federal law, provision of the U.S. Constitution, state and local law, ordinance, or collective bargaining agreement or memorandum of understanding.

805.2 POLICY

The Trinity County Probation Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

805.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory, or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- (a) Refusing to hire or denying a promotion.
- (b) Extending the probationary period.
- (c) Unjustified reassignment of duties or change of work schedule.
- (d) Real or implied threats or other forms of intimidation to dissuade reporting wrongdoing or filing a complaint, or as a consequence of having reported or participated in protected activity.
- (e) Taking unwarranted disciplinary action.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Anti-Retaliation

- (f) Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- (g) Shunning or unreasonably avoiding a person because the person has engaged in protected activity.

805.3.1 RETALIATION PROHIBITED FOR REPORTING VIOLATIONS

An officer shall not be retaliated against for reporting a suspected violation of a law or regulation of another officer to a supervisor or other person in the Trinity County Probation Department who has the authority to investigate the violation (Government Code § 7286(b)).

805.4 COMPLAINTS OF RETALIATION

Any member who feels the member has been retaliated against in violation of this policy should promptly report the matter to any supervisor, any command staff member, the Chief Probation Officer or the County Department of Human Resources.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false or with willful or reckless disregard for the truth or falsity of the information, or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member are part of the investigative process.

805.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief Probation Officer via the chain of command, and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Anti-Retaliation

- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Following up with the complainant periodically to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

805.6 COMMAND STAFF RESPONSIBILITIES

The Chief Probation Officer should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

805.7 WHISTLEBLOWING

California law protects members who (Labor Code § 1102.5; Government Code § 53296 et seq.):

- (a) Report a violation of a state or federal statute or regulation to a government or law enforcement agency, including the member's supervisor or any other member with the authority to investigate the reported violation.
- (b) Provide information or testify before a public body if the member has reasonable cause to believe a violation of law has occurred.
- (c) Refuse to participate in an activity that would result in a violation of a state or federal statute or regulation.
- (d) File a complaint with a local agency about gross mismanagement or a significant waste of funds, abuse of authority, or a substantial and specific danger to public health or safety. Members shall exhaust all available administrative remedies before filing a formal complaint.
- (e) Are family members of a person who has engaged in any protected acts described above.

Members are encouraged to report any violations through the chain of command (Labor Code § 1102.5).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the

Trinity County Probation Department

New Probation Manual

New Probation Manual

Anti-Retaliation

Assistant Chief or the authorized designee for investigation pursuant to the Personnel Complaints Policy.

805.7.1 DISPLAY OF WHISTLEBLOWER LAWS

The Trinity County Probation Department shall display a notice to members regarding their rights and responsibilities under the whistleblower laws, including the whistleblower hotline maintained by the Office of the Attorney General (Labor Code § 1102.8).

805.8 RECORDS RETENTION AND RELEASE

The Custodian of Records shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

805.9 TRAINING

This policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

Reporting of Arrests, Convictions, and Court Orders

806.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the notification requirements and procedures that employees must follow when certain arrests, convictions, and court orders restrict their ability to perform the official duties and responsibilities of the Trinity County Probation Department.

This policy will also describe the notification requirements and procedures that certain retired officers must follow when an arrest, conviction, or court order disqualifies them from possessing a firearm.

806.2 POLICY

The Trinity County Probation Department requires disclosure of employee arrests, convictions, and certain court orders to maintain the high standards, ethics, and integrity in its workforce, and to ensure compatibility with the duties and responsibilities of the Trinity County Probation Department.

806.3 DOMESTIC VIOLENCE CONVICTIONS AND COURT ORDERS

California and federal law prohibits individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing firearms. Such convictions and court orders often involve allegations of the use or attempted use of force, or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Penal Code § 29805).

All employees and retired officers with identification cards issued by the department are responsible for ensuring that they have not been disqualified from possessing firearms by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

806.4 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

Any person convicted of a felony is prohibited from being a peace officer. The prohibition applies whether guilt was established by way of a verdict, or a guilty or nolo contendere plea (Government Code § 1029).

Convictions of certain violations of the Vehicle Code and other provisions of law (e.g., driver's license suspension or revocation) may also place restrictions on an employee's ability to fully perform the duties of the job.

Outstanding warrants also place restrictions on the ability of an officer to possess a firearm or remain a peace officer (Government Code § 1029; Penal Code § 29805).

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by employees inherently conflicts with their duties and the public trust.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Reporting of Arrests, Convictions, and Court Orders

806.5 REPORTING PROCEDURE

All employees and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief Probation Officer in the case of retired officers) in writing of any past or current criminal detention, arrest, charge, outstanding warrant, or conviction, regardless of whether the matter was dropped or rejected, is pending, or is on appeal, and regardless of the penalty or sentence, if any.

All employees and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief Probation Officer in the case of retired officers) in writing if they become the subject of a domestic violence-related order or similar court order or become the subject of an outstanding warrant.

Any employee whose criminal arrest, conviction, or court order restricts or prohibits that employee from fully and properly performing duties, including carrying a firearm, may be disciplined. This includes but is not limited to being placed on administrative leave, reassignment, and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the employee, on the employee's own time and expense.

Any employee failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

Retired officers may have their identification cards rescinded or modified, as may be appropriate (see the Retiree Concealed Firearms Policy).

Drug- and Alcohol-Free Workplace

807.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace (41 USC § 8103).

807.2 POLICY

It is the policy of the Trinity County Probation Department to provide a drug- and alcohol-free workplace for all members.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

807.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public.

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Supervising Deputy Probation Officer or appropriate supervisor as soon as the member is aware that the member will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

807.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to the member's immediate supervisor prior to commencing any on-duty status.

807.3.2 MEDICAL CANNABIS

Possession, use, or being under the influence of medical cannabis on- or off-duty duty is prohibited and may lead to disciplinary action.

807.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing, or using controlled substances or alcohol on department premises or on department time (41 USC § 8103).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Drug- and Alcohol-Free Workplace

The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow on-duty member is impaired due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

807.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers, or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

807.6 WORK RESTRICTIONS

If a member informs a supervisor that the member has consumed any alcohol, drug, or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from the member's physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that the member is safely transported away from the Department.

807.7 SCREENING TESTS

A supervisor may require an employee to submit to a screening under any of the following circumstances:

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing the employee's ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm in the performance of duties (excluding training or authorized euthanizing of an animal).
- (c) The employee discharges a firearm issued by the Department while off-duty, resulting in injury, death, or substantial property damage.
- (d) The employee drives a motor vehicle in the performance of duties and becomes involved in an incident that results in bodily injury, death, or substantial damage to property.

807.7.1 SUPERVISOR RESPONSIBILITIES

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test, and shall inform the employee in writing of the following:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Drug- and Alcohol-Free Workplace

- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

807.7.2 DISCIPLINE

An employee may be subject to disciplinary action if the employee:

- (a) Fails or refuses to submit to a screening test.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof within 72 hours after being requested that the employee took the controlled substance as directed, pursuant to a current and lawful prescription issued in the employee's name.

807.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

807.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately in the member's confidential medical file in accordance with the Personnel Records Policy.

Sick Leave

808.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the County personnel manual or applicable collective bargaining agreement or memorandum of understanding.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.), the California Family Rights Act, leave for victims of crime or abuse, or for organ or bone marrow donor procedures (Government Code § 12945.2; Labor Code § 230.1; Labor Code § 1510).

808.2 POLICY

It is the policy of the Trinity County Probation Department to provide eligible employees with a sick-leave benefit.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

808.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences. Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick-leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity, or other activity that may impede recovery from the injury or illness (see the Outside Employment and Outside Overtime Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so.

808.4 NOTIFICATION

All members should notify the Supervising Deputy Probation Officer or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If a member is unable to contact the supervisor due to an emergency, every effort should be made to have a representative for the member contact the supervisor (Labor Code § 246).

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever practicable, provide the Department with no less than 30 days' notice of the impending absence (Labor Code § 246).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Sick Leave

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

808.5 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days when the supervisor has reasonable concern to validate the member's need to be off work.

808.6 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of those members under their command to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Department of Human Resources as appropriate.
- (c) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:
 1. Negatively affected the member's performance or ability to complete assigned duties.
 2. Negatively affected department operations.
- (d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible members to an available employee assistance program when appropriate.

808.7 REQUIRED NOTICES

The Director of Human Resources shall ensure:

- (a) Written notice of the amount of paid sick leave available is provided to employees as provided in Labor Code § 246.
- (b) A poster that contains information on paid sick leave as provided in Labor Code § 247 is conspicuously displayed.

Communicable Diseases

809.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

809.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms present in and transmissible through human blood, urine, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include but are not limited to hepatitis B virus (HBV), HIV, and tuberculosis.

Exposure - When an eye, the mouth, a mucous membrane, or non-intact skin comes into contact with blood, urine, or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing, or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure includes only those instances that occur due to a member's position at the Trinity County Probation Department. (See the agency's exposure control plan for further details to assist in identifying whether an exposure has occurred).

809.2 POLICY

The Trinity County Probation Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

809.3 EXPOSURE CONTROL OFFICER

The Chief Probation Officer will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure prevention and decontamination procedures.
- (b) Procedures for when and how members may obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communicable Diseases

- (d) Compliance with all relevant laws or regulations related to communicable diseases, including:
 - 1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
 - 2. Bloodborne pathogen mandates, including (8 CCR 5193):
 - (a) Sharps injury log.
 - (b) Needleless systems and sharps injury protection.
 - 3. Airborne transmissible disease precautions (8 CCR 5199).
 - (a) Engineering and work practice controls related to airborne transmissible diseases.
 - (b) Distribution of appropriate PPE to minimize exposure to airborne disease.
 - 4. Promptly notifying the county health officer regarding member exposures (Penal Code § 7510).
 - 5. Establishing procedures to ensure that members request exposure notification from health facilities when transporting a person who may have a communicable disease and that the member is notified of any exposure as required by Health and Safety Code § 1797.188.
 - 6. Informing members of the provisions of Health and Safety Code § 1797.188 (exposure to communicable diseases and notification).
- (e) Provisions for acting as the designated liaison with health care facilities regarding communicable disease or condition exposure notification. The designated liaison should coordinate with other department members to fulfill the role when the designated liaison is not available. The designated liaison shall ensure that the name, title, and telephone number of the designated liaison is posted on the Department website (Health and Safety Code § 1797.188).

The ECO should also act as the liaison with the Division of Occupational Safety and Health (Cal/OSHA) and may request voluntary compliance inspections. The ECO shall annually review and update the exposure control plan and review implementation of the plan.

809.4 EXPOSURE PREVENTION AND MITIGATION

809.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes but is not limited to:

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks, or other specialized equipment in the work area or department vehicles, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, urine, other potentially infectious materials, mucous membranes, and non-intact skin can be reasonably anticipated.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communicable Diseases

- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing, portable radio) as soon as possible if the equipment is a potential source of exposure.
 - 1. Clothing that has been contaminated by blood, urine, or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

809.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (8 CCR 5193).

809.5 POST EXPOSURE

809.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other exposed skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable.

809.5.2 REPORTING REQUIREMENTS

The supervisor or designated administrator on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor or designated administrator shall ensure the following information is documented:

- (a) Name and Social Security number of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communicable Diseases

- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., cleanup, notifications)

The supervisor or designated administrator shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor or designated administrator should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting and Illness and Injury Prevention policies).

809.5.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating health care professional that contains only the following information:

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials that require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

809.5.4 COUNSELING

The Department shall provide the member, and the member's family if necessary, the opportunity for counseling and consultation regarding the exposure.

809.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Complying with the statutory scheme of Health and Safety Code § 121060. This includes seeking consent from the person who was the source of the exposure and seeking a court order if consent is not given.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communicable Diseases

- (c) Testing the exposed member for evidence of a communicable disease and seeking consent from the source individual to either access existing blood samples for testing or for the source to submit to testing (Health and Safety Code § 120262).
- (d) Taking reasonable steps to immediately contact the County Health Officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the County Health Officer will order testing (Penal Code § 7510).
- (e) Under certain circumstances, a court may issue a search warrant for the purpose of HIV testing a person when the exposed member qualifies as a crime victim (Penal Code § 1524.1).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the County Counsel to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if the individual refuses.

809.6 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

809.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (8 CCR 5193; 8 CCR 5199):

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting the member's potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure, and what steps should be taken if a suspected exposure occurs.

Smoking and Tobacco Use

810.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Trinity County Probation Department facilities or vehicles.

For the purpose of this policy, smoking and tobacco use includes but is not limited to any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches, and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

810.2 POLICY

The Trinity County Probation Department recognizes that tobacco use is a health risk and that smoking and tobacco use can be offensive to others. Smoking tobacco use also present an unprofessional image for the Department and its members. Therefore, smoking and tobacco use are prohibited in all department facilities, buildings, and vehicles, as further outlined in this policy. This prohibition applies to members and visitors.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

810.3 ADDITIONAL PROHIBITIONS

Smoking and use of other tobacco products is not permitted inside department buildings or any department vehicle, or any other county building (Labor Code § 6404.5).

No person shall smoke or use tobacco products within 20 feet of a main entrance, exit, or operable window of any public building, including any department buildings or a building on the campuses of the University of California, California State University, and California community colleges, whether present for training, enforcement, or any other purpose (Government Code § 7596 et seq.).

Personnel Complaints

811.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation, and disposition of complaints regarding the conduct of members of the Trinity County Probation Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment, or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

811.2 POLICY

The Trinity County Probation Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state, and local law. municipal and county rules and the requirements of any collective bargaining agreements or memorandums of understanding.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

811.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or federal, state, or local law, policy, or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state, or local law, policy, or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures, or the response to specific incidents by the Department.

811.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Assistant Chief is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Complaints

referred to the Assistant Chief or the authorized designee, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Assistant Chief or the authorized designee, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

811.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person, or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

811.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

811.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the department facility and be accessible through the department website. Forms may also be available at other County facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

811.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs, or physical evidence may be obtained as necessary.

A complainant shall be provided with a copy of the statement at the time it is filed with the Department (Penal Code § 832.7).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Complaints

811.4.3 AVAILABILITY OF WRITTEN PROCEDURES

The Department shall make available to the public a written description of the investigation procedures for complaints (Penal Code § 832.5).

811.4.4 HATE COMPLAINTS AGAINST PEACE OFFICERS

The Department shall accept and investigate internal complaints or complaints from the public that allege an officer has, in the previous seven years and since age 18, was a member of a hate group, participated in a hate group activity, or advocated any public expression of hate (Penal Code § 13682).

811.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Department should audit the log and send an audit report to the Chief Probation Officer or the authorized designee.

811.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

811.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief Probation Officer or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
 1. The original complaint form will be directed to the Supervising Deputy Probation Officer of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Supervising Deputy Probation Officer or the Chief Probation Officer, who will initiate appropriate action.
- (b) Responding to all complainants in a courteous and professional manner.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Complaints

- (c) Resolving those personnel complaints that can be resolved immediately.
 - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
 - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Chief Probation Officer.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Supervising Deputy Probation Officer and the Chief Probation Officer are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Department of Human Resources and the Supervising Deputy Probation Officer for direction regarding the supervisor's role in addressing a complaint that relates to sexual, racial, ethnic, or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Supervising Deputy Probation Officer, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:
 - 1. Making reasonable efforts to obtain names, addresses, and telephone numbers of witnesses.
 - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed (Government Code § 3303 et seq.).
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

811.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Assistant Chief or the authorized designee, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights (POBR) (Government Code § 3303):

- (a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If off-duty, the member shall be compensated.
- (b) Unless waived by the member, interviews of an accused member shall be at the Trinity County Probation Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused member.
- (d) Prior to any interview, a member should be informed of the nature of the investigation, the name, rank, and command of the officer in charge of the investigation, the interviewing officers, and all other persons to be present during the interview.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Complaints

- (e) All interviews shall be for a reasonable period, and the member's personal needs should be accommodated.
- (f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards, or other inducements be used to obtain answers.
- (g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
 - 1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Lybarger* advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
 - 2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview.
- (i) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (j) All members shall provide complete and truthful responses to questions posed during interviews.
- (k) No member may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

No investigation shall be undertaken against any officer solely because the officer has been placed on a prosecutor's *Brady* list or because the name of the officer may otherwise be subject to disclosure pursuant to *Brady v. Maryland*. However, an investigation may be based on the underlying acts or omissions for which the officer has been placed on a *Brady* list or may otherwise be subject to disclosure pursuant to *Brady v. Maryland* (Government Code § 3305.5).

811.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete, and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Complaints

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

811.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.8).

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful, and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - A final determination by an investigating agency, commission, board, hearing officer, or arbitrator, as applicable, following an investigation and opportunity for an administrative appeal pursuant to Government Code § 3304 and Government Code § 3304.5 that the actions of an officer were found to violate law or department policy (Penal Code § 832.8).

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

811.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation (Government Code § 3304).

In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Complaints

811.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

811.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces, and other areas, including desks, offices, and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio, or other document or equipment.

Lockers and storage spaces may only be administratively searched in the member's presence; with the member's consent; with a valid search warrant; or where the member has been given reasonable notice that the search will take place (Government Code § 3309).

811.7.1 DISCLOSURE OF FINANCIAL INFORMATION

An officer may be compelled to disclose personal financial information under the following circumstances (Government Code § 3308):

- (a) Pursuant to a state law or proper legal process
- (b) Information exists that tends to indicate a conflict of interest with official duties
- (c) If the officer is assigned to or being considered for a special assignment with a potential for bribes or other improper inducements

811.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief Probation Officer or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons, and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

811.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief Probation Officer shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief Probation Officer may request a criminal investigation by an outside law enforcement agency.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Complaints

A member accused of criminal conduct shall be advised of the member's constitutional rights (Government Code § 3303(h)). The member should not be administratively ordered to provide any information in the criminal investigation.

The Trinity County Probation Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

811.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief Probation Officer through the chain of command. Each level of command should review the report and include comments in writing before forwarding the report. The Chief Probation Officer may accept or modify any classification or recommendation for disciplinary action.

811.10.1 ASSISTANT CHIEF RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Assistant Chief of the involved member shall review the entire investigative file, the member's personnel file, and any other relevant materials.

The Assistant Chief may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief Probation Officer, the Assistant Chief may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief Probation Officer, the Assistant Chief shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

811.10.2 CHIEF PROBATION OFFICER RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief Probation Officer shall review the recommendation and all accompanying materials. The Chief Probation Officer may modify any recommendation and/or may return the file to the Supervising Deputy Probation Officer for further investigation or action.

Once the Chief Probation Officer is satisfied that no further investigation or action is required by staff, the Chief Probation Officer shall determine the amount of discipline, if any, that should be imposed. If disciplinary action is proposed, the Chief Probation Officer shall provide the member with a pre-disciplinary procedural due process hearing (*Skelly*) by providing written notices of the charges, proposed action, and reasons for the proposed action. Written notice shall be provided within one year from the date of discovery of the misconduct (Government Code § 3304(d)).

The Chief Probation Officer shall also provide the member with:

- (a) Access to all the materials considered by the Chief Probation Officer in recommending the proposed discipline.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Complaints

- (b) An opportunity to respond orally or in writing to the Chief Probation Officer within five days of receiving the notice.
 - 1. Upon a showing of good cause by the member, the Chief Probation Officer may grant a reasonable extension of time for the member to respond.
 - 2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed a response, or if the member has elected to waive any such response, the Chief Probation Officer shall consider all information received regarding the recommended discipline. The Chief Probation Officer shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief Probation Officer has issued a written decision, the discipline shall become effective.

811.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief Probation Officer or the authorized designee shall ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint (Penal Code § 832.7(f)).

811.10.4 NOTICE REQUIREMENTS

The disposition of any civilian's complaint shall be released to the complaining party within 30 days of the final disposition. This release shall not include what discipline, if any, was imposed (Penal Code § 832.7(f)).

811.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief Probation Officer after having had an opportunity to review the supporting materials and before any recommended discipline is imposed. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted, or the employee may offer any additional information or mitigating factors for the Chief Probation Officer to consider.
- (d) In the event that the Chief Probation Officer elects to conduct further investigation, the employee shall be provided with the results before any discipline is imposed.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief Probation Officer on the limited issues of information raised in any subsequent materials.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Complaints

811.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement before the discipline is imposed, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

811.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any collective bargaining agreement, memorandum of understanding, and/or personnel rules.

In the event of punitive action against an officer covered by the POBR, the appeal process shall be in compliance with Government Code § 3304 and Government Code § 3304.5.

During any administrative appeal, evidence that an officer has been placed on a *Brady* list or is otherwise subject to *Brady* restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such *Brady* evidence shall be limited to determining the appropriateness of the penalty (Government Code § 3305.5).

811.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and those members other than non-probationary employees may be released from employment for non-disciplinary reasons (e.g., failure to meet standards) without adherence to the procedures set forth in this policy or any right to appeal. However, any probationary officer subjected to an investigation into allegations of misconduct shall be entitled to those procedural rights, as applicable, set forth in the POBR (Government Code § 3303; Government Code § 3304).

At-will, probationary employees and those other than non-probationary employees subjected to discipline or termination as a result of allegations of misconduct shall not be deemed to have acquired a property interest in their position, but shall be given the opportunity to appear before the Chief Probation Officer or authorized designee for a non-evidentiary hearing for the sole purpose of attempting to clear their name or liberty interest. There shall be no further opportunity for appeal beyond the liberty interest hearing and the decision of the Chief Probation Officer shall be final.

811.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

Seat Belts

812.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

812.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213 and Vehicle Code § 27360.

812.2 POLICY

It is the policy of the Trinity County Probation Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle accident.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

812.3 WEARING SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased, or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall confirm that all other occupants, including those who are not members of the Department, are properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

812.4 TRANSPORTING CHILDREN

Child passengers younger than 8 years old shall be transported using an approved child restraint system in compliance with Vehicle Code § 27360.

Rear-seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-

Trinity County Probation Department

New Probation Manual

New Probation Manual

Seat Belts

side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

812.5 TRANSPORTING PERSONS IN CUSTODY

Persons in custody should be in a seated position and secured in the rear seat of any department vehicle with a transport restraint system or, when a transport restraint system is not available, by seat belts provided by the vehicle manufacturer. The transport restraint system is not intended to be a substitute for handcuffs or other appendage restraints. See the Transporting Persons in Custody Policy.

Persons in custody in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

812.6 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated, or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief Probation Officer.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

812.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

812.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag systems, the system will not be tampered with or deactivated. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Personnel Records

813.1 PURPOSE AND SCOPE

This policy governs maintenance of and access to personnel records. Personnel records include any file maintained under an individual member's name.

813.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the constitution and laws of California (Penal Code § 832.7).

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

813.3 DEPARTMENT FILE

The department file shall be maintained as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information. A photograph of the member should be permanently retained.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions, and other changes in employment/appointment status. These should be permanently retained.
- (d) Original performance evaluations. These should be permanently maintained.
- (e) Discipline records, including copies of sustained personnel complaints (see the Personnel Complaints Policy).
 - 1. Disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained pursuant to the established records retention schedule and at least four years (Government Code § 12946).
 - 2. Disciplinary action resulting from a sustained civilian's complaint involving misconduct shall be maintained pursuant to the established records retention schedule and at least 15 years (Penal Code § 832.5).
 - 3. A civilian's complaint involving misconduct that was not sustained shall be maintained pursuant to the established records retention schedule and at least five years (Penal Code § 832.5).
- (f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment (Government Code § 3305).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Records

1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment within 30 days (Government Code § 3306).
 2. Any member response shall be attached to and retained with the original adverse comment (Government Code § 3306).
 3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment, and the member should sign or initial the noted refusal. Such a refusal, however, shall not be deemed insubordination nor shall it prohibit the entry of the adverse comment into the member's file (Government Code § 3305).
- (g) Commendations and awards.
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

813.4 SUPERVISOR'S WORKING FILE

Supervisor's Working Files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. These files may contain supervisor comments, notes, notices to correct, and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

All materials intended for this interim file shall be provided to the employee before being placed in the file in accordance with Government Code § 3305 and Government Code § 3306.

813.5 TRAINING FILE

The Training Manager shall maintain an individual training file for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas, and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for providing the Training Manager or the member's immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Training Manager or supervisor shall ensure that copies of such training records are placed in the member's training file.

813.6 ASSISTANT CHIEF OR THE AUTHORIZED DESIGNEE FILE

Internal affairs files shall be maintained under the exclusive control of the Assistant Chief or the authorized designee in conjunction with the office of the Chief Probation Officer. Access to these files may be approved only by the Chief Probation Officer or the Assistant Chief or the authorized designee supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition (Penal Code § 832.12). Investigations of complaints that result in the

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Records

following findings shall not be placed in the member's department file but will be maintained in the internal affairs file:

- (a) Not sustained
- (b) Unfounded
- (c) Exonerated

Investigation files arising out of sustained civilian complaints involving misconduct shall be maintained pursuant to the established records retention schedule and for a period of at least 15 years. Investigations that resulted in other than a sustained finding may not be used by the department to adversely affect an employee's career (Penal Code § 832.5).

Investigation files arising out of internally generated complaints shall be maintained pursuant to the established records retention schedule and for at least four years (Government Code § 12946).

Investigation files arising out of a civilian complaint involving misconduct that was not sustained shall be maintained pursuant to the established records retention schedule and for at least five years (Penal Code § 832.5).

813.7 MEDICAL FILE

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries, and related documents.
- (d) Medical release forms, doctor's slips, and attendance records that reveal a member's medical condition.
- (e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present, or future anticipated mental, psychological or physical limitations.

813.8 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy, or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the County Administrative Officer, County Counsel, or other attorneys or representatives of the County in connection with official business.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Records

813.9 REQUESTS FOR DISCLOSURE

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made (Evidence Code § 1043).

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

813.9.1 REQUESTS FOR DISCLOSURE OF FORMER EMPLOYEE FILES

Members receiving requests for information from another agency regarding allegations of sexual abuse or sexual harassment involving a former employee should work with counsel to ensure compliance with Prison Rape Elimination Act (PREA) requirements (28 CFR 115.317).

813.9.2 RELEASE OF PERSONNEL INFORMATION

Personnel records shall not be disclosed except as allowed by law (see the Records Maintenance and Release Policy) (Penal Code § 832.7; Evidence Code § 1043).

Any person who maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses the residence address or telephone number of any member of this department may be guilty of a misdemeanor (Penal Code § 146e).

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement (Penal Code § 832.7).

813.9.3 RELEASE OF LAW ENFORCEMENT GANG INFORMATION

Information relating to the termination of an officer from this department for participation in a law enforcement gang shall be disclosed to another law enforcement agency that is conducting a preemployment background investigation except where specifically prohibited by law (Penal Code § 13670).

813.9.4 RELEASE OF PEACE OFFICER RECORDS RELATING TO HATE COMPLAINTS

Records relating to the investigation of an officer for a hate complaint described in Penal Code § 13682, with a sustained finding that the officer was a member of a hate group, participated in a hate group activity, or advocated public expressions of hate, are not confidential. These records shall be made available for public inspection through a public records request (Penal Code § 13683).

Records disclosed may be redacted (Penal Code § 13683):

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Records

- (a) To remove personal data or information, such as a home address, telephone number, email address, or identities of family members.
- (b) To preserve the anonymity of complainants and witnesses.
- (c) To protect confidential medical, financial, or other information of which disclosure is specifically prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about misconduct and serious use of force by officers.
- (d) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the officer or another person.

813.10 RELEASE OF PERSONNEL RECORDS AND RECORDS RELATED TO CERTAIN INCIDENTS, COMPLAINTS, AND INVESTIGATIONS OF OFFICERS

Personnel records and records related to certain incidents, complaints, and investigations of officers shall be released pursuant to a proper request under the Public Records Act and subject to redaction and delayed release as provided by law.

The Custodian of Records should work as appropriate with the Chief Probation Officer or the Assistant Chief or the authorized designee supervisor in determining what records may qualify for disclosure when a request for records is received and if the requested record is subject to redaction or delay from disclosure.

For purposes of this section, a record includes (Penal Code § 832.7(b)(3)):

- All investigation reports.
- Photographic, audio, and video evidence.
- Transcripts or recordings of interviews.
- Autopsy reports.
- All materials compiled and presented for review to the District Attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident, whether the officer's action was consistent with law and department policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take.
- Documents setting forth findings or recommending findings.
- Copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the *Skelly* or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.

Unless a record or information is confidential or qualifies for delayed disclosure as provided by Penal Code § 832.7(b)(8) or other law, the following records (hereinafter referred to as "qualifying records") shall be made available for public inspection no later than 45 days from the date of a request (Penal Code § 832.7(b)(1)):

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Records

- (a) Records relating to the report, investigation, or findings of:
 - 1. The discharge of a firearm at another person by an officer.
 - 2. The use of force by an officer against a person resulting in death or in great bodily injury (as defined by Penal Code § 243(f)(4)).
 - 3. A sustained finding involving a complaint that alleges unreasonable or excessive force.
 - 4. A sustained finding that an officer failed to intervene against another officer using force that is clearly unreasonable or excessive.
- (b) Records relating to an incident where a sustained finding was made by the department or oversight agency regarding:
 - 1. An officer engaged in sexual assault of a member of the public (as defined by Penal Code § 832.7(b)).
 - 2. Dishonesty of an officer relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of or investigation of misconduct by another officer, including but not limited to any false statements, filing false reports, destruction, falsifying, or concealing of evidence, or perjury.
 - 3. An officer engaged in conduct including, but not limited to verbal statements, writings, online posts, recordings, and gestures, involving prejudice or discrimination against a person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.
 - 4. An officer made an unlawful arrest or conducted an unlawful search.

Qualifying records will be made available regardless of whether the officer resigns before the department or an oversight agency concludes its investigation (Penal Code § 832.7(b)(3)).

A record from a separate and prior investigation or assessment of a separate incident shall not be released unless it is independently subject to disclosure (Penal Code § 832.7(b)(4)).

When an investigation involves multiple officers, the department shall not release information about allegations of misconduct or the analysis or disposition of an investigation of an officer unless it relates to a sustained finding of a qualified allegation as provided by Penal Code § 832.7(b)(5). However, factual information about the action of the officer during an incident or the statements of an officer shall be released if the statements are relevant to a finding of a qualified allegation against another officer that is subject to release (Penal Code § 832.7(b)(5)).

813.10.1 REDACTION

The Custodian of Records, in consultation with the Chief Probation Officer or the authorized designee, shall redact the following portions of qualifying records made available for release (Penal Code § 832.7(b)(6)):

- (a) Personal data or information (e.g., home address, telephone number, identities of family members) other than the names and work-related information of officers

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Records

- (b) Information that would compromise the anonymity of whistleblowers, complainants, victims, and witnesses
- (c) Confidential medical, financial, or other information where disclosure is prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about possible misconduct and use of force
- (d) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the officer or another person

Additionally, a record may be redacted, including redacting personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosing it (Penal Code § 832.7(b)(7)).

813.10.2 DELAY OF RELEASE

Unless otherwise directed by the Chief Probation Officer, the Custodian of Records should consult with a supervisor familiar with the underlying investigation to determine whether to delay disclosure of qualifying records due to any of the following conditions (Penal Code § 832.7):

- (a) Active criminal investigations
 1. Disclosure may be delayed 60 days from the date the misconduct or use of force occurred or until the District Attorney determines whether to file criminal charges, whichever occurs sooner.
 2. After the initial 60 days, delay of disclosure may be continued if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against an officer or against someone other than an officer who engaged in misconduct or used the force.
- (b) Filed criminal charges
 1. When charges are filed related to an incident in which misconduct occurred or force was used, disclosure may be delayed until a verdict on those charges is returned at trial or, if a plea of guilty or no contest is entered, the time to withdraw the plea has passed.
- (c) Administrative investigations
 1. Disclosure may be delayed until there is a determination from the investigation whether misconduct or the use of force violated law or department policy, but no longer than 180 days after the date of the department's discovery of the misconduct or use of force or allegation of misconduct or use of force.

813.10.3 NOTICE OF DELAY OF RECORDS

When there is justification for delay of disclosure of qualifying records, the Custodian of Records shall provide written notice of the reason for any delay to a requester as follows (Penal Code § 832.7):

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Records

- (a) Provide the specific basis for the determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure. The notice shall also include the estimated date for the disclosure of the withheld information.
- (b) When delay is continued beyond the initial 60 days because of criminal enforcement proceedings against anyone, at 180-day intervals provide the specific basis that disclosure could reasonably be expected to interfere with a criminal enforcement proceeding and the estimated date for disclosure.
 - 1. Information withheld shall be disclosed when the specific basis for withholding the information is resolved, the investigation or proceeding is no longer active, or no later than 18 months after the date of the incident, whichever occurs sooner, unless:
 - (a) When the criminal proceeding is against someone other than an officer and there are extraordinary circumstances to warrant a continued delay due to the ongoing criminal investigation or proceeding, then the Department must show by clear and convincing evidence that the interest in preventing prejudice to the active and ongoing criminal investigation or proceeding outweighs the public interest for prompt disclosure of records about misconduct or use of force by officers.

In cases where an action to compel disclosure is brought pursuant to Government Code § 7923.000, the Department may justify delay by filing an application to seal the basis for withholding if disclosure of the written basis itself would impact a privilege or compromise a pending investigation (Penal Code § 832.7(b)(8)).

813.11 MEMBERS' ACCESS TO THEIR PERSONNEL RECORDS

Any member may request access to the member's own personnel records during the normal business hours of those responsible for maintaining such files. Any member seeking the removal of any item from the member's personnel records shall file a written request to the Chief Probation Officer through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record (Government Code § 3306.5).

Members may be restricted from accessing files containing any of the following information:

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline
- (b) Confidential portions of internal affairs files that have not been sustained against the member
- (c) Criminal investigations involving the member
- (d) Letters of reference concerning employment/appointment, licensing, or issuance of permits regarding the member

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personnel Records

- (e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document
- (f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments, or other comments or ratings used for department planning purposes
- (g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy
- (h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding

813.12 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

- (a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training, and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief Probation Officer.
- (c) If, in the opinion of the Chief Probation Officer, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

Request for Change of Assignment

814.1 PURPOSE AND SCOPE

This policy establishes guidelines for department members to request a change of assignment in response to an announced vacancy.

814.2 POLICY

It is the policy of the Trinity County Probation Department that all requests for change of assignment be considered in an equitable and nondiscriminatory manner.

814.3 REQUEST FOR CHANGE OF ASSIGNMENT

Members requesting a change of assignment shall submit a written request through the chain of command to their Assistant Chiefs.

The written request provides members with the opportunity to list their qualifications for specific assignments. It should include:

- (a) The member's relevant experience, education, and training.
- (b) All assignments in which the member is interested.

The request will remain in effect until the end of the calendar year in which it was submitted. Effective January 1 of each year, members still interested in a change of assignment should complete and submit a new request.

814.4 RESPONSIBILITIES

814.4.1 SUPERVISORS

Upon receipt of a change of assignment request, the supervisor shall make appropriate comments in the space provided on the document and forward it to the member's Assistant Chief.

814.4.2 ASSISTANT CHIEFS

If the Assistant Chief receives a change of assignment request document from an officer that does not contain supervisor comments, the Assistant Chief will make appropriate comments and return it to the member without consideration.

The Assistant Chief will review all change of assignment requests and submit a recommendation to the Chief Probation Officer.

Commendations and Awards

815.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Trinity County Probation Department and individuals from the community.

815.2 POLICY

It is the policy of the Trinity County Probation Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism, and service of its members and individuals from the community through commendations and awards.

815.3 COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

815.4 CRITERIA

A meritorious or commendable act may include but is not limited to:

- (a) Superior handling of a difficult situation.
- (b) Conspicuous bravery or outstanding performance.
- (c) Any action or performance that is above and beyond typical duties.

815.4.1 DEPARTMENT MEMBER DOCUMENTATION

Members of the Department should document meritorious or commendable acts. The documentation should contain:

- (a) Identifying information:
 - 1. For members of the Department - name, Division, and assignment at the date and time of the meritorious or commendable act
 - 2. For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with any associated reports or case numbers, as appropriate.
- (c) The signature of the member submitting the documentation.

815.4.2 COMMUNITY MEMBER DOCUMENTATION

Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

- (a) Identifying information:
 - 1. For members of the Department - name, Division, and assignment at the date and time of the meritorious or commendable act

Trinity County Probation Department

New Probation Manual

New Probation Manual

Commendations and Awards

2. For individuals from the community - name, address, telephone number
 - (b) A brief account of the meritorious or commendable act with any associated reports or case numbers, as appropriate.
 - (c) The signature of the person submitting the documentation.

815.5 AWARDS

Awards may be bestowed upon members of the Department and individuals from the community. These awards include:

- (a) Award of Valor.
- (b) Award of Merit.
- (c) Lifesaving Award.
- (d) Meritorious Conduct.

Criteria for each award and the selection, presentation, and display of any award are determined by the Chief Probation Officer.

Fitness for Duty

816.1 PURPOSE AND SCOPE

Monitoring members' fitness for duty is essential for the safety and welfare of the members of the Department and the community. The purpose of this policy is to ensure that all members of this department remain fit for duty and able to perform their job functions (Government Code § 1031).

816.2 POLICY

The Trinity County Probation Department strives to provide a safe and productive work environment and ensure that all members of this department can safely and effectively perform the essential functions of their jobs. Under limited circumstances, the Department may require a professional evaluation of a member's physical, mental and/or emotional capabilities to determine the member's ability to perform essential functions.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

816.3 MEMBER RESPONSIBILITIES

It is the responsibility of each member of this department to maintain physical stamina and psychological stability sufficient to safely and effectively perform the essential duties of the member's position.

During working hours, all members are required to be alert, attentive, and capable of performing their assigned responsibilities.

Any member who feels unable to perform the member's duties shall promptly notify a supervisor. If a member believes another member is unable to perform that member's duties, such observations and/or belief shall be promptly reported to a supervisor.

816.4 SUPERVISOR RESPONSIBILITIES

All supervisors should be alert to any indication that a member may be unable to safely perform any duties because of an underlying physical or psychological impairment or condition.

Such indications may include:

- (a) An abrupt and negative change in the member's normal behavior.
- (b) A pattern of irrational conduct, hostility, or oppositional behavior.
- (c) Personal expressions of instability.
- (d) Inappropriate use of alcohol or other substances, including prescribed medication.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Fitness for Duty

- (e) A pattern of questionable judgment or impulsive behavior, or the inability to manage emotions.
- (f) Any other factor or combination of factors causing a supervisor to believe the member may be suffering from an impairment or a condition requiring intervention.

Consistent with this policy, supervisors shall maintain the confidentiality of any information.

816.4.1 REPORTING

A supervisor observing a member or receiving a report about a member perceived to be unable to safely or effectively perform duties shall promptly document all objective information and/or observations.

The supervisor should attempt to meet with the member to inquire about the conduct or behavior giving rise to the concerns.

If a meeting does not resolve the supervisor's concerns or does not take place, the supervisor shall promptly document the observations and actions in a written report and inform the Assistant Chief or the member's Supervising Deputy Probation Officer or Chief Probation Officer.

816.4.2 DUTY STATUS

In conjunction with the member's Chief Probation Officer and Supervising Deputy Probation Officer, the Assistant Chief should make a preliminary determination regarding the member's duty status.

If a determination is made that the member can safely and effectively perform the essential functions of the job, the member should be returned to duty and arrangements made for appropriate follow-up.

If a preliminary determination is made that the member's conduct or behavior represents an inability to safely and effectively perform the essential functions of the job, the Assistant Chief, the member's Supervising Deputy Probation Officer, or the authorized designee should immediately relieve the member of duty pending further evaluation.

Members relieved of duty shall comply with the administrative leave provisions of the Personnel Complaints Policy.

The Supervising Deputy Probation Officer and Chief Probation Officer, or the authorized designee, shall be promptly notified in the event that any member is relieved of duty.

816.5 FITNESS-FOR-DUTY EVALUATIONS

A fitness-for-duty evaluation may be ordered whenever circumstances reasonably indicate that a member may be unfit for duty or following an officer-involved shooting or death-in-custody incident.

816.5.1 PROCESS

The Supervising Deputy Probation Officer or Chief Probation Officer, in cooperation with Department of Human Resources, may order the member to undergo a fitness-for-duty evaluation.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Fitness for Duty

The examining practitioner will provide the Department with a report indicating whether the member is fit for duty. If the member is not fit for duty, the practitioner will include the existing restrictions or conditions in the report. If the member places their condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any information relevant to such proceedings (Civil Code § 56.10(c)(8)).

To facilitate the evaluation of any member, the Department will provide all appropriate documents and available information.

All reports and evaluations submitted by the examining practitioner shall be part of the member's confidential medical file.

Any member ordered to undergo a fitness-for-duty evaluation shall comply with the terms of the order and cooperate fully with the examining practitioner.

Determinations regarding duty status of members who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with Department of Human Resources.

816.6 APPEALS

Employees disputing the application or interpretation of this policy may submit a grievance as provided in the Grievances Policy.

Meal Periods and Breaks

817.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the availability of meal periods and breaks.

817.2 POLICY

It is the policy of the Trinity County Probation Department to provide meal periods and breaks to members of this department in accordance with the collective bargaining agreement or memorandum of understanding and the County personnel manual.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

817.3 MEAL PERIODS

Members shall have a meal period of a minimum of thirty minutes or more. Meal periods are not considered work time. Employees shall be completely relieved from duty for the purpose of eating meals. Management reserves the right to alter member's meal period times with adequate notice in order to meet the department's workload and mission.

Members who are permanently assigned to a custody post (i.e. Juvenile Hall and DRC) will receive a paid meal period.

817.4 BREAKS

Each member is entitled to a fifteen minute rest period during each four hours of employee work time. Rest periods shall be noncumulative and shall not be taken contiguously with lunch breaks or at the beginning or ending of a shift. Management reserves the right to regulate the times and restrictions by which rest periods are provided.

Lactation Breaks

818.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to members desiring to express breast milk for the member's infant child (Labor Code § 1034).

818.2 POLICY

It is the policy of the Trinity County Probation Department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for her infant nursing child (29 USC § 218d).

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

818.3 LACTATION BREAK TIME

A rest period should be permitted each time the member has the need to express breast milk (29 USC § 218d; Labor Code § 1030). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Such breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid (Labor Code § 1030).

Members desiring to take a lactation break shall notify a supervisor before taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations (Labor Code § 1032).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

818.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from coworkers and the public (29 USC § 218d; Labor Code § 1031).

Members occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other members should avoid

Trinity County Probation Department

New Probation Manual

New Probation Manual

Lactation Breaks

interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

818.5 STORAGE OF EXPRESSED MILK

Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the member's shift ends.

818.6 STATE REQUIREMENTS

Employees have the right to request lactation accommodations. If a break time or location accommodation cannot be provided, the supervisor shall provide the member with a written response regarding the reasons for the determination (Labor Code § 1034).

Lactation rooms or other locations should comply with the prescribed feature and access requirements of Labor Code § 1031.

Employees who believe that their rights have been violated under this policy or have been the subject of discrimination or retaliation for exercising or attempting to exercise their rights under this policy, are encouraged to follow the chain of command in reporting a violation, but may also file a complaint directly with the Labor Commissioner (Labor Code § 1033).

Payroll Records

819.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

819.2 POLICY

The Trinity County Probation Department maintains timely and accurate payroll records.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

819.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records for those under their direction.

819.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions such as holidays. Payroll records shall be completed and submitted to Administration as established by the County payroll procedures.

819.5 LIMITATION ON HOURS WORKED

Absent emergency operations, members should not work more than:

- 16 hours in a one-day (24 hours) period.
- 30 hours in any two-day (48 hours) period.
- 84 hours in any seven-day (168 hours) period.

Except in unusual circumstances, members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve any member who has exceeded the above guidelines to off-duty status.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime, and any other work assignments.

819.6 RECORDS

The Chief Probation Officer shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

Overtime Compensation

820.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures regarding overtime for employees, in conformance with the Fair Labor Standards Act (FLSA) (29 USC § 201 et seq.).

820.2 POLICY

The Trinity County Probation Department will compensate nonexempt employees who work authorized overtime either by payment of wages or by the accrual of compensatory time (29 CFR 553.22). Employees who are salary exempt from FLSA are not compensated for overtime worked.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

820.3 COMPENSATION

Payment of wages to nonexempt employees for overtime, or accrual of compensatory time in lieu of compensation for overtime worked, shall be at the rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required (29 USC § 207(k)(2); 29 USC § 207(o)(1)).

Short periods of overtime worked at the end of the normal duty day (e.g., less than one hour in duration) may be handled informally by an agreement between the supervisor and the employee. In such cases, the supervisor shall document the overtime worked and schedule a subsequent shift adjustment within the same work period that the overtime was worked, rather than submit a request for overtime compensation (29 USC § 207(k)).

Salary exempt employees may be eligible for administrative leave, which may be granted at the discretion of the exempt employee's immediate supervisor.

820.4 REQUESTS FOR OVERTIME COMPENSATION

820.4.1 EMPLOYEE RESPONSIBILITIES

Generally, no employee is authorized to work overtime without the prior approval of a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Nonexempt employees shall:

- (a) Obtain supervisory approval, verbal or written.
- (b) Not work in excess of 16 hours, including regularly scheduled work time, overtime, and extra-duty time, in any consecutive 24-hour period without supervisory approval.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Overtime Compensation

- (c) Record the actual time worked in an overtime status using the department-approved form or method. Informal notations on reports, logs, or other forms not approved for overtime recording are not acceptable.
- (d) Submit the request for overtime compensation to their supervisors by the end of shift or no later than the next calendar day.

820.4.2 SUPERVISOR RESPONSIBILITIES

Supervisors shall:

- (a) Prior to authorizing an employee to work overtime, evaluate the need for the overtime.
 - 1. Supervisors should not authorize any request to work overtime if the overtime would not be an appropriate use of department resources.
- (b) Upon receipt of a request for overtime compensation, confirm that the overtime was authorized and then verify the actual time worked.
 - 1. Supervisors identifying any unauthorized overtime or discrepancy shall initiate an investigation consistent with the Personnel Complaints Policy.

Supervisors may not authorize or approve their own overtime.

820.5 ACCOUNTING FOR PORTIONS OF AN HOUR

Authorized overtime work shall be accounted in the increments as listed:

TIME WORKED	INDICATE ON CARD
Up to 15 minutes	.25 hour
16 to 30 minutes	.50 hour
31 to 45 minutes	.75 hour
46 to 60 minutes	1 hour

820.5.1 VARIATION IN TIME REPORTED

When two or more employees are assigned to the same activity, case or court trial, and the amount of time for which overtime compensation is requested varies among the officers, the Assistant Chief or other approving supervisor may require each employee to include the reason for the variation on the overtime compensation request.

820.6 REQUESTING USE OF COMPENSATORY TIME

Employees who have accrued compensatory time shall be allowed to use that time for time off within a reasonable period after making a request if the request does not unduly disrupt department operations. Requests to use compensatory time will be submitted to the employee's supervisor at least 24 hours in advance of its intended use. Supervisors may make exceptions in unusual or extraordinary circumstances.

Compensatory time may not be used for time off for a date and time when the employee is required to appear in court on department-related matters. Supervisors shall not unreasonably deny employee requests to use compensatory time (29 CFR 553.25).

Outside Employment and Outside Overtime

821.1 PURPOSE AND SCOPE

This policy provides guidelines for department members who seek to engage in authorized outside employment or outside overtime.

821.1.1 DEFINITIONS

Definitions related to this policy include:

Outside employment - Duties or services performed by members of this department for another employer, organization, or individual not affiliated directly with this department when wages, compensation, or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those members who are self-employed and receive compensation or other consideration for services, products, or benefits rendered.

Outside overtime - Duties or services performed by members of this department for a private organization, entity, or individual that are requested and scheduled directly through the Department. Member compensation, benefits, and costs for such outside services are reimbursed to the Department.

821.2 POLICY

Members of the Trinity County Probation Department shall obtain written approval from the Chief Probation Officer or the authorized designee before engaging in any outside employment or outside overtime. Approval of outside employment or overtime shall be at the discretion of the Chief Probation Officer or the authorized designee in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment or overtime, or engaging in outside employment or overtime that is prohibited by this policy, may lead to disciplinary action.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

821.3 OUTSIDE EMPLOYMENT

821.3.1 REQUEST AND APPROVAL

Members must submit the designated outside employment request form to their immediate supervisors. The request form will then be forwarded through the chain of command to the Chief Probation Officer or the authorized designee for consideration.

If approved, the member will be provided with a copy of the approved request form. Unless otherwise indicated in writing on the request form, approval for outside employment will be valid

Trinity County Probation Department

New Probation Manual

New Probation Manual

Outside Employment and Outside Overtime

through the end of the calendar year in which the request is approved. Members seeking to continue outside employment must submit a new request form at the start of each calendar year.

821.3.2 DENIAL

Any member whose request for outside employment has been denied shall be provided with a written notification of the reason at the time of the denial (Penal Code § 70(e)(3)).

821.3.3 REVOCATION OR SUSPENSION

Any member whose approval for outside employment is revoked or suspended shall be provided with a written notification of the reason for revocation or suspension (Penal Code § 70(e)(3)).

Approval for outside employment may be revoked or suspended:

- (a) When a supervisor determines the member's performance is failing to meet standards and the outside employment may be related to the deficient performance.
 - 1. Approval for the outside employment may be reestablished with the authorization of the member's supervisor once the member's performance has reached a satisfactory level.
- (b) When a member's conduct or outside employment conflicts with department policy or any law.
- (c) When the outside employment creates an actual or apparent conflict of interest with the Department or County.

821.3.4 APPEAL

If a member's request for outside employment is denied or if previous approval is revoked or suspended, the member may file a written notice of appeal with the Chief Probation Officer or the authorized designee within 10 days of receiving notice of the denial, revocation, or suspension.

A revocation or suspension will only be implemented after the member has completed the appeal process.

If the member's appeal is denied, the member may file a grievance as provided in the Grievances Policy.

821.4 REQUIREMENTS

821.4.1 PROHIBITED OUTSIDE EMPLOYMENT

The Department reserves the right to deny any request for outside employment that involves (Government Code § 1126):

- (a) The use of department time, facilities, equipment, or supplies.
- (b) The use of the Trinity County Probation Department badge, uniform, or influence for private gain or advantage.
- (c) The member's receipt or acceptance of any money or other consideration for performing duties or services that the member would be required or expected to render

Trinity County Probation Department

New Probation Manual

New Probation Manual

Outside Employment and Outside Overtime

in the course or hours of the member's employment or appointment, or as a part of the member's regular duties.

- (d) The performance of duties or services that may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other member of this department.
- (e) Demands upon the member's time that would render the performance of the member's duties for this department deficient or substandard.
- (f) Activities that may conflict with any other policy or rule of the Department.

821.4.2 SECURITY AND PEACE OFFICER OUTSIDE EMPLOYMENT

No member of this department may engage in any outside employment as a peace officer, private security guard, private investigator, or other similar private security position.

821.4.3 DEPARTMENT RESOURCES

Members are prohibited from using any department equipment or resources in the course of, or for the benefit of, any outside employment. This shall include the prohibition against any member using a position with this department to gain access to official records or databases of this department or other agencies.

821.4.4 REVIEW OF FINANCIAL RECORDS

Members approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflicts of interest (Government Code § 3308; Government Code § 1126).

Before approving outside employment, the Department may request that a member provide personal financial records for review if the Chief Probation Officer determines that a conflict of interest may exist. Failure or refusal by the member to provide such records may result in denial of the outside employment.

If, after approving a request for outside employment, the Department obtains information that a financial conflict of interest exists, the Department may request that the member provide personal financial records for review. Failure or refusal by the member to provide such records may result in revocation or suspension of approval of the outside employment pursuant to this policy.

821.4.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If a member terminates outside employment, the member shall promptly submit written notification of such termination to the Chief Probation Officer or the authorized designee through the chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through the procedures set forth in this policy.

Members shall also promptly submit in writing to the Chief Probation Officer or the authorized designee any material changes in outside employment, including any change in the number of hours, type of duties, or the demands of any approved outside employment. Members who are uncertain whether a change in outside employment is material are advised to report the change.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Outside Employment and Outside Overtime

821.4.6 LEAVE OR RESTRICTED DUTY STATUS

Members who are placed on leave or other restricted duty status shall inform their immediate supervisors in writing within five days as to whether they intend to continue their outside employment while on such leave or restricted status. The immediate supervisor shall review the duties of the outside employment, along with any related orders (e.g., administrative, medical), and make a recommendation to the Chief Probation Officer or the authorized designee regarding whether such employment should continue.

In the event that the Chief Probation Officer or the authorized designee determines that the outside employment should be discontinued, or if the member fails to promptly notify the immediate supervisor of the member's intention regarding outside employment, a notice revoking approval of the outside employment will be forwarded to the member and a copy attached to the original outside employment request form.

Criteria for revoking approval due to leave or restricted duty status include but are not limited to:

- (a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the County's medical professional advisers.
- (b) The outside employment requires performance of the same or similar physical ability as required of an on-duty member.
- (c) The member's failure to make timely notice of the member's intention to the supervisor.

When the member returns to full duty with the Trinity County Probation Department, a written request may be submitted to the Chief Probation Officer or the authorized designee to approve the outside employment request.

Occupational Disease and Work-Related Injury Reporting

822.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding timely reporting of occupational diseases, mental health issues, and work-related injuries.

822.1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury - Any injury, disease, or mental health issue arising out of the member's employment (Labor Code § 3208; Labor Code § 3208.3; Labor Code § 3212 et seq.).

822.2 POLICY

The Trinity County Probation Department will address work-related injuries and occupational disease appropriately and will comply with applicable state workers' compensation requirements (Labor Code § 3200 et seq.).

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

822.3 RESPONSIBILITIES

822.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours to a supervisor, and shall seek medical care when appropriate (8 CCR 14300.35).

822.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any work-related injury or occupational disease should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related County-wide injury- or disease-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Occupational Disease and Work-Related Injury Reporting

822.3.3 SUPERVISING DEPUTY PROBATION OFFICER RESPONSIBILITIES

The Supervising Deputy Probation Officer who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief Probation Officer or authorized designee, the County's risk management entity, and the Administrative Assistant Chief to ensure any required Division of Occupational Safety and Health (Cal/OSHA) reporting is made as required in the disease and injury prevention plan identified in the Illness and Injury Prevention Policy.

822.3.4 CHIEF PROBATION OFFICER RESPONSIBILITIES

The Chief Probation Officer shall review and forward copies of the report to the Department of Human Resources. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

822.4 OTHER DISEASE OR INJURY

Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Supervising Deputy Probation Officer through the chain of command and a copy sent to the Chief Probation Officer or the authorized designee.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that the member desired no medical attention at the time of the report. Signing the report does not preclude the member's ability to later seek medical attention.

822.5 SETTLEMENT OFFERS

When a member sustains an occupational disease or work-related injury caused by another person and is subsequently contacted by that person or that person's agent, insurance company, or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to the member's supervisor as soon as possible.

822.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief Probation Officer or the authorized designee with written notice of the proposed terms of such settlement. The member shall never accept a settlement without first providing written notice to the Chief Probation Officer or the authorized designee. Such notice permits the County to determine whether the offered settlement will affect any claim the County may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury. Notice also protects the County's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

Personal Appearance Standards

823.1 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of members of the Trinity County Probation Department.

823.2 POLICY

Trinity County Probation Department members shall maintain their personal hygiene and appearance to project a professional image that is appropriate for this department and for their assignments. Department personal appearance standards are primarily based on safety requirements, appearance conformity, and the social norms of the community served, while considering matters important to members of the Department.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies or MOU provisions. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

823.3 GROOMING

Unless otherwise stated and because deviations from these standards may present officer safety issues, the following appearance standards shall apply to all members, except those whose current assignments would deem them not applicable, and where the Chief Probation Officer has granted an exception.

823.3.1 PERSONAL HYGIENE

All members must maintain proper personal hygiene. Any member who has a condition due to a protected category (e.g., physical disability, cultural) that affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to the Chief Probation Officer.

823.3.2 HAIR

Hair, including facial hair, shall be clean, neatly trimmed or arranged, and of a natural hair color. Hairstyles with shaved designs in the scalp are prohibited. Hair adornments shall be primarily used for securing the hair and must present a professional image.

823.4 APPEARANCE

823.4.1 JEWELRY

For the purpose this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory,

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personal Appearance Standards

gang-related, supremacist or extremist group symbolism, political affiliation or obscene language is not allowed.

- (a) The only facial piercing permitted is a single small stud on the outer side of either nostril.

823.4.2 TATTOOS/BODY ART

Tattoos or body art that depicts racial, sexual, discriminatory, gang-related, supremacist or extremist group symbolism, political affiliation or obscene language is not allowed and shall be covered at all times while a member is on duty or representing the Department in any official capacity.

Tattoos or body are are not permitted on the head/face or neck.

823.4.3 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body that is visible while on-duty or while representing the Trinity County Probation Department in any official capacity, that is a deviation from normal anatomical features and that is not medically required, is prohibited. Such body alteration includes but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or transdermal implantation of any material other than hair replacement (i.e., foreign objects inserted under the skin to create a design or pattern).
- (c) Abnormal shaping of the ears, eyes, nose, or teeth (i.e., enlarged or stretched out holes in the earlobes).

823.4.4 DENTAL ORNAMENTATION

Dental ornamentation that is for decorative purposes and that is not medically required is prohibited while on-duty or while representing the Trinity County Probation Department in any official capacity. Such ornamentation includes but is not limited to:

- (a) Objects that are bonded to front teeth.
- (b) Gold, platinum, or other veneers or caps used for decorative purposes.
- (c) Orthodontic appliances that are colored for decorative purposes.

823.5 ATTIRE

In order to maintain a professional appearance to the public, the following guidelines related to attire are to be followed:

- (a) Attire shall fit properly, be clean and free of stains, and not be damaged or excessively worn.
- (b) Attire shall be professional with consideration to assignment and safety.
- (c) Probation Officers shall have appropriate attire available to accommodate unplanned court appearances or field work.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personal Appearance Standards

- (d) Shoes worn shall be considerate of safety, professionalism and assignment. A Probation Officer may need to physically intervene as back up or interact with offenders without notice.
- (e) No item of attire that would adversely affect the reputation of the Trinity County Probation Department or the morale of the members may be worn while on-duty.
- (f) The following items shall not be worn while on-duty or when representing the Department in any official capacity:
 - 1. Clothing with plunging necklines revealing skin.
 - 2. Clothing that reveals the back, stomach, or buttocks
 - 3. Undershirt worn alone.
 - 4. Swimsuits, spaghetti strapped tank tops, tube tops, or halter tops
 - 5. Leisure wear including sweatshirts, sweatpants, yoga pants, spandex type leggings (unless worn as a layering item under a skirt) or similar exercise clothing or tee-shirts with prints such as logos or graphics (other than those that depict the department badge or logo)
 - 6. Shorts
 - 7. Clothing, buttons, or pins that depict racial, sexual, discriminatory, gang-related, supremacist or extremist group symbolism, political affiliation, or obscene language

Variations of this policy are allowed at the discretion of the Chief Probation Officer or the authorized designee when the member's assignment or current task is not conducive to wearing such clothing.

823.6 UNAUTHORIZED UNIFORMS, EQUIPMENT, AND ACCESSORIES

The Chief Probation Officer shall have sole discretion regarding the allowance of additional or alternative attire, items, accessories, or attachments that are not specifically addressed in this policy.

Department members may not use or carry any safety item, tool, or other piece of equipment unless specifically authorized by the Chief Probation Officer or the authorized designee.

823.7 RELIGIOUS ACCOMMODATION

The religious beliefs and needs of department members should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The Chief Probation Officer should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves, simple head coverings, certain hairstyles, or facial hair for religious reasons should generally be accommodated absent unusual circumstances.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personal Appearance Standards

823.8 EXEMPTIONS

Members who seek cultural (e.g., culturally protected hairstyles) or other exemptions to this policy that are protected by law should generally be accommodated (Government Code § 12926). A member with an exemption may be ineligible for an assignment if the individual accommodation presents a security or safety risk. The Chief Probation Officer should be advised any time a request for such an accommodation is denied or when a member with a cultural or other exemption is denied an assignment based on a safety or security risk.

Conflict of Interest

824.1 PURPOSE AND SCOPE

The purpose of this policy is to assist members in recognizing and avoiding potential conflicts of interest, thereby ensuring effective and ethical operating practices on the part of the Trinity County Probation Department.

824.1.1 DEFINITIONS

Definitions related to this policy include:

Conflict of interest - Any actual, perceived, or potential conflict in which it reasonably appears that a member's action, inaction, or decisions are or may be influenced by a personal or business relationship.

824.2 POLICY

Members of the Trinity County Probation Department are expected to conduct themselves with the utmost professional integrity and objectivity. Members will guard against actual or perceived conflicts of interest in order to ensure the fair and equitable treatment of department members and the public, and thereby maintain the trust of the public and other department members.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

824.3 PROHIBITIONS

The Department prohibits the following types of personal or business relationships among members (Government Code § 12940):

- (a) Members are prohibited from directly supervising, occupying a position in the line of supervision, or being directly supervised by any other member who is a relative or with whom they are involved in a personal or business relationship.
 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved member to an uninvolved supervisor.
 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing members in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any member to another position within the same classification to avoid conflicts with any provision of this policy.
- (b) Members are prohibited from participating in, contributing to, or recommending promotions, assignments, performance evaluations, transfers, or other personnel

Trinity County Probation Department

New Probation Manual

New Probation Manual

Conflict of Interest

decisions affecting a member who is a relative or with whom they are involved in a personal or business relationship.

- (c) Whenever possible, field training officers (FTOs) and other trainers will not be assigned to train relatives. Department FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any member they are assigned to train until such time as the training has been successfully completed and the person is off probation.

824.4 MEMBER RESPONSIBILITIES

Members shall avoid situations that create a conflict of interest. Members should take reasonable steps to address a perception of a conflict of interest when such a perception is reasonably foreseeable and avoidable (e.g., deferring a decision to an uninvolved member).

Whenever any member is placed in circumstances that would require the member to take enforcement action or provide official information or services to any relative or individual with whom the member is involved in a personal or business relationship, that member shall promptly notify an uninvolved, immediate supervisor.

If no uninvolved supervisor is immediately available, the member shall promptly notify the Chief Probation Officer or the authorized designee to have another uninvolved member either relieve the involved member or, minimally, remain present to witness the action

824.5 SUPERVISOR RESPONSIBILITIES

Upon being notified of or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief Probation Officer or the authorized designee of such actual or potential violations through the chain of command.

Badges, Patches, and Identification

825.1 PURPOSE AND SCOPE

The Trinity County Probation Department (TCPD) badge, logo, patch, and identification card, as well as the likeness of these items and the name of the Department, are property of the Department. Their use shall be restricted as set forth in this policy.

825.2 POLICY

The Trinity County Probation Department issues each member appropriate identification, which may include a badge, logo, patch, and/or identification card, depending on the member's position within the Department. It is the policy of the Trinity County Probation Department that all sworn peace officers who have completed Penal Code 832 training and are authorized to be armed and are armed will wear and visibly display their peace officer badges during on-duty hours.

825.3 MEMBER RESPONSIBILITIES

Members of the Trinity County Probation Department will use the TCPD badge, logo, patch, and identification card, as well as the likeness of these items, appropriately and professionally. The TCPD badge, logo, patch, and identification card shall only be displayed or used by a member when acting in an official or authorized capacity.

Department members shall not:

- (a) Display or use the TCPD badge, patch, or identification card for personal gain or benefit.
- (b) Loan the TCPD badge, patch, or identification card to others or permit these items to be reproduced or duplicated.
- (c) Use images of the TCPD badge, patch, or identification card, or the likeness thereof, or the Trinity County Probation Department name, for personal or private reasons, including but not limited to letters, memoranda, and electronic communications, such as email, blogs, social networking, or websites.

825.4 LOST OR STOLEN BADGE, PATCH, OR IDENTIFICATION CARD

Immediately upon realizing that a badge is missing or stolen, the peace officer is to submit a written report to the Chief Probation Officer through the chain of command. The officer's supervisor will ensure that law enforcement is notified of the badge number that is missing and/or stolen. Circumstances surrounding any incident will be evaluated on a case by case basis to determine if the officer will be required to replace the badge at his/her expense.

The Office of the Chief retains the right to waive provisions of the policy when he/she determines it is in the best interest of the department.

825.5 BADGES

The Chief Probation Officer shall determine the number and form of badges authorized for use by department members.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Badges, Patches, and Identification

Only badges issued by this department may be used, displayed, carried, or worn by members while on-duty or otherwise acting in an official or authorized capacity.

825.5.1 ISSUANCE

Upon notification that an employee has completed PC 832 training and is eligible, the Probation Department shall issue to that sworn peace officer, a display type badge.

Officers will also be issued a belt clip to display the badge from their belts. Badges shall be turned in to the immediate supervisor upon an employee's resignation, termination or retirement from services.

825.5.2 METHOD OF DISPLAY

The badge may be displayed either on the deputy probation officer's belt using the issued belt clip, or it may be pinned to the jacket, skirt, or blouse after removing the belt clip. Other acceptable options are for the deputy probation officer to obtain a pocket insert for the shirt or jacket and attach the badge to the pocket insert. Additionally, the badge may be on a chain or cord worn around the neck.

Probation officers are expected to display their badges at all times while armed on duty. The badge is to be displayed only during the workday when the officer is on duty. Under no circumstances may any officer use or display his/her badge to influence the behavior of another apart from his/her designated duties, or when off-duty. "Flashing" a badge is forbidden and may result in disciplinary action.

825.5.3 RETIREE BADGES

The Chief Probation Officer may establish rules for allowing honorably retired members to keep their badges in some form or possess a retirement badge upon retirement.

825.5.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the TCPD badge shall not be used for any purpose without the express authorization of the Chief Probation Officer and shall be subject to the following:

- (a) An authorized employee group may use the likeness of the TCPD badge for merchandise and official employee group business provided it is used in a clear representation of the employee group and not the Trinity County Probation Department. The following modification shall be included:
 1. Any text identifying the Trinity County Probation Department is replaced with the name of the employee group.
 2. A badge number is not included. That portion of the badge may display the acronym of the employee group.

825.6 PATCHES

The Chief Probation Officer shall determine the form of patches authorized for use by the Department. Any request to modify the authorized patches for specialty divisions (e.g., Interagency Task Forces, K-9) should be submitted to the Chief Probation Officer in writing.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Badges, Patches, and Identification

Only patches issued by this department are authorized to be displayed or worn by members while on-duty or otherwise acting in an official or authorized capacity.

Members, with the written approval of the Chief Probation Officer, may request additional patches, at their own expense.

825.7 IDENTIFICATION CARDS

All members will be issued an official TCPD identification card bearing the member's name, full-face photograph, member identification number, member's signature, and signature of the Chief Probation Officer or the official seal of the Department. All members shall be in possession of their department-issued identification cards at all times while on-duty or in department facilities.

- (a) Whenever on-duty or acting in an official capacity representing the Department, members shall display their department-issued identification cards in a courteous manner to any person upon request and as soon as practicable.
- (b) Officers or other members working specialized assignments may be excused from the possession and display requirements when directed by their Supervising Deputy Probation Officers.

825.8 BUSINESS CARDS

The Department will supply business cards to those members whose assignments involve frequent interaction with the public or who may require the use of a business card. The only authorized business cards are those issued or approved by the Department and should contain identifying information, including but not limited to the member's name, Division, badge or other identification number, and contact information (e.g., telephone number, email address).

Members should provide a business card to any member of the public who requests one.

Temporary Modified-Duty Assignments

826.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, Trinity rules, or current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability or limitation that is protected under federal or state law.

826.2 POLICY

Subject to operational considerations, the Trinity County Probation Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work while providing the Department with a productive employee during the temporary period.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

826.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the California Fair Employment and Housing Act shall be treated equally, without regard to any preference, for a work-related injury (Government Code § 12940 et seq.).

No position in the Trinity County Probation Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief Probation Officer or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, or engaging in outside employment, or may otherwise limit them in employing their peace officer powers.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Temporary Modified-Duty Assignments

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

826.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their Assistant Chiefs or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids, or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Assistant Chief will make a recommendation through the chain of command to the Chief Probation Officer regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief Probation Officer or the authorized designee shall confer with the Department of Human Resources or the County Counsel as appropriate.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the Assistant Chief or Assistant Chief, with notice to the Chief Probation Officer or authorized designee.

826.5 ACCOUNTABILITY

Written notification of assignments, work schedules, and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Assistant Chief.

826.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include but are not limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Temporary Modified-Duty Assignments

- (d) Submitting a written status report to the Assistant Chief that contains a status update and anticipated date of return to full duty when a temporary modified-duty assignment extends beyond 60 days.

826.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include but are not limited to:

- (a) Periodically apprising the Assistant Chief of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Assistant Chief and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

826.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

826.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other employee with a temporary disability (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment. Nothing in this policy limits a pregnant employee's right to a temporary modified-duty assignment if required under Government Code § 12945.

If notified by an employee regarding a limitation related to pregnancy, childbirth, or related medical conditions, the Department should make reasonable efforts to provide an accommodation for the employee in accordance with federal law (42 USC § 2000gg-1; Government Code § 12945).

826.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the County's personnel rules and regulations regarding family and medical care leave.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Temporary Modified-Duty Assignments

826.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment may have their probation extended by a period of time equal to their assignment to temporary modified duty.

826.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training, and qualifications appropriate to both their regular and temporary duties, provided that the certification, training, or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training, or qualifications.

Speech, Expression, and Social Networking

827.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites and provide guidelines for regulating and balancing member speech and expression with the legitimate needs of the Trinity County Probation Department.

This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, and use of all internet services, including the World Wide Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, and video-sharing and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit a member from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

827.2 POLICY

Members of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the Trinity County Probation Department. Due to the nature of the work and influence associated with the probation profession, it is necessary that members of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Department will carefully balance the individual member's rights against the needs and interests of the Department when exercising a reasonable degree of control over its members' speech and expression.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

827.3 SAFETY

Members should carefully consider the implications of their speech or any other form of expression when using the internet. Speech and expression that may negatively affect the safety of Trinity County Probation Department members, such as posting personal information in a public forum or posting a photograph taken with a GPS-enabled camera, can result in compromising a member's

Trinity County Probation Department

New Probation Manual

New Probation Manual

Speech, Expression, and Social Networking

home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member or a member's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- (a) Disclosing a photograph and name or address of an officer who is working in a specialized assignment or interagency task force.
- (b) Disclosing the address of a fellow officer.
- (c) Disclosing where another officer can be located off-duty.

827.4 PROHIBITED SPEECH, EXPRESSION, AND CONDUCT

To meet the department's safety, performance, and public-trust needs the following are prohibited unless the speech is otherwise protected (for example, a member speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that compromises or damages the mission, function, reputation, or professionalism of the Department or its members.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Department and could compromise or damage the mission, function, reputation, or professionalism of the Department or its members. Examples may include:
 - 1. Statements that indicate disregard for the law or the state or U.S. constitutions.
 - 2. Expression that demonstrates support for criminal activity.
 - 3. Participating in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of Department members. For example, (a statement on a blog that provides specific details on how and when custody transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape).
- (e) Speech or expression contrary to the Ethics section in Standards of Conduct Policy as adopted by the Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, or video or other recording obtained or accessible because of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief Probation Officer or the authorized designee.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Speech, Expression, and Social Networking

- (g) Posting, transmitting, or disseminating any photographs, video or audio recordings, likenesses, or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment, or other material that specifically identifies the Trinity County Probation Department on any personal or social networking or other website or web page, without the express authorization of the Chief Probation Officer.

Members must take reasonable and prompt action to remove any content, including content posted by others, that violates this policy from any web page or website maintained by the employee (e.g., social or personal website).

827.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While members are not restricted from engaging in the following activities as private citizens or as authorized members of recognized bargaining units or employee groups, members may not represent the Trinity County Probation Department or identify themselves in any way that could be reasonably perceived as representing the Department in order to do any of the following, unless specifically authorized by the Chief Probation Officer (Government Code § 3206; Government Code § 3302):

- (a) Endorse, support, oppose, or contradict any political campaign or initiative
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion
- (c) Endorse, support, or oppose any product, service, company, or other commercial entity
- (d) Appear in any commercial, social, or nonprofit publication, or motion picture, film, video, or public broadcast, or on any website

Additionally, when it can reasonably be construed that a member, acting in the individual's own capacity or through an outside group or organization, including as an authorized member of a recognized bargaining unit or an employee group, is affiliated with this department, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the Trinity County Probation Department.

Members retain their right to vote as they choose, to support candidates of their choice, and to express their opinions as private citizens, including as authorized members of recognized bargaining units or employee groups, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command, or advise another employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

827.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts, or anything published or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Speech, Expression, and Social Networking

The Department shall not require an employee to disclose a personal username or password for accessing personal social media or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

827.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct prohibited under this policy, the factors that the Chief Probation Officer or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in performance of duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

827.7 TRAINING

Subject to available resources, the Department should provide periodic training regarding the limitations on speech, expression, and use of social networking to all members of the Department.

Illness and Injury Prevention

828.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Trinity County Probation Department, in accordance with the requirements of 8 CCR 3203.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede but supplements any related Countywide safety efforts.

828.2 POLICY

The Trinity County Probation Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injury. The Department will establish and maintain an illness and injury prevention plan and will provide tools, training, and safeguards designed to reduce the potential for accidents, injuries, and illness. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

Additional policy guidelines regarding this subject can be found in County Code and/or in the County Personnel Handbook. Probation Department policies are intended to supplement County Code and County Personnel Policies and should not be interpreted as overriding, superseding, or otherwise negating any existing county policies. County Code and County Personnel Policies can be located by clicking on the link below:

[Trinity County Human Resources](#)

828.3 ILLNESS AND INJURY PREVENTION PLAN

The assigned administrator in conjunction with County Risk Management, is responsible for developing an illness and injury prevention plan that shall include:

- (a) Workplace safety and health training programs.
- (b) Regularly scheduled safety meetings.
- (c) Posted or distributed safety information.
- (d) A system for members to anonymously inform management about workplace hazards.
- (e) Establishment of a safety and health committee that will:
 1. Meet regularly.
 2. Prepare a written record of safety and health committee meetings.
 3. Review the results of periodic scheduled inspections.
 4. Review investigations of accidents and exposures.
 5. Make suggestions to command staff for the prevention of future incidents.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Illness and Injury Prevention

6. Review investigations of alleged hazardous conditions.
 7. Submit recommendations to assist in the evaluation of member safety suggestions.
 8. Assess the effectiveness of efforts made by the Department to meet applicable standards.
- (f) Establishing a process to ensure illnesses and injuries are reported as required by the Division of Occupational Safety and Health (Cal/OSHA) (8 CCR 342).

828.4 ASSIGNED ADMINISTRATOR RESPONSIBILITIES

The responsibilities of the assigned administrator include but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of member illness and injury.
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:
 1. New member orientation that includes a discussion of safety and health policies and procedures.
 2. Regular member review of the illness and injury prevention plan.
 3. Providing access to the illness and injury prevention plan to members or their representatives as set forth in 8 CCR 3203.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (d) Taking reasonable steps to ensure that all members comply with safety rules to maintain a safe work environment. This includes but is not limited to:
 1. Informing members of the illness and injury prevention guidelines.
 2. Recognizing members who perform safe work practices.
 3. Ensuring that the member evaluation process includes member safety performance.
 4. Ensuring department compliance to meet standards regarding the following:
 - (a) Respiratory protection (8 CCR 5144)
 - (b) Bloodborne pathogens (8 CCR 5193)
 - (c) Aerosol transmissible diseases (8 CCR 5199)
 - (d) Heat illness (8 CCR 3395)
 - (e) Emergency Action Plan (8 CCR 3220)
 - (f) Fire Prevention Plan (8 CCR 3221)
 - (g) Hazards associated with wildfire smoke (8 CCR 5141.1)

Trinity County Probation Department

New Probation Manual

New Probation Manual

Illness and Injury Prevention

- (e) Making available a form to document inspections, unsafe conditions, or unsafe work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form to document individual incidents or accidents.
- (g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training, and training providers.
- (h) Conducting and documenting a regular review of the illness and injury prevention plan.

828.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include but are not limited to:

- (a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.
- (b) Training, counseling, instructing, or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the Administration.
- (e) Notifying the Administration when:
 - 1. New substances, processes, procedures, or equipment that present potential new hazards are introduced to the work environment.
 - 2. New, previously unidentified hazards are recognized.
 - 3. Occupational illnesses and injuries occur.
 - 4. New and/or permanent or intermittent members are hired or reassigned to processes, operations, or tasks for which a hazard evaluation has not been previously conducted.
 - 5. Workplace conditions warrant an inspection.

828.6 HAZARDS

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices, or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Illness and Injury Prevention

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection. All significant actions taken and dates they are completed shall be documented and forwarded to the Chief Probation Officer via the chain of command.

The Assistant Chief will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

828.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Assistant Chief, working in conjunction with Trinity County Risk Management, shall ensure that the appropriate documentation is completed for each inspection.

828.7.1 EQUIPMENT

Members are charged with conducting a visual inspection of department vehicles and of their PPE prior to working in the field. Members shall provide notice to their supervisor if an unsafe condition cannot be immediately corrected.

828.8 INVESTIGATIONS

Any member suffering from any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty, shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured member and witnesses.
- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Work-Related Illness and Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

828.9 TRAINING

The Assistant Chief should work with the Training Manager to provide all members, including managers, with training on general and job-specific workplace safety and health practices. Training shall be provided:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Illness and Injury Prevention

- (a) To managers to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.
- (b) To all members with respect to hazards specific to each member's job assignment.
- (c) To all members given new job assignments for which training has not previously been provided.
- (d) Whenever new substances, processes, procedures, or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the Department is made aware of a new or previously unrecognized hazard.

828.9.1 TRAINING TOPICS

The Training Manager shall ensure that training includes:

- (a) Reporting unsafe conditions, work practices, and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves and footwear.
- (c) Use of respiratory equipment.
- (d) Availability of toilet, hand-washing, and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of bloodborne pathogens and other biological hazards.
- (g) Prevention of heat and cold stress.
- (h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).
- (i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.
- (j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.
- (k) Back exercises/stretchers and proper lifting techniques.
- (l) Avoidance of slips and falls.
- (m) Good housekeeping and fire prevention.
- (n) Other job-specific safety concerns.

828.10 RECORDS

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

Line-of-Duty Deaths

829.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Trinity County Probation Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief Probation Officer may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

829.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing probation-related functions while on- or off-duty, or a non-sworn member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin, or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

829.2 POLICY

It is the policy of the Trinity County Probation Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

829.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Department.
 1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).
- (b) The Assistant Chief should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.
- (c) If the member has been transported to the hospital, the Assistant Chief or the designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Line-of-Duty Deaths

- (d) The Chief Probation Officer or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

829.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief Probation Officer or the authorized designee should review the deceased member's emergency contact information and emergency notification form, if one exists, and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief Probation Officer, Assistant Chief, or the authorized designee should select at least two members, or one member and a member of the clergy, to conduct notification of survivors.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity, and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles when possible. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital. Notifying members should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities, and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.
- (g) Offer to call other survivors, friends, or clergy to support the survivors and to avoid leaving survivors alone after notification.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Line-of-Duty Deaths

- (h) Assist the survivors with meeting childcare or other immediate needs.
- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes, and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivors' names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief Probation Officer or the authorized designee once survivor notifications have been made so that other Trinity County Probation Department members may be apprised that survivor notifications are complete.

829.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief Probation Officer.

829.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief Probation Officer are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., chaplain, counselor, peer support group, Employee Assistance Program, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Line-of-Duty Deaths

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

829.6 LIAISONS AND COORDINATORS

The Chief Probation Officer or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death including, but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Critical Incident Stress Management (CISM) coordinator.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

829.6.1 DEPARTMENT LIAISON

The Department Liaison should be an Assistant Chief or of sufficient rank to effectively coordinate Department resources and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief Probation Officer. The Department Liaison's responsibilities include but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.
- (d) Identifying locations that will be sufficient to accommodate visitation and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-staff.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Line-of-Duty Deaths

- (g) Ensuring that department members are reminded of appropriate information-sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.
- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

829.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Arrange for appropriate and separate waiting areas for:
 - 1. The survivors and others whose presence is requested by the survivors.
 - 2. Department members and friends of the deceased member.
 - 3. Media personnel.
- (b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Trinity County Probation Department members (except for members who may be guarding the suspect).
- (c) Ensure that survivors receive timely updates regarding the member before information is released to others.
- (d) Arrange for survivors to have private time with the member, if requested.
 - 1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
 - 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.
- (f) If applicable, explain to the survivors why an autopsy may be needed.
- (g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information, and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting actions at the conclusion of liaison duties.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Line-of-Duty Deaths

829.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Assistant Chief. The following should be considered when selecting the Survivor Support Liaison:

- The liaison should be an individual the survivors know and with whom they are comfortable working. If the member has completed an emergency notification form, it should be used for this purpose.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes, and other locations as appropriate.
- (b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.
- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
 1. Items should not be delivered to the survivors until they are ready to receive the items.
 2. Items not retained as evidence should be delivered in a clean, unmarked box.
 3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
 4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.
 1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Line-of-Duty Deaths

- (g) Working with the CISM coordinator to ensure that survivors have access to available counseling services.
- (h) Coordinating with the department's Public Information Officer to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).
- (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal, and administrative investigations.
- (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
- (k) Introducing survivors to prosecutors, victim's assistance personnel, and other involved personnel as appropriate.
- (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
- (m) Inviting survivors to department activities, memorial services, or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

829.6.4 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR

The CISM coordinator should work with the Chief Probation Officer or the authorized designee, liaisons, coordinators, and other resources to make CISM and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the CISM coordinator include but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:
 1. Members involved in the incident.
 2. Members who witnessed the incident.
 3. Members who worked closely with the deceased member but were not involved in the incident.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Line-of-Duty Deaths

- (b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.
- (c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.
- (d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available CISM and counseling services and assisting with arrangements as needed.
- (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional CISM or counseling services are needed.

829.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison, and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on probation funeral procedures.
- (b) Completing funeral notification to other probation and law enforcement agencies.
- (c) Coordinating the funeral activities of the Department or outside assisting agencies, including but not limited to the following:
 - 1. Honor Guard
 - (a) Casket watch
 - (b) Color guard
 - (c) Pallbearers
 - 2. Uniform for burial
 - 3. Flag presentation
- (d) Briefing the Chief Probation Officer and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.
- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

829.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many Trinity County Probation Department members as possible can attend funeral services.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Line-of-Duty Deaths

The mutual aid coordinator should perform duties in accordance with the Outside Agency Assistance Policy.

829.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and will assist them in applying for benefits. Responsibilities of the Benefits Liaison include but are not limited to:

- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Work-Related Illness and Injury Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
 - 1. Public Safety Officers' Benefits Program.
 - 2. Public Safety Officers' Educational Assistance (PSOEA) Program.
 - 3. Social Security Administration.
 - 4. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
 - 1. Education benefits (Education Code § 68120)
 - 2. Health benefits (Labor Code § 4856)
 - 3. Workers' compensation death benefit (Labor Code § 4702)
- (d) Researching and assisting survivors with application for other survivor benefits, such as:
 - 1. Private foundation survivor benefits programs.
 - 2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by probation associations and other organizations.
- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
 - 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.
- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Line-of-Duty Deaths

829.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief Probation Officer and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
 - 1. Paying survivors' travel costs if authorized.
 - 2. Transportation costs for the deceased.
 - 3. Funeral and memorial costs.
 - 4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

829.7 PRESS INFORMATION OFFICER

In the event of a line-of-duty death, the department's Public Information Officer, Chief Probation Officer, or the authorized designee should be the department's contact point for the media. As such, the Public Information Officer should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that department members are instructed to direct any media inquiries to the Public Information Officer.
- (c) Prepare necessary press releases.
 - 1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 - 2. Ensure that important public information is disseminated, such as information on how the public can show support for the department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief Probation Officer or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.
 - 1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies, and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Line-of-Duty Deaths

The identity of deceased members should be withheld until the member's survivors have been notified. If the media have obtained identifying information for the deceased member prior to survivor notification, the Public Information Officer should request that the media withhold the information from release until proper notification can be made to survivors. The Public Information Officer should ensure that media are notified when survivor notifications have been made.

829.8 CHAPLAIN

A designated chaplain may serve a significant role in line-of-duty deaths. Duties may include but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support, or other matters as appropriate.
- Assisting liaisons and coordinators with their assignments as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

829.9 INVESTIGATION OF THE INCIDENT

The Chief Probation Officer shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends, or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

829.10 LINE-OF-DUTY DEATH OF A PROBATION DEPARTMENT ANIMAL

The Chief Probation Officer may authorize appropriate memorial and funeral services for probation department animals killed in the line of duty.

829.11 NON-LINE-OF-DUTY DEATH

The Chief Probation Officer may authorize certain support services for the death of a member not occurring in the line of duty.

Chapter 9 - Juvenile Custody

Administration - Article 3 Training, Personnel and Management

900.1 PURPOSE

To establish policies for the administration and operation of Trinity County Juvenile Hall.

900.2 ESTABLISHMENT AND CONTROL 4277 CAC

- (a) Trinity County's Juvenile Hall is established and maintained in a location approved by the Trinity County Superior Court Judge. The Juvenile Hall is under the management and control of the Trinity County Chief Probation Officer.
- (b) The Juvenile Justice Commission serves as an "over-sight" group of concerned citizens, including a health and fire inspector, who volunteer their time and energy in support of the Institution as well as with youth in general. They are obligated by statute to inspect the Juvenile Hall once per year and make recommendations as necessary.
- (c) The Trinity County Office of Education operates Juvenile Hall's school program. The Juvenile Hall Supervisor acts in collaboration with the school administration and Court School teacher to develop programs to best serve all involved.
- (d) The Board conducts inspections and oversees the standards. They are entitled to such juvenile criminal history information as is necessary for the conduct of facility inspections. (Title 15 CCR, Article 3, Section 1312).

900.3 PERSONNEL MANAGEMENT 4279 CAC

- (a) Juvenile Hall personnel are appointed by the Trinity County Chief Probation Officer pursuant to county personnel rules and are subject to removal, for cause, pursuant to such rules. The Juvenile Hall has personnel to carry out its program, including but not limited to the following:
- (b) Juvenile Hall Superintendent is in charge of the daily Juvenile Hall operation and its employees.
 - (a) The Superintendent has the authority to vary staff assignments to meet special program needs (such as behavior control, emergencies, recreational and educational activities, visiting, etc.), and sufficient child supervision staff are assigned to provide continuous wide-awake supervision in compliance with a minimum ward-staff ratio. There is a Senior Corrections Counselor or Lead Corrections Counselor assigned to each shift to ensure supervisory oversight and decision-making.
 - (b) Food services are provided by Trinity County Adult Detention Facility. This facility maintains full time cooks that are qualified to plan menus, meeting the nutritional requirements of the specific gender and ages of youth groups. Health inspections will be the responsibility of the Trinity County Adult Detention Facility with a copy of that inspection being provided to the Chief Probation Officer.
 - (c) Sufficient administrative, clerical, recreational, building maintenance, health worker, mental health worker, and other support staff are provided at the hall or

Trinity County Probation Department

New Probation Manual

New Probation Manual

Administration - Article 3 Training, Personnel and Management

through the Probation Department for the efficient management of the facility to ensure that child supervision staff will not be diverted from supervising youth.

- (d) Supervision of staff is maintained through a simple flow chart of authority owing to a small organization. The Chief Probation Officer supervises the Juvenile Hall Superintendent and they are always on call to answer the needs of Hall staff. The Superintendent supervises the Senior Counselor and Shift Lead Counselor who oversee all other counselors.
- (e) Procedures for changing policies and notifying staff occur in several ways relative to the scope and severity of the change. Major policy changes require formal written notice to staff, general staff meetings, and change in the policy manual. Minor policy changes take place through written memorandum, logbook entry, and/or oral communication through the chain of command.
- (f) Procedures designed to ensure proper implementation of new policies take place through direct supervision from the Juvenile Hall Superintendent.

Appointments and Qualifications - Article 3 Training, Personnel and Management

901.1 PURPOSE

To provide guidance on qualifications of Juvenile Hall staff pursuant to applicable provisions of law.

901.2 POLICY (TITLE 15 CCR, SECTION 1320)

- (a) Appointment: All Trinity County Juvenile Hall staff will be appointed by the Chief Probation Officer including the Superintendent who is in charge of Juvenile Hall program and employees.
- (b) Qualifications:
 - (a) Trinity County Juvenile Hall will recruit and hire employees who possess knowledge, skills and abilities appropriate to their job classification and duties in accordance with applicable civil service rules. The preferred education requirement is an associate degree with emphasis in psychology, counseling, or a related field, or one year of experience in working with youthful offenders, or an equivalent combination of education and experience. In addition, child supervision staffs who are acting in a peace officer capacity, i.e. Corrections Counselor, are required to possess a valid certificate of completion of P.C. 832 Course.
 - (b) Require a physical evaluation and physical examination including tuberculosis screening test and evaluation for immunity to contagious illnesses of childhood, i.e., diphtheria, rubella (regular measles), and rubella (German measles), and mumps.
 - (c) Conduct a criminal record review on each new employee.
 - (d) Require a psychological examination, pursuant to Section 1031 of the Government Code.
 - (e) Trinity County will provide the Hepatitis B vaccination series to all Juvenile Hall employees through the Health Department
 - (f) Contract personnel, volunteers, and other non-employees of the facility, who may be present at the facility, shall have clearance and qualifications that are required by law. They will be under the control and have the approval of the facility superintendent. Fingerprints are done by appointment.
 - (g) Adhere to the minimum standards for the selection and training requirements adopted by the Board pursuant to Section 6035 of the Penal Code.

Staffing - Article 3 Training, Personnel and Management

902.1 PURPOSE

To provide guidance regarding supervision and training of Juvenile Hall staff pursuant to applicable provisions of law.

902.2 POLICY (TITLE 15 CCR, SECTION 1321)

- (a) Trinity County will have an adequate number of personnel to carry out the overall facility operation and its programming, and meet established standards and regulations. No required services will be denied because of insufficient staff on duty.
- (b) The facility will have or have access to necessary food service personnel, administrative, clerical, recreational, medical/dental, mental health, building maintenance, transportation, control room, institutional security and other support staff for the efficient management of the facility, and to ensure that the youth supervision staff are not diverted from supervising the youth.
- (c) The Trinity County Sheriff's Department jail kitchen prepares the food that meets the nutritional standards. The TCSO will have qualified staff available to plan menus meeting the nutritional requirements of the gender and age groups fed; provide kitchen supervision; direct food preparation and servings; conduct related training programs for culinary staff; and maintain necessary records.
- (d) The department will maintain a Senior Corrections Counselor and a Lead Corrections Counselor for night shift to ensure adequate supervision of all operations and activities in the juvenile hall.
- (e) The senior-most staff member, in the absence of the above supervisors, is designated as shift supervisor for operations and activities in the juvenile hall. This staff member will have completed the Juvenile Corrections Officer Core Course and PC 832 training.
- (f) Trinity County Juvenile Hall Superintendent has the authority to vary staff assignments to meet special program needs such as behavior control emergencies, recreational and educational activities, visiting, etc.
- (g) Sufficient youth supervision staff are assigned to provide continuous wide-awake supervision in compliance with a minimum ward-staff ratio in the following order:
 - (a) During hours that youth are awake, one wide-awake youth supervision staff members on duty for each 10 youth per unit.
 - (b) During the hours that youth are confined to their rooms for the purpose of sleeping, one wide-awake youth supervision staff members on duty for each 30 youth per unit.
 - (c) At least two wide-awake youth supervision staff members on duty at all times, regardless of the number of youth in detention, unless an arrangement has been made for backup support services which allow for immediate response

Trinity County Probation Department

New Probation Manual

New Probation Manual

Staffing - Article 3 Training, Personnel and Management

to emergencies. There will be at least one staff member present in the unit whenever there is/are youth in the unit.

- (d) There will be at least one youth supervision staff member on duty that is the same gender as the youth who are housed in the facility. The on-call Probation Officer is to be notified and they will authorize extra help or a Probation Officer to come in to cover that shift if this issue arises.
- (e) If additional staff is needed in an emergency due to an increase in population or a physical altercation then the shift lead will make the phone calls to bring in additional staff.
- (f) Personnel with primary responsibility for other duties such as administration, supervision of personnel, academic or trade instruction, clerical, farm, forestry, kitchen, or maintenance shall not be classified as child supervision staff positions.

902.3 CAMP STAFFING

- (a) The Trinity County Camp will have an adequate number of personnel to carry out its program. The facility will have access to food service personnel, administrative, clerical, recreation, medical/dental, mental health, building maintenance, and other support staff for the efficient management of the facility, and to ensure that the youth supervision staff are not diverted from supervising youth.
- (b) During the hours that youth are awake, there shall be one (1) wide- awake youth supervision staff member on duty for each 15 youth in the camp population. During the hours that youth are confined to their room for the purpose of sleep, one (1) wide-awake youth supervision staff member on duty for each 30 youth in the facility. There shall be at least two (2) wide-awake youth supervision staff members on duty at all times, regardless of the number of youth in residence, unless arrangements have been made for backup support services which allow for immediate response to emergencies.
- (c) At least one child supervision staff member on duty who is the same gender as youth housed in the facility. The on-call Probation Officer will be called if there is a gender issue
- (d) In addition to the minimum staff to youth ratio, consideration shall be given to the size, design, and location of the camp; types of offenders committed to the camp; and the function of the camp in determining the level of supervision necessary to maintain the safety and welfare of youth and staff.
- (e) Personnel with primary responsibility for other duties such as administration, supervision of personnel, academic or trade instruction, clerical, farm, forestry, kitchen, or maintenance shall not be classified as youth supervision staff positions.

902.4 USE OF KEYS

There are four (4) sets of facility keys kept in the control room; staff shall have one set of facility keys on them when out of the control room. There are two keys that will open the inner-doors to the control room: one in the control room and one in the reception office. To keep the security of

Trinity County Probation Department

New Probation Manual

New Probation Manual

Staffing - Article 3 Training, Personnel and Management

the control room, staff will not keep any keys on their person that can open a door leading to the outside or to the control room while on the dayroom floor.

- (a) When there are only two staff members on a shift the facility will switch to using the facility keys and control room key to navigate between the control room and the rest of the facility. The dayroom floor will have a staff member present at all times.
- (b) If there is a situation where a second staff member is needed then the staff in the control room will use the facility keys and control room key to navigate to the needed area(s).
- (c) If the staff member on the dayroom floor needs to take a break, the control room staff will use the facility keys and key to the control room to relieve the staff on the floor. The staff going up to the control room will take the control room key with them to help preserve the safety of the facility.
- (d) In the event that there is one staff on the floor supervising the youth and one staff in the control room; any switching of positions must be conducted by the officer in the booth to assure that there is a staff member on the floor at all times.
- (e) If a booking arrives at the facility when there are only two staff members working; the booth officer will forward the facility phone line to the phone at the desk on the dayroom floor. The booth officer will use the facility keys and control room key to leave the booth. NOTE: Any youth being released will be done during day time hours.
- (f) After determining the validity of the booking and starting the initial booking process on the detained youth, the booth officer will secure the youth in the holding cell and manually release the arresting officer from the facility. Staff will provide direct visual supervision and documentation of the youth's behavior and any staff interventions every 15 minutes, with the actual time recorded. Any phone calls that need to be made can be done from the booking room.
- (g) If a youth comes into the facility that is belligerent or impaired due to drugs or alcohol, the youth must have a medical clearance in compliance with Article 5 III. 6. If the youth has been medically cleared for a booking then they will be placed in the holding cell on a temporary basis.
- (h) If it is necessary to keep the youth beyond the time allotted for doing the booking because the youth remains intoxicated or unruly the youth will be treated in accordance with Title 15, Section 1359, The Safety Room will only be used if the youth presents as an immediate danger to themselves or others, who exhibits behavior which results in the destruction of property, or reveals intent to cause self-inflicted physical harm. Approvals for placement and documentation for the use of the safety room will be in conformance with Title 15, Section 1359.
 1. Staff will provide continuous direct supervision and documentation of the youth's behavior and any staff interventions every 5-15 minutes, with actual time recorded. This policy is in compliance with Title 15 Section 1359, Use of a Safety Room. The safety room described in Title 24, Section 1230.1.13, and shall be used to hold only those youth that present an immediate danger to themselves or others, or who exhibit behavior which results in the destruction of property or reveals intent to cause physical harm to self or others.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Staffing - Article 3 Training, Personnel and Management

- (i) The booking officer will contact the on-call Probation Officer or an officer that can come in immediately. If the youth has to remain in the holding cell, it will be the booking officer's responsibility to remain in direct observation of the detained youth, documenting the youth's action and general observations every 15 minutes (a notation will be made if the room check is over the 15 minutes as to why it could not be done). This documentation will be in writing and in compliance with Title 15 Section 1328.
- (j) If the on-call Probation Officer or other staff are called in because the youth is being detained in holding or safety cell; see if the arresting officer is available to stay until the arrival of the third staff member.
- (k) When the control room is left unattended, a log entry will be made in the log book.
- (l) When a booking comes in during the graveyard shift when there are only two staff members on the in custody youth will be directed to their cells to decrease any emergencies that may happen on the dayroom floor.
- (m) In the event of an emergency during a booking (assault, medical, etc), the staff member on the dayroom floor will use the county radio or the phone to request immediate assistance from the Sheriff's Department, medical support, etc. This staff member will also call the on-call Probation Officer or an officer for immediate support back up and extra shift staff.
- (n) In the event of an emergency on the dayroom floor (assault in a cell, suicide attempt, etc) during a booking, will have the new intake go into the holding cell. They will then use the phone in the booking area to call the Sheriff's Department, medical support, etc for immediate assistance. The on call Probation Officer will also be called for support back up and extra shift staff.
- (o) If any of the above events take place, the on call officer will cover as extra staff until all events and steps have been taken to return the facility to its regular routine.
- (p) The staff member in the control room will, maintain all daily records, finish any reports, filing, scheduling issues, etc. This staff member while in the control room will be alert for any alarms, any intercom usage, phone calls, etc.

Graveyard - Article 3 Training, Personnel and Management

903.1 PURPOSE

To outline staff duties and procedures during the night shift.

903.2 POLICY

- (a) Staff is to remain alert, aware, and awake during the graveyard shift in order to provide the necessary supervision of the youth in custody.
- (b) Staff will not engage in activities that will prevent or limit their supervision and security awareness. Duties will be arranged so that at least one staff is focusing entirely on security and supervision.
- (c) Room checks and ground checks must be made with the off-going AM staff. Check the Juvenile Hall Roster and logbook to verify the population in the hall. Once the population is verified and ground check clear, sign-in in the logbook. Make sure to check that all doors are locked; verify that each child is safe and secure and in their assigned sleeping area. See Section 4-3 for conducting room checks.
- (d) Always notify your co-worker and obtain additional backup before opening any youth's door. Under normal circumstances, staff should not open sleeping room doors during the graveyard shift. During emergencies or special situations and staff must gain access to a youth's room, staff must exercise good judgement and, if necessary, obtain additional backup before entering.
- (e) Unless a situation(s) occurs to prevent it complete the routine tasks at the beginning of graveyard shift. This allows staff ample time to complete and review all duties and to ensure that these duties are completed satisfactorily.

903.3 PROCEDURES

- (a) Daily Duties:
 - 1. Print out new Juvenile Hall roster sheet. Fax to Trinity Pharmacy at 623-9419 and place the original in the medical folder.
 - 2. File all papers and materials found in the designated area for filing.
 - 3. Be sure the folders of all booked or released youth are completed before filing them.
 - (a) Book/Release entries have been made and book/release forms completed **.
 - (b) All materials are secured on the appropriate fasteners.
 - 4. Clean and mop the medical room and Control room, ensure it is organized and ready to go for the on-coming shift. Empty all wastebaskets. Check the bio-hazard cans and empty if needed.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Graveyard - Article 3 Training, Personnel and Management

5. Ensure all laundry not completed by youth on laundry detail is bagged correctly, and put away.
 6. Total all points nightly on the points & level sheet and written up in the dayroom for youth to view.
 7. Clean out old items from the refrigerator – any lunch over two days old is to be thrown away. Organized milk by date and thrown away any milk past its expiration date.
 8. Check all furniture in the day room for contraband, graffiti, loose screws, nails, and serviceability.
 9. Check all fluids for dishwasher, washing machine, and room cleaning chemicals.
 10. Complete all other duties as directed.
- (b) Weekly Duties:
1. Sunday:
 - (a) Check property in the property area to ensure that the youth's property is secure and to see if any property has been left by released youth.
 - (b) Clean and organize/re-organize the property area.
 - (c) Get linen ready for the youth to change their bedding.
- (c) Monthly Duties:
1. Get blankets ready for the youth to change on the end last day of the month.

Child Supervision Staff Training - Article 3 Training, Personnel and Management

904.1 PURPOSE

To provide guidance regarding supervision and training for the staff of Juvenile Hall staff pursuant to applicable provisions of law.

904.2 POLICY (TITLE 15 CCR, SECTION 1322)

- (a) Trinity County participates in the Standards and Training in Corrections (STC) training program administered by the Board. When necessary Trinity County will train beyond the STC standards.
- (b) Corrections Counselors prior to exercising the powers of a peace officer will successfully complete the training pursuant to PC 830/832.
- (c) Corrections Counselors will have responsibility for the supervision of youth but not sole supervision of youth until the Juvenile Corrections Officer Core Course and PC 832 training has been completed. In addition, all benefited employees must attend 24 hours a year of STC training to be scheduled by the STC training officer.
- (d) Prior to assuming any responsibility or any supervision responsibility, Corrections Counselors and all other facility staff will receive an in house training program for a minimum of 40 hours. This training is designed so that each officer shall be properly oriented in his or her duties, including:
 - 1. The kind of decisions they must make.
 - 2. Identify their supervisor(s).
 - 3. The persons who may be responsible to them.
 - 4. The persons to contact for decisions that are beyond their responsibility.
 - 5. Ethical responsibilities.
 - 6. Youth supervision duties.
- (e) Such training includes but is not limited to:
 - (a) Individual and group supervision techniques for standard and special needs youth.
 - (b) Regulations and policies relating to the discipline and basic rights of youth pursuant to law and Title 15 Division 4, Chapter 3, Subchapter 3, which are included in this manual, as this manual is required reading during this orientation training, including all policies and procedures referencing trauma and trauma-informed approaches.
 - (c) Health, sanitation and safety measures including first aid and elementary resuscitation (CPR).
 - (d) When, how, what kind, and under what conditions use of force, de-escalation techniques, chemical agents, mechanical and physical restraints are utilized.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Child Supervision Staff Training - Article 3 Training, Personnel and Management

- (e) Procedures to follow in the event of emergencies such as escapes, riots, bomb threats, homicides, suicide attempts, emotional crisis, and other incidents involving violence or potential violence.
- (f) Suicide prevention and response to suicide attempts.
- (g) Procedures to follow and practice of routines in the event of emergencies such as fires, earthquakes, floods and other natural disasters.
- (h) Routine security measures, including facility perimeter and grounds.
- (i) Documentation.
- (j) Counseling techniques such as crisis intervention and mental health referrals to mental health services.
- (k) Setting goals for youth and reviewing their progress in the program.
- (l) Staff Development.
- (m) Updating the staff on changes relating to policies and procedures, law and basic rights of youth.
- (n) Fire and Life Safety Training (Title 15 CCR, Article3, Section 1325).

Senior Corrections Counselor Job Description - Article 3 Training, Personnel and Management

905.1 DEFINITION

Under direction, to act as a lead worker over activities and programs within the Juvenile Hall on an assigned shift; to act as duty officer in charge of the institution in the absence of management personnel; to provide for the counseling, care, welfare and custody of the wards at Juvenile Hall; and to perform related work as required.

905.2 SUPERVISION RECEIVED AND EXERCISED

Receives direction from the Juvenile Hall Superintendent. Exercises lead supervision over Corrections Counselors.

905.3 EXAMPLES OF DUTIES

Duties may include, but are not limited to, the following:

- (a) Assign and direct the work of subordinate staff providing for the counseling, care, welfare and custody of juveniles; train new staff and facilitate their development into fully functioning group counselors.
- (b) Consult with management staff and coordinate with probation officers and others regarding the conduct, attitudes and special problems of youth.
- (c) Plan, organize and supervise programs for a group of youth, including such activities as housekeeping chores, personal hygiene, meals and recreational activities.
- (d) Maintain order and effective discipline and instruct in acceptable behavior; take proper action with non-cooperating youth.
- (e) Maintain visual surveillance and follow prescribed security measures; remain alert for potential problems and take measures to reduce tensions, avoid possible violence and assist residents who are ill; follow appropriate procedures in the event of emergency or crisis situations.
- (f) Observe and record information concerning youth's behavior, attitude, appearance, interests and skills; maintain necessary logs and reports.
- (g) Attend and participate in staff meetings; may participate on counseling teams in the development of plans for youth.
- (h) Receive, admit and release youth upon receipt of proper authority, contact parents, probation officers, law enforcement and other individuals as required.
- (i) Complete appropriate forms and orient newcomers; issue clothing and assign quarters; explain the purpose and procedures of the Juvenile Hall.
- (j) May be assigned to housekeeping and other chores at the Juvenile Hall.
- (k) May transport youth, as necessary, for medical care, court appearances and other needs.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Senior Corrections Counselor Job Description - Article 3 Training, Personnel and Management

(f) Perform related duties as assigned.

905.4 MINIMUM QUALIFICATIONS

(a) Knowledge of:

1. Principles of employee training and supervision.
2. Appropriate disciplinary measures and pertinent legal rights of youth.
3. Laws and regulations governing juvenile detention facility administration.
4. Factors which influence human behavior.
5. Common youth problems and their causes.
6. Techniques for supervising and directing work and leisure time activities.
7. Practices and procedures used in the detention, custody and care of youthful offenders.
8. Principles and practices of individual and group counseling within a rehabilitative setting.
9. Basic interviewing and investigative techniques and procedures.
10. The criminal justice system, particularly as it relates to youthful offenders.
11. Health and sanitation standards and measures, including first aid and cardiopulmonary resuscitation.

(b) Ability to:

1. Supervise, instruct, train and evaluate subordinate personnel.
2. Learn, follow, interpret and enforce facility rules and regulations.
3. Supervise and direct a group of youth in work and recreation activities.
4. Maintain discipline in a fair and tactful manner.
5. Evaluate situations and people accurately and make sound decisions regarding potential behavior problems.
6. Obtain and maintain the respect, rapport and confidence of youth.
7. Respond calmly and appropriately to emergency and crisis situations.
8. Establish and maintain effective relationships with those contacted in the course of the work.
9. Communicate effectively orally and in writing.

(c) Experience and Training: Any combination of experience and training that would provide the required knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities would be: One year of experience comparable to that obtained as a Corrections Counselor, OR completion of twenty one (21) semester hours of course work at an accredited college or university in criminology, sociology, psychology, social work, criminal justice or a related field.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Senior Corrections Counselor Job Description - Article 3 Training, Personnel and Management

-
- (d) ~~License or Certificate. Possession of a valid driver's license is required at the time of appointment and for continued employment in this classification.~~
- (e) Special Requirements: California Government Code Sections 1029 and 1031 special the following minimum standards for Corrections Counselors:
1. Must be at least 21 years of age at the time of application.
 2. Must have no prior felony convictions unless fully pardoned.
 3. Must be of good moral character as determined by a thorough examination of background, including fingerprint check.
 4. Must pass a physical and psychological examination and be free of any physical, emotional or mental condition, which might adversely affect the powers of a peace officer.
 5. Must be an U.S. citizen or permanent resident alien who is eligible for and has applied for U.S. citizenship.
 6. Must possess a high school diploma or its equivalent.
- (f) Additional Requirements:
1. Possession of and subsequently maintain, current Basic First Aid and Cardiopulmonary (CPR) certificates.
 2. Successful completion of 832 Penal Code Training (arrest, search and seizure).
 3. Successful completion of 176 hours of instruction in the Basic Institution Worker's Course as certified by the Board. Must successfully complete 24 hours of annual training as certified by the Board designated as continuing education to update and improve job knowledge and skills.
 4. Willingness and availability to work nights, weekends and holidays.
 5. Sufficient strength and dexterity to physically restrain hostile youth.

Corrections Counselor Job Description - Article 3 Training Personnel and Management

906.1 DEFINITION

Under supervision, to provide for the counseling, care, welfare and custody of the wards at Juvenile Hall; and to perform related work as required.

906.2 SUPERVISION RECEIVED AND EXERCISED

- (a) Receives general supervision from the Juvenile Hall Superintendent, and technical and lead supervision from the Senior Corrections Counselor.
- (b) EXAMPLES OF DUTIES - Duties may include, but are not limited to, the following:
 - 1. Plan, organize and supervise programs for a group of youth, including such activities as housekeeping chores, personal hygiene, meals and recreational activities.
 - 2. Maintain order and effective discipline and instruct in acceptable behavior; take proper action with non-cooperating youth.
 - 3. Maintain visual surveillance and follow prescribed security measures; remain alert for potential problems and take measures to reduce tensions, avoid possible violence and assist residents who are ill; follow appropriate procedures in the event of emergency or crisis situations.
 - 4. Observe and record information concerning youth behavior, attitude, appearance, interests and skills; maintain necessary logs and reports.
 - 5. Attend and participate in staff meetings; may participate on counseling teams in the development of plans for youth.
 - 6. Receive, admit and release youth upon receipt of proper authority, contact parents, probation officers, law enforcement and other individuals as required.
 - 7. Complete appropriate forms and orient newcomers; issue clothing and assign quarters; explain the purposes and procedures of the Juvenile Hall.
 - 8. May be assigned to housekeeping and other chores at the Juvenile Hall.
 - 9. May transport youth, as necessary, for medical care, court appearances and other needs.

906.3 MINIMUM QUALIFICATIONS

- (a) Knowledge of:
 - 1. Factors which influence human behavior.
 - 2. Common youthful problems and their causes.
 - 3. Techniques for supervising and directing work and leisure time activities.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Corrections Counselor Job Description - Article 3 Training Personnel and Management

4. Practices and procedures used in the detention, custody and care of youthful offenders.
 5. Principles and practices of individual and group counseling within a rehabilitative setting.
 6. Basic interviewing and investigative techniques and procedures.
 7. The criminal justice system, particularly as it relates to youthful offenders.
 8. Health and sanitation standards and measures, including first aid and cardiopulmonary resuscitation (CPR).
- (b) Ability to:
1. Learn, follow, interpret and enforce facility rules and regulations.
 2. Supervise and direct a group of youth in work and recreation activities.
 3. Maintain discipline in a fair and tactful manner.
 4. Evaluate situations and people accurately and make sound decisions regarding potential behavior problems.
 5. Obtain and maintain the respect, rapport and confidence of youth.
 6. Respond calmly and appropriately to emergency and crisis situations.
 7. Establish and maintain effective relationships with those contacted in the course of the work.
 8. Communicate effectively orally and in writing.
- (c) Experience and Training: Any combination of experience and training that would provide the required knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities would be: Six months of experience working with juvenile offenders; OR completion of fifteen (15) semester hours of course work at an accredited college or university in criminology, sociology, psychology, social work, criminal justice or a related field.
- (d) License or Certificate: Possession of a valid driver's license is required at the time of appointment and for continued employment in this classification.
- (e) Special Requirements: California Government Code Sections 1029 and 1031 specify the following minimum standards for Corrections Counselors:
1. Must be at least 18 years of age at the time of application.
 2. Must have no prior felony convictions unless fully pardoned.
 3. Must be of good moral character as determined by a thorough examination of background, including fingerprint check.
 4. Must pass a physical and psychological examination and be free of any physical, emotional or mental condition that might adversely affect the powers of a peace officer.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Corrections Counselor Job Description - Article 3 Training Personnel and Management

5. Must be an U.S. citizen or permanent resident alien who is eligible for and has applied for U.S. citizenship.
 6. Must possess a high school diploma or its equivalent.
- (f) Additional Requirements:
1. Possession of or ability to obtain within ninety (90) days of employment and subsequently maintain current Basic First Aid and Cardiopulmonary (CPR) certificates.
 2. Successful completion of 832 Penal Code Training (arrest, search and seizure) within 1 year of employment.
 3. Successful completion of 176 hours of instruction in the Basic Institution Worker's Course as certified by the California Corrections Standards Authority within one (1) year of employment. Thereafter, must successfully complete 24 hours of annual training as certified by the California Corrections Standards Authority designated as continuing education to update and improve job knowledge and skills.
 4. Willingness and availability to work nights, weekends and holidays.
 5. Sufficient strength and dexterity to physically restrain hostile youth.

Transportation Officer Job Description - Article 3 Training, Personnel and Management

907.1 PURPOSE

To establish duties and responsibilities for Corrections Counselors.

907.2 POLICY

- (a) Actively supports Probation Department and Juvenile Hall policies. Reviews the Manual periodically.
- (b) Familiarizes himself/herself with all hall procedures and is cognizant of all changes and/or new procedures.
- (c) Attends general staff meetings and in-service training sessions as scheduled.
- (d) Informs medical personnel of any situation in need of their attention.
- (e) Takes appropriate action in emergency situations, i.e., fire, riot, injury, suicide attempt, destruction of property; uses necessary first aid procedures.
- (f) Coordinates work with the Senior Corrections Counselor and communicates and follows through with assignments.
- (g) Maintains security and safety and is alert for potential problems before they culminate.
- (h) Records necessary activities in the log and is observant of all matters necessitating reports.
- (i) Takes corrective action and makes recommendations to supervisors when irregularities occur.
- (j) Is responsible to remain alert, aware, and awake during transports in order to provide the necessary care and supervision of youth in their custody.
- (k) Maintains transportation log and keep in touch with hall staff as to whereabouts.
- (l) Make sure all medications and personal property is given to the appropriate person(s).
- (m) Must inform hall staff of upcoming transports and whether a meal is needed for any youth.
- (n) Arrange for extra transport staff if needed for safety.
- (o) May have to start or help with the booking.
- (p) Must have youth chained/handcuffed and shackled appropriately.
- (q) Must have proper use of radio codes.

Fire and Life Safety - Article 3 Training, Personnel and Management

908.1 PURPOSE

To provide guidance on the training standards for fire and life safety to Juvenile Hall staff.

908.2 POLICY (TITLE 15 CCR, SECTION 1323)

- (a) Whenever there is a detained youth in Juvenile Hall, there shall be at least one wide person on duty at all times who meets the training standards established by the Board for general fire and life safety that relate to this facility.
- (b) Weaverville Fire Department and Trinity Life Support will provide Fire and Life Safety training using the guidelines as set forth in the Fire and Life Safety Instructors manual as published by the Department of Corrections and California Department of Forestry and Fire Protection.
- (c) New staff shall receive Fire and Life Safety training as part of their initial orientation and training. Annually all staff will repeat this course.
- (d) All staff will be familiar with the Evacuation Plan (Emergency Procedures-6) and Fire (Emergency Procedures-7).

Policy and Procedures Manual - Article 3 Training, Personnel and Management

909.1 PURPOSE

To provide an organized format for the Juvenile Hall Policies and Procedures Manual.

909.2 POLICY (TITLE 15 CCR, SECTION 1324)

- (a) The Juvenile Hall Manual will be organized in the manner outlined below. All directives in the manual will be placed in the appropriate section and assigned a number within that section.
- (b) The manual will be arranged in sections as follows:
 - 1. TABLE OF CONTENTS
 - 2. TRAINING, PERSONNEL AND MANAGEMENT
 - 3. RECORDS AND PUBLIC INFORMATION
 - 4. CLASSIFICATION AND SEPARATION
 - 5. PROGRAMS AND ACTIVITIES
 - 6. DISCIPLINE
 - 7. HEALTH SERVICES
 - 8. FOOD
 - 9. CLOTHING AND PERSONAL HYGIENE
 - 10. BEDDING AND LINEN
 - 11. APPENDIX
- (c) Directives will be arranged in alphabetical order and assigned a directive number. Pages will be numbered by directive.
- (d) The manual will also be used as a training manual and made accessible to the Board upon request. The records relating to the standards and requirements set forth in these regulations are accessible to the Board.
- (e) The manual shall include:
 - 1. Table of organization, including channels of communications and a description of job classifications.
 - 2. Responsibility of the probation department, purpose of programs, relationships to the juvenile court, the Juvenile/Delinquency Prevention Commission or Probation Committee, probation staff, school personnel, and other agencies that are involved in juvenile facility programs.
 - 3. Responsibilities of all employees.
 - 4. Initial orientation and training program for employees (see training manual)

Trinity County Probation Department

New Probation Manual

New Probation Manual

Policy and Procedures Manual - Article 3 Training, Personnel and Management

5. Initial orientation, including safety and security issues, and anti-discrimination policy for support staff, contract employees, school mental/behavioral health and medical staff, program providers, and volunteers. There is an orientation sheet for all “other” personnel to read and sign. Each signed sheet will be filed in the orientation binder that is labeled and located in the control room.
6. Maintenance of record-keeping, statistics and communication system to ensure:
 - (a) efficient operation of the juvenile facility
 - (b) legal and proper care of youth
 - (c) maintenance of individual youth’s records
 - (d) supply of information to the juvenile court and those authorized by the court or by the law.
 - (e) release of information regarding youth
7. Ethical responsibilities- Employees must exercise sound professional judgment and seek supervisory input when necessary. Personal, political or religious beliefs should be kept separate from the employee’s departmental role. In any case in which there is a potential conflict, the employee shall advise the immediate supervisor so appropriate action can be taken.
8. Trauma-informed approaches - In all aspects of facility operations, incorporating the six keys principles of trauma informed approach; safety, trustworthiness and transparency, peer support, collaboration and mutuality, empowerment voice and choice, and cultural, historical and gender issues.
9. Culturally responsive approaches - Policies reflecting an understanding of the values, beliefs and behaviors of various cultures.
10. Gender responsive approaches - Policies emphasizing the unique circumstances and needs of various genders.
11. All employees of the Trinity County Probation Department shall not discriminate against anyone we come in contact with. All youth in our care will have fair equal access to all of our services, placements, care, treatment, and benefits. No youth shall be subject to discrimination or harassment on the basis of actual or perceived race, ethnicity, national origin, immigration status, color, religion, gender, sexual orientation, gender identity, gender expression, mental or physical disability, or communicable disease status, including restrictive housing or classification decisions based solely on any of the above mentioned categories.
12. Storage and maintenance requirements for any chemical agents, and related security devices used in the facility.
13. Procedures for collection of Medi-Cal eligibility information and enrollment of eligible youth.
14. Policy that prohibits all forms of sexual abuse, sexual assault and sexual harassment, including approaches to preventing, detecting and responding to

Trinity County Probation Department

New Probation Manual

New Probation Manual

Policy and Procedures Manual - Article 3 Training, Personnel and Management

such conduct and any retaliation for reporting such conduct, as well as provisions for reporting such conduct by youth, staff or a third party.

- (f) The manual will be reviewed at minimum every two years and updated as necessary by the Superintendent. Changes will be indicated in the table of contents.

Fire Safety Plan - Article 3 Training, Personnel and Management

910.1 PURPOSE

To provide instructions in Fire Inspection and Life Safety to Juvenile Hall staff.

910.2 POLICY (TITLE 15 CCR, SECTION 1325)

- (a) Fire Prevention Plan: fire prevention for Juvenile Hall begins with inspecting the facility for any hazards or potential hazards that may jeopardize the safety of the youth and staff. All staff is responsible for ensuring that all materials are properly stored and that all emergency equipment is operational, if emergency equipment is not operational, ensure that the Superintendent is to be notified immediately.
1. Detainees start most fires in detention facilities. It is important to ensure that youth do not have access to matches, lighters or flammable products. Magazines in the youth's rooms should be stored neatly; if staff observes the destruction of the magazines they should be removed immediately as the youth could use the destroyed pages as combustible material.
 2. Ensure that all flammables are properly stored in the storage shed outside the building
 3. Ensure that all electrical appliances are properly grounded and inspect all electrical cords for damage prior to use. Only use extension cords in temporary or emergency conditions when youth are present. Proper sized light bulbs shall be used in light fixtures in both the interior and exterior of the building.
 4. Do not use flammable cleaning products inside the building when youth are present; when utilized be extremely cautious. Do not use flammable-cleaning products around an open flame, i.e.: pilot lights.
 5. Staff will ensure that all combustible materials are not stored near a flame, i.e., pilot light for water heater in the attic, stovetop, etc.
 6. Smoking by staff is allowed in the designated smoking areas, which is outside of the building. Ashtrays must be utilized to extinguish smoking material.
 7. Staff will ensure that all trash containers are emptied at the end of each shift.
 8. Staff will report to the Superintendent any malfunctioning equipment, immediately i.e.; stoves, emergency egress lighting, fire extinguishers, heating and air conditioning, etc.
 9. Staff will check the vents for the stove each shift for grease and dust, and clean (wash in sink and use the sanitizer) as needed.
 10. Staff will ensure that all combustible debris and rubbish are removed and safely disposed of outside of the building.
 11. The Superintendent or Trinity County Maintenance Department will inspect the filters for heating and air conditioning quarterly and replace as need.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Fire Safety Plan - Article 3 Training, Personnel and Management

12. Staff will ensure that fire doors are clear of any obstructions.
- (b) The Superintendent or the Senior Corrections Counselor will conduct a MONTHLY Fire and Life Safety Inspection. The Monthly Fire Safety Inspection Guide will be utilized (See attached form: Monthly Fire Safety Inspection Guide in the Appendix). The monthly inspection report will be maintained on file for two years in the Monthly Fire Safety Inspection File.
- (c) The Superintendent will ensure that a fire inspection is conducted pursuant to The Health and Safety Code, Section 13146.1 (a) and (b), which is conducted ANNUALLY. An inspector from the Weaverville Fire Department usually accomplish these inspections.
- (d) Fire Drills and Evacuation: Fire drills and evacuations will be conducted QUARTERLY. The Senior Counselor or Shift Lead is responsible to conduct one fire drill per quarter. A Fire Drill Log will be kept in the Control Room to record fire drills. Staff will insure that the time, date, staff member(s) conducting the drill, and comments are placed in the appropriate section in this log. This log will be retained for a two-year period (Section 1325 (b)). In case of a real evacuation from the hall is warranted, see Emergency Procedures "Evacuation" for details.
- (e) Fire Suppression Preplan: The Weaverville Fire Department is responsible for all first alarm fire calls to Juvenile Hall. Access to the interior of Juvenile Hall or the fenced area will be granted by either staff or with the use of keys (inside the bag, top drawer directly under the printer) which will be issued to the fire department upon their arrival. If hall staff are available to assist the fire department to gaining access to various secure areas within the hall they may do, but the first priority is to ensure custody and the safety of the youth.

910.3 PROCEDURES

- (a) The Senior Corrections Counselor or Shift Lead will inspect all emergency egress lighting, and emergency exit lighting for proper working order. Any malfunctions will be reported to the Superintendent and inspection reports will be logged on the Monthly Fire Drill Inspection Sheet.
 1. Emergency Egress Lighting:
 - (a) The lamps are located in the Control Room, Staff Room, Booking Room, Dayroom (2 lamps), Sally Port, Lobby.
 - (b) Inspect for red indicator light on.
 - (c) Depress the red light button and ensure that lamp lights (a broom handle can be used to gently depress the button).
 2. Emergency Exit Lights:
 - (a) Emergency Exit Lights are located by the following places with a corresponding number: Dayroom (2 lamps), Staff Room, Booking Room, Sally Port, and Lobby.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Fire Safety Plan - Article 3 Training, Personnel and Management

- (b) Inspect each exit light to ensure that both light bulbs are burning. If they are not, staff shall notify the Superintendent to ensure that General Services receives a repair request.
 - (c) Replacement light bulbs are kept in the plastic container in the electrical room under the key cabinet.
 - (d) If staff is unable to replace the light bulb they will immediately notify the Superintendent who will ensure that the light bulb is replaced.
 - (e) There are three LED lights (green, yellow and red). Green = electricity is on. Red = flashing mean that the battery is charging. Red Full = battery is charged. Yellow = battery is dead, notify the Superintendent.
- (b) Fire Alarm Test: Fire alarms will be tested at the same time that the fire drill is held by using one of the three pull stations (Staff Room, Booking Room and Lobby) or by using the Fire Panel and pressing the test button. All fire extinguishers will be checked MONTHLY to ensure that they are in good working order. Any problems with the equipment will be logged and the superintendent will be notified. When testing any alarm system, phone notification will be given to the Weaverville Fire Department (M-F 0800-1700, 623-6156) and the Trinity County Sheriff's Department, 623-8127, prior to, and after conducting the tests (Section 1325(f)).
 - (c) The Senior Corrections Counselor or Shift Lead is responsible for ensuring that their staff are familiar with the use of equipment and know proper fire drill procedures.
 - (d) All staff in the building will participate in fire drills.
 - (e) Emergency notification numbers are to be posted at each phone location and all staff is to be familiar with proper notification procedures.
 - (f) Fire Drills and Evacuations:
 - (a) The Senior Corrections Counselor or Shift Lead will oversee the drill and may contact the Weaverville Fire Department (M-F 0800-1700, 623-6156) and the Trinity County Sheriff's Department, 623-8127, in advance to see if these agencies can participate in the drill, and provide evaluation to the staff as follows:
 - (a) Notify the Superintendent and/or Chief Probation Officer, Weaverville Fire Department and Trinity County Sheriff's Dispatch, and General Services that the hall will be conducting a fire drill. (This tests our phone notification process).
 - (b) Whenever possible, drills are to be conducted without prior notification to affected staff and youth. Additionally, drills should be conducted on both day and night shifts to ensure that all staff can participate.
 - (c) Obtain the Daily Shift clipboard with the roster, the blue Emergency Binder, the brown bag from the top drawer of reception area (containing building and vehicle keys, outside electrical box keys and shackles), hand held radio, logbook and the juvenile files of detained youth.
 - (d) Signal the drill by testing the Fire Alarm System.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Fire Safety Plan - Article 3 Training, Personnel and Management

- (e) Assign staff positions or fire fighting equipment.
- (f) Evaluate the drill for proper procedure and efficient operation during the drill.
- (g) Check all cleared areas of the hall before having staff and youth stand down from the drill. This should be done as soon as all staff and youth are in readiness for evacuation.
- (h) Provide verbal feedback, as appropriate, on the conduct of the drill. It may be necessary to repeat the drill (i.e. too much confusion, youth not following directions, etc.).
- (i) Reset fire alarm.
- (j) Re-notify the above agencies when the fire drill has been completed.
- (b) Staff assigned to supervision duties for the drill will:
 - (a) With youth in activity (out of their rooms) (Section 1325 (d)):
 1. Direct youth to line up as though evacuating or relocating.
 2. DO NOT EXIT THE BUILDING TO A NON- SECURE AREA DURING A DRILL. THE DESIGNATED AREA TO USE FOR FIRE DRILLS IS THE OUTSIDE RECREATION YARD. AN ALTERNATE STAGING AREA THAT CAN BE UTILIZED IS THE SECURE OUTSIDE AREA BEHIND THE CLASSROOM.
 3. Once in the designated area, call roll. As youth join the line from their rooms, check off their names also.
 4. Keep youth in an orderly line until told by the Senior Counselor or Shift Lead to stand down.
 - (b) With youth in their rooms (Section 1325 (d)):
 1. Stand by in the day room and have youth' line up as they are sent out of their rooms.
 2. Follow the procedure outlined above.
 - (c) Staff remaining:
 1. If the youth are in activity areas:
 - (a) Check the rooms and other areas, leaving all interior doors unlocked.
 - (b) Check rooms and electrically unlock room doors. (NOTE: EXCEPT FOR YOUTH ACTING OUT). Leave these doors unlocked and deliver youth to staff in the relocation area. Wait there, keeping the youth in an orderly line until told to stand down by the Senior Counselor or Shift Lead.
 2. If youth are in their rooms:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Fire Safety Plan - Article 3 Training, Personnel and Management

- (a) Go to each room individually, open the doors, and instruct the youth to line up immediately in the designated area. Visually check all areas to insure all youth are out. Leave room doors unlocked.
- (b) Proceed to the designated area and assist with the group.
- (c) All staff is responsible for critiquing the fire drill with the Senior Counselor or Shift Lead after the drill has been completed.
- (d) The Senior Counselor or Shift Lead has the discretion to repeat the drill if necessary.
- (g) In case of an actual fire, staff may attempt to extinguish and control the fire with use of extinguishers located within the facility, but the first priority is to ensure the custody and the safety of the youth.
- (h) Obtain the Daily Shift clipboard with the roster, the blue Emergency Binder, the brown bag from the top drawer of reception area (containing building and vehicle keys, outside electrical box keys and shackles), hand held radio, logbook and the juvenile files of detained youth.
- (i) For emergency housing, a call is made to the nearest Juvenile Hall with available beds. Shasta County, Tehama County, and Del Norte are the closest. Let them know how many youth we have, the reason for the emergency housing and, the approximate length of time. See Evacuation Policy in the Emergency Procedures section of the Policy Manual (Emer Proc page #13).
- (j) The Trinity County Fire Chief will conduct an annual review of the Fire Safety Plan and any accompanying materials and documents, and will be provided access to facility floor plans, the location of main shut off switches, water valves, and the facility's evacuation procedures.

Security Review - Article 3 Training, Personnel and Management

911.1 PURPOSE

A requirement for annual review of Juvenile Hall's security measures.

911.2 POLICY (TITLE 15 CCR, SECTION 1326)

- (a) The Juvenile Hall Superintendent shall annually review, evaluate, and make a record of security measures of Juvenile Hall, both internally and externally. This standard provides for the safety for staff, youth and the community by preventing escapes and other incidents. Records of this review will be kept in the Superintendents office. A copy of the security review is provided to the Chief Probation Officer to evaluate and review.

There is an Administrative team that meets monthly to go over all of the juvenile hall and camp programs. The panel is made up of the Chief Probation Officer, Presiding Juvenile Court Judge, Director of Health and Human Services, Director of Behavioral Health, Sheriff, and the Director of the Human Response Network.

- (b) Areas that should be addressed are programming for the juvenile hall and camp, key control, equipment, training and staff retention. Also areas regarding fire equipment, first aid kits, outside perimeter, windows, locks, doors etc.

Smoking/Tobacco Products - Article 3 Training, Personnel and Management

912.1 PURPOSE

To establish policies for controlling the use of tobacco products at Juvenile Hall.

912.2 POLICY (TITLE 15 CCR, ARTICLE 12, SECTION 1511)

- (a) Section 308(a) of the California Penal Code states as follows: "Every person, firm, or corporation which knowingly sells or gives or in any way furnishes to another person who is under the age of 18 years any tobacco, cigarette, or cigarette papers, or any other preparation of tobacco, or any other instrument or paraphernalia that is designed for smoking or ingestion of tobacco, products prepared from tobacco, or any controlled substance, is guilty of a misdemeanor."
- (b) Youth shall not be permitted to smoke or use tobacco in any form while in the hall or on Juvenile Hall grounds. Any staff providing or allowing youth to use tobacco products will face disciplinary action that may include suspension, demotion, or dismissal.
- (c) Staff shall ensure that youth are not exposed to second-hand smoke while in Juvenile Hall or in the custody of staff.
- (d) Trinity County has an ordinance that prohibits smoking in public buildings. Staff may use the areas outside the staff entrance to smoke.

912.3 PROCEDURE

- (a) Youth found in possession of tobacco products shall have the product confiscated.
 - 1. If a youth is booked into the hall and has tobacco products in his/her possession, these items will be disposed of.
 - 2. Tobacco products brought into the hall, as contraband shall be disposed of.

Dress and Appearance and Professional Conduct - Article 3 Training, Personnel and Management

913.1 PURPOSE

To set forth guidelines for establishing an appropriate and professional dress and appearance code for staff.

913.2 POLICY

- (a) Because all institutional staff has varying degrees of contact with the general public and professional staff, and must act as a model for the youth whom they supervise, it is important that a positive and appropriate image be projected. Thus, all staff must observe certain standards of dress and appearance. Extremes in casual or outlandish fashions that may present a safety hazard for the individual or present an inappropriate image will not be acceptable while on duty.
- (b) Staff appearance is subject to management approval. It is the responsibility of the Superintendent to insure that all staff is aware of and comply with acceptable standards of dress and appearance. Due to the nature of the job, jeans and some other types of casual clothing are considered appropriate. Department logoed are mandatory while on duty. Full time staff is given \$800/year for a uniform allowance and extra help will be provided with shirts from the department.

913.3 PROCEDURE

- (a) Staff will be guided by the following:
 - 1. All attire is to be clean and neat in appearance.
 - 2. Clothing must be appropriate to the situation.
 - 3. Specifically prohibited are:
 - (a) Inappropriate logos (i.e. promoting alcohol, drugs, sexual activities, counter-culture groups, swear words, etc.).
 - (b) Strapless, "spaghetti strap" braless styles, or low cut apparel.
 - (c) Overalls (except in certain outside work circumstances, even then, staff must have a change of clothing available).
 - (d) Tank tops.
 - (e) White T-shirts without a pocket.
 - (f) Sandals or any other open toe shoes.
 - 4. Jewelry: Consider earrings, necklaces, etc. as potential threats to personal safety.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Dress and Appearance and Professional Conduct - Article 3 Training, Personnel and Management

- ~~(b) Staff may have to transport youth to court and they should make every effort to have a professional appearance. You will wear a department shirt while on duty.~~
- (c) Management shall exercise final decision in all circumstances of attire.

Employees of this department are held to a high standard of professional conduct they shall not use their position of public trust to facilitate their personal ideas, beliefs, or values while representing this department. It is imperative that any written letters an employee may wish to file on behalf of an individual with any Court, agency, or group not be on department letter head or in anyway reference the employee's status of employment with this county or department.

As noted employees of this department are seen and viewed as individuals of high moral and ethical integrity. Any action on the part of any employee that brings question to this status damages the working reputation of his/her fellow employees and department.

It is essential for all staff to understand this standard of behavior while on and off duty. The future success of not only yourself but your fellow co-workers is dependent upon your personal commitment to being a professional member of this organization.

It is equally important for all staff to understand that they are first and foremost a public servant and must always make every effort to meet the demanding needs of serving the public in a timely and professional manner.

Working With Youth of the Opposite Gender - Article 3 Training, Personnel and Management

914.1 PURPOSE

To establish guidelines for staff working with youth of the opposite gender.

914.2 POLICY

All youth in the Juvenile Hall are to be accorded the right to privacy and personal dignity in regard to supervision by staff members of the opposite gender.

914.3 PROCEDURE

- (a) Staff members working with youth of the opposite gender are not to directly supervise the following activities:
 - 1. Use of toilets, including submitting urine samples.
 - 2. Absent exigent circumstances, body searches, excluding pat down searches, should be conducted by staff of the same gender as the youth except in documented emergency circumstances. Additionally, absent exigent circumstances, opposite gender searches should be accomplished in the presence of another staff member.
 - 3. Wake-up activities while the youth are dressing.
 - 4. Bedtime activities while youth are dressing for bed.
 - 5. Showering.
- (b) Staff working with youth of the opposite gender are expected to perform all procedures and duties of Juvenile Hall staff with regard to these youth except as limited above.
- (c) In the event of a clear and immediate emergency, any staff member may intervene regardless of the gender of the youth, using only sufficient force necessary to quell a situation and still acting within policy and procedure. A Special Incident Report is to be submitted outlining the need for intervention and exactly what action was taken. As in any restraint situation, staff is accountable for the decisions that are made in this area.
- (d) Any staff who experience an unusual circumstance, including but not limited to things such as a youth “flashing” an officer during a room check or during shower time, inappropriate (sexually suggestive) conversation towards any other youth or staff member, etc., shall write and submit an incident report regarding the incident.

Institution Control - Article 3 Training, Personnel and Management

915.1 PURPOSE

To establish procedures to provide control over the institution during routine as well as emergency situations.

915.2 POLICY

- (a) During the exercise of control procedures, rights and privileges of youth may be temporarily suspended, but only as long as necessary to maintain or re-establish safety, security, and order in the institution.
- (b) A fundamental responsibility is to ensure the protection of youth and staff in the facility.
- (c) Any emergency suspension of rights or privileges shall be immediately reviewed and approved by the Senior Counselor or shift Lead. The Superintendent will be notified as soon as practical.
- (d) Documentation is required for any emergency suspension of rights or privileges. Such documentation should be noted as part of a Special Incident Report.
- (e) In the event of a physical altercation, the counselor shall immediately notify his co-worker and the Senior Counselor. While maintaining supervision of the group, the counselor should then give loud, verbal instructions for all youth to "line up" or "get on the ground". Upon his arrival, the Senior Counselor shall assume responsibility and give instructions to the counselors on containing the situation (i.e. physical intervention, pepper spray, etc.)
- (f) Nothing in this directive shall be construed as giving sanction to abuse of youth's rights or as circumventing legal, policy, and procedural requirements for handling discipline.

915.3 PROCEDURES

- (a) The following is considered routine control procedures and require a log note explanation only as to why imposed:
 - 1. Having all youth in the Hall go to their rooms for: Being unresponsive to rules and direction. Any use of this control method more than three times in one day constitutes a more serious problem and is to be handled as an emergency control measure.
 - 2. The reasons for instituting the above controls must be clearly noted each time imposed.
 - 3. Senior Counselors will review the uses of routine control to ensure appropriateness and compliance with policy.
- (b) Emergency conditions may require immediate control measures. Such measures may require moving all or most of the group to another area or sending the group to their rooms until the emergency can be resolved. Reasons for taking such measures may include:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Institution Control - Article 3 Training, Personnel and Management

1. Serious escape plots.
 2. Escape attempts.
 3. Violent outbursts.
 4. Inciting to riot/rioting.
 5. Refusal of a youth to go to a room where the use of physical restraint may be likely.
 6. Suicide attempts.
 7. To administer first aid to a seriously injured person.
 8. Repeated refusal of the group to follow staff direction and to abide by the rules of the Juvenile Hall.
 9. Bomb threat (per procedure).
 10. A shakedown search for weapons, drugs, or other dangerous contraband.
 11. Any other clear threat to the safety and security of the youth, staff, facility, etc.
- (c) Emergency control measures are to be imposed only as long as necessary to ensure control.
- (d) In very serious instances, the entire facility may be on a room confinement condition until all youth can be counseled individually, in small groups, in large groups, or in sequence of all three.
- (e) There will be documented visual safety/welfare check on every youth confined in their rooms or in a holding cell. The safety /welfare checks will be conducted no more than 15 minutes apart, and will capture the actual time the check was completed.

Suicide Prevention Plan - Article 3 Training, Personnel and Management

916.1 PURPOSE

Suicide is the second leading cause of death among youth. Such acts occur out of intense feelings of isolation, humiliation, parental deprivation, depression, and lack of self-worth that are likely to be prevalent among youth held in Juvenile Hall. Early identification of "suicide risk" and immediate intervention strategies could save lives. Referral to appropriate professional facility, frequent to constant observation, and continued assessment of youth identified are among the principle elements of this policy.

This Policy:

- Has been developed in collaboration with Trinity County Probation Department, Behavioral Health and Jail Health Staff.
- Provides an outline for training of staff in suicide prevention.
- Establishes a procedure for identifying and monitoring youths who present a suicide risk, or who attempt suicide.
- Provides for appropriate screening and assessment of youth at intake and throughout a youths stay in the custody of Trinity County Probation.
- Provides guidance and adequate supervision for youth at risk of suicide
- Provides proper response, aid, and care to youth who make an attempt at suicide.
- Establishes procedures for reporting suicides and suicide attempts as well as critical incident debriefing.

916.2 DEFINITIONS

Suicide Risk: Suicide Risk is a status designated for a youth who is not actively suicidal but has expressed suicidal or other self-harm thoughts or behaviors, has a history of suicide attempts or has a prior history of self- destructive behavior. This status may also be appropriate for youth who exhibit emotional instability.

Suicide Watch: Suicide watch is a status designated for a youth who is actively suicidal either by threat, or by engaging in self-harm behaviors or through a very recent attempt.

MAYSI-2: (Massachusetts Youth Screening Instrument) Mental Health Screening tool

Transportation Screening: Initial medical and mental health screening utilizing the Intake Medical/PREA Screening form. This will occur after transfer of the youth from Law Enforcement to Probation staff but prior to transport to another Juvenile Hall.

Detention Screening: Practice used for medical/mental health screening for detained youth utilizing the Maysi-2 and the Intake Medical/PREA Screening form. This will occur upon admission to the facility and prior to transfer to general population.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Suicide Prevention Plan - Article 3 Training, Personnel and Management

Commitment Screening: Practice used for medical/mental health screening for committed youth utilizing the Maysi-2 and the Intake Medical/PREA Screening form. This will occur upon admission to the facility and prior to transfer to general population. Commitment youth that return for subsequent weekends are re-screened weekly utilizing the Re- Admit Intake Medical/PREA Screening form for Sentenced Weekend Commits. This will occur upon re-admission to the facility and prior to transfer to general population.

High Risk Youth: Youth who have in the past been assigned to a Suicide Watch or a Suicide Risk status. High risk youth may also be defined as persons who have or present with certain characteristics, signs, or other indicators of suicide risk (Refer to Section B(3) below "Signs of Depression and Potential Suicide Risk").

916.3 POLICY (TITLE 15 CCR, SECTION 1329)

Whenever information is received regarding a possible suicidal youth, the information is to be relayed immediately to the Senior Corrections Counselor or Shift Lead, preventative measures put in place, and proper documentation recorded.

Additionally, Behavioral Health is to be called whenever there is a threat of suicide.

All suicide prevention responses will be respectful and in the least invasive manner consistent with the level of suicide risk. The following precautionary measures will be taken immediately:

- (a) The name of the youth is to be noted in the logbook in RED ink with a special note that documents the circumstances and that the youth may be suicidal. Staff shall also document Mental Health's response.
- (b) Thoroughly search the youth for any objects, instruments, contraband or any article that may be used to inflict self-harm.
- (c) The youth's room is to be searched to ensure that no contraband is present that could be used for purposes of self-harm.
- (d) If a youth is in their room and makes a suicidal threat, then remove any items from their room they may use to hurt themselves. Explain to the youth in a calm manner why you are removing these items. If it is not safe to have the youth out while removing these items, then a constant visual of the youth shall be initiated until the youth can be safely removed from the room or until it becomes necessary for staff to retrieve the item to prevent the youth from additional harm. The youth will need to be searched prior to going back into their room.
- (e) Any deterioration in the youth's mood and/or behavior will be noted in the logbook note and added to your Special Incident Report in detailing action taken.
- (f) Any youth on suicide watch or risk, should remain with the group and in regular activities as much as possible. Youth should only be in their rooms when necessary.
- (g) Only a Mental Health Clinician can remove a youth from Suicide Watch status or Suicide Risk status.

916.4 PROCEDURE

Trinity County Probation Department

New Probation Manual

New Probation Manual

Suicide Prevention Plan - Article 3 Training, Personnel and Management

916.4.1 TRAINING IN SUICIDE PREVENTION

- (a) All new staff shall receive an initial training on suicide prevention as part of their orientation training (Policy 904), that addresses areas related to the facility Suicide Prevention Plan, understanding common signs and symptoms of suicidal youth, screening youth for risk of suicide, and procedures to follow when a youth has been assessed as being suicidal including intake screening, proper communication, guidance on housing and classification, supervision requirements, and reporting and documentation.
- (b) All facility staff shall receive yearly suicide prevention refresher training to ensure retention and applicability of procedures related to suicide prevention.

916.4.2 ASSESSMENT

- (a) Intake Screening:
 - (a) All youth that are admitted to the Trinity County Juvenile Hall (TCJH) shall complete a MAYSI-II screening tool at admission, or at least prior to being moved out of the intake room and into general population. Any youth that reports for a weekend commit to TCJH, will be re- assessed prior to admission for all subsequent stays. Youth that are processed for transportation will also be screened but with the Intake Medical/PREA Screening form. These youth will be processed and screened upon admission to the receiving juvenile hall. All youth who have been identified during the intake screening process to be at risk of suicide shall be referred to behavioral/mental health staff for a suicide risk assessment.
 - (b) One (1) copy of the MAYSI-II is submitted to the Lead Officer for review, and an additional copy is placed into the jail health intake bin. The mental health questions on the Intake Medical/PREA Screening Form are designed to assess the youth's potential for suicide risk.
 - (c) If the youth claims to have attempted suicide before, they are at greater risk. Even if they have admitted to just thinking about suicide, staff should ask them:
 - (a) How?
 - (b) When?
 - (c) Why?
 - (d) Are they are still feeling like they may be suicidal?
 - (d) A vague thought about suicide - "I thought about it once, but I don't really want to do it," would not necessarily be a reason to place a youth on suicide status. The more the youth has considered suicide the greater the risk, "I am going to do it when no one is looking. I picked the time. I will use the pills I saved up." A youth with this kind of detailed plan should be taken very seriously.
 - (e) Do not be afraid to talk with a youth about suicide, often they will be relieved to be able to talk with someone.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Suicide Prevention Plan - Article 3 Training, Personnel and Management

- (b) Continuous Screening: All staff shall be mindful of the following and continue to be cognizant of the continued risk for suicide throughout the detention.
 - 1. Understand General Characteristics and Commonalities of Suicide Acts by youth in Juvenile Hall:
 - (a) It will most likely happen when a person is alone.
 - (b) It is more likely to happen during the first day of confinement.
 - (c) It is more likely to happen at night, or at times during the day when supervision is minimal.
 - (d) It is very likely that the person's case history will reveal prior attempts, or at least threats or suicidal ideation.
 - (e) If the act doesn't follow closely after intake, it is probable that it will follow some significant event; i.e., interview, visit, court appearance, peer conflict, letter, rejection and/or deprivation, etc.
- (c) Look for Signs of Depression and Potential Suicide Risk:
 - (a) Sad, withdrawn, feelings of hopelessness.
 - (b) Lack of interest in activities previously enjoyed.
 - (c) Pessimistic, irritable.
 - (d) Apathy and fatigue.
 - (e) Loss of appetite and weight.
 - (f) Loss of sexual interest.
 - (g) Sleep disturbance - insomnia, sometimes early waking, and nightmares.
 - (h) Difficulty in making conversation and carrying out routine tasks.
 - (i) Indecisiveness.
 - (j) Feeling worthless.
 - (k) Loss of religious faith.
 - (l) Feelings of guilt and self-blame.
 - (m) Preoccupation with illness, real or imaginary.
 - (n) Financial worries
 - (o) Drug or alcohol abuse or dependence.
 - (p) Evidence of mental disorders (hallucinations, delusions, mood disorders, etc.)
 - (q) Preoccupation with, or talk about suicide.
 - (r) A definite plan for committing suicide.
 - (s) Suicidal impulses.
 - (t) Previous suicide attempts.
 - (u) Social isolation.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Suicide Prevention Plan - Article 3 Training, Personnel and Management

- (v) Recent loss.
- (w) Unsympathetic relatives, feeling that “nobody cares”.
- (x) Tidying up affairs, giving away possessions.
- (y) Suicides in the family or among close friends.
- (z) Fear of losing control, going crazy, harming self or others.
- (aa) Feeling of helplessness.
- (ab) Low-energy.
- (ac) Anxiety.
- (ad) Stress.
- (d) Watch for other indicators that May Tell You Someone Is Suicidal:
 - (a) They may say that they want to commit suicide.
 - (b) They may make a statement such as the following: “I wish I were never born.” “I’m a failure.” “I’m no good, rotten, and evil - my family and the world would be better off if I were gone.” “My life has no meaning - I’m going nowhere.” There is no future.” I’m never going to get out.”
 - (c) They may have a wish to be reunited with someone who is dead who they loved. They think it would be a happy reunion. They may think of this if the person just died or if it is the anniversary of that person’s death.
 - (d) They are unable to sleep, especially if they wake at 3 or 4 in the morning and brood.
 - (e) Their physical appearance - they don’t care anymore how they look - don’t shave, fix their hair, wash, change clothes, etc.
 - (f) They give away to someone else something they value very much.
 - (g) They have more and more problems getting along with people.
 - (h) They have never been arrested before: this is the first time in juvenile hall.
 - (i) They change: they stay in the room all the time, when they used to get out and talk, or they get into fights.
 - (j) They have a history of suicide attempt or self-harm.
 - (k) They cry without apparent cause.
 - (l) They keep hurting themselves, banging fists, cutting, etc.
 - (m) They have a history of being in mental hospitals.

916.4.3 COMMUNICATION

- (a) Staff shall inquire, at intake, of recent caregivers including the arresting officer, attending medical personnel, family members, etc. if the youth stated or otherwise demonstrated any warning signs of suicidal ideation.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Suicide Prevention Plan - Article 3 Training, Personnel and Management

- (b) Staff shall check, at intake, if a youth has a prior history or notation in the department's case management system of suicidal precautions.
- (c) Staff shall immediately communicate any findings that may indicate a youth is suicidal or at risk to the Lead Officer of the shift. The Lead Officer is responsible for properly disseminating this information to other staff as needed.
- (d) Ongoing communication shall occur between family members, facility staff and medical/mental health staff regarding a youth's mental health status, risk and watch status's throughout their stay.

916.4.4 PLACING A YOUTH ON SUICIDE RISK OR WATCH

- (a) Any staff member may place a youth on temporary Suicide Risk or Suicide Watch. Any staff member placing a youth on Suicide Risk or Watch Status shall notify the facility Lead or Senior Officer and make an entry in the logbook in red ink. The log entry is to include the time and the information received. Log the steps that are taken to prevent the youth from harming him/herself. These steps need to be included in your SIR.

- (b) Staff is to treat all threats of suicide or self-harm seriously. Staff is never to assume that any threat of suicide is not potentially lethal simply because it is manipulative. Manipulative attempts at suicide can be deadly.

- (c) Once a youth is placed on Suicide Risk or Suicide Watch Status, staff must follow through with all precautions.

If a youth is newly placed on **Suicide Risk** status, or additional indicators of suicide risk are identified on a youth already classified as such, an incident report shall be completed by the JCO staff and forwarded to the youth's probation officer for a follow-up referral to Trinity County Behavioral Health Services if one has not already been initiated. Additionally, a copy of the incident report shall also be forwarded to the Superintendent for tracking purposes and to ensure proper response and follow through.

If a youth is placed on **Suicide Watch**, staff are to immediately call Trinity County Behavioral Health Services and request a crisis evaluation of the youth. During regular business hours, the request is made by phone 623-1362. After hours a request is made by calling the crisis line at #623-5708. Be prepared to describe the youth's behavior as completely as possible. All calls and information received must be logged and approved by the facility Lead or Senior Officer.

Only a mental health clinician can remove a youth from a Suicide Watch status or Suicide Risk status. A clinician may also remove a youth from Suicide Watch yet place them on Suicide Risk. Staff shall follow all protocols for which the status the youth is placed.

916.4.5 MINIMUM GUIDELINES FOR CLASSIFICATION/HOUSING OF YOUTH ON SUICIDE RISK OR WATCH

- (a) The Lead or Senior Officer on the shift is responsible for classification and housing of all youth in the facility.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Suicide Prevention Plan - Article 3 Training, Personnel and Management

- (b) Absent exigent circumstances, newly admitted youth are to remain in the intake holding area and not moved to general population until they have completed the MAYSI-2 and Medical Intake Questionnaire, and have been cleared for housing.
- (c) Suicide Watch and Suicide Risk Youth may be housed in the living unit. The living unit is a 2 story, coed unit. Room assignments for all youth are generally single room however, in the event that it is necessary to assign a roommate, roommates will be assigned by same gender. Any youth on Suicide Watch or Suicide Risk should be assigned a room as near to the Intake Hallway as practical. Youth shall not be housed on the second floor of the unit. If a Suicide Risk youth must be roomed with another youth, staff must remain particularly aware of the youth's emotional state and should never room two suicide risk youth together. Staff may collaborate with Behavioral Health staff regarding any special housing needs.
- (d) In some circumstances, a youth may need to be housed in the safety room. If this occurs, staff shall refer to and adhere to the Safety Room Policy 5.3.3.

916.4.6 MINIMUM GUIDELINES FOR SUPERVISION OF YOUTH ON SUICIDE RISK OR SUICIDE WATCH

- Youth on Suicide Watch and Suicide Risk should be included in all facility programming that is available to other non-suicidal youth, unless deemed unsafe for the youth or security of the facility. Any deprivation of programs, services or activities for youth at risk of suicide shall be documented and approved by the facility manager. Staff shall encourage youth to participate in all activities and not allow youth to isolate themselves.
- Suicide Risk Youth shall be kept out of their rooms and in staff view whenever possible unless their peer relationship or their potential for harming another precludes it. When it is necessary for youth to be in their rooms, Suicide Risk youth are to receive enhanced supervision consistent with their level of risk, including safety checks of no more than 10 minutes while the youth is awake, and staff safety checks of no more than 15 minutes when the youth is asleep. Additionally, safety checks of no more than 5 minutes shall be completed when a youth is in his room with the window covering up (which should be limited to only those times when a youth is using the toilet in their room).
- Suicide Watch Youth should be kept out of their rooms and in staff view whenever possible unless their peer relationship or their potential for harming another precludes it. If a youth on a Suicide Watch status is placed into their room for any reason, he or she should be provided with a safety smock and safety blanket for their use while in their room and he/she should dress out before entering their room. Staff shall also ensure that the youth does not attempt to take any contraband into their room at this time that could cause injury. While in their room in a safety smock, staff should complete safety checks no less than 5 minutes. Anytime the youth is outside of their room, they should be provided a standard issue of clothing to wear. If the youth refuses to dress out into the safety smock and they are in their room, a constant visual of the youth shall occur either in their room or in the safety cell.
- All room safety checks should be staggered as to time in order to avoid a discernable pattern. These minimum room checks are to be done at all times, even after other

Trinity County Probation Department

New Probation Manual

New Probation Manual

Suicide Prevention Plan - Article 3 Training, Personnel and Management

youth are asleep (which they may not be). Room checks are to be logged on the “Special Cell Watch” form.

916.4.7 INTERVENTIONS

Intervention begins “pre-Incident” through appropriate risk management. It is expected that any youth that has been identified in the past as a high risk youth, is reviewed through the daily shift summary process. While these youth may not actively be on Suicide Watch or Suicide Risk status, it is imperative that supervisors and staff are cognizant of a youth’s history and that information is shared openly amongst all supervision staff and medical/mental health staff. Treatment strategies will include trauma-informed approaches.

When a youth is on a Suicide Risk or a Suicide Watch, The Lead Corrections Counselor has the following options depending upon the seriousness. These actions should be instituted only with obvious cause, and with consideration of current and previous trauma. When possible, Behavioral Health may advise options to be taken, and if not possible, staff must use their best judgment with enacting the following:

- (a) Remove all objects from the room that the youth can use to harm him/herself. Including but not limited to sheets, pillowcase, pencils, etc. Books are ok only if checked by staff first.
- (b) If the youth is out of control and has engaged in behavior that is likely to harm him/herself, they may need to be placed in the safety cell (Refer to Policy 5-6 – Safety Room).
- (c) It may be necessary to have a youth remove all of their clothing which, absent exigent circumstance, is only done when a youth is placed into the Safety Room. Otherwise, if they are to remain in their own room, removal of clothing should be done (ONLY) when absolutely necessary, and only when warranted under the circumstances. When necessary, the youth should be informed in a calm and matter of fact manner that this is being done to ensure that the youth does not cause him/herself harm. Staff is never to engage in any kind of demeaning interaction while this is taking place. Staff will replace clothing with a suicide prevention blanket and gown. Absent exigent circumstances, the youth is to be provided privacy for a voluntary exchange of clothing. If the youth is combative it may be necessary for the forceful removal of the clothes with gender appropriate staff.
- (d) Conduct a critical incident debrief with all staff to ensure accuracy of communication regarding potential hazards and other necessary safety information.

916.4.8 RESPONSE TO A SUICIDE ATTEMPT

All facility staff will respond as appropriate to any suicide attempt. Corrections Counselors will refer to the Trinity County Policy Manual Section “Emergency Procedures” which directs the appropriate staff response to emergency situations. In addition to providing emergency response and first aid, staff will also do the following:

- (a) Call for assistance, check for vital signs, and if necessary, initiate CPR immediately. Once CPR is begun, officers shall continue until relieved by emergency medical staff;

Trinity County Probation Department

New Probation Manual

New Probation Manual

Suicide Prevention Plan - Article 3 Training, Personnel and Management

- (b) Other officers shall immediately call 911 and request emergency medical assistance;
- (c) Officers will secure all other youths so they may provide assistance;
- (d) The Senior JCO and Superintendent shall be notified of the situation;
- (e) A detailed incident report shall be completed addressing all procedures that were taken when the incident was discovered;
- (f) Preserve the scene. The Senior JCO or the Superintendent shall be determined “scene manager” and shall preserve the scene and direct other staff as to the action that needs to be taken. Once the immediate emergency is defused, the entire area shall be secured. No individual shall change, alter or move any object, item, clothing, furniture, etc., until cleared to do so by the scene manager;
- (g) A medical and operational review shall be completed on all in-custody deaths (Refer to Policy 4-2 - Death of Minor While Detained) for more information.

916.4.9 DOCUMENTATION AND NOTIFICATIONS

- (a) Staff shall, as soon as is feasible, but in all cases at least by the end of their shift, properly document their findings in a formal SIR to be submitted to the Lead Officer and Superintendent for review.
- (b) In the event of a suicide attempt that results in injury, the juvenile court and the youth’s parent/guardian, shall be notified as identified in Trinity County Policy 4-2.

916.4.10 CRITICAL INCIDENT DEBRIEFING (STAFF, YOUTH, FACILITY PARTNERS)

- (a) All staff, youth, contract workers, and volunteers who experience a critical incident related to a suicide or suicide attempt will participate in a critical incident debriefing within 48-72 hours of the incident.
- (b) A Critical Incident Report is to be completed by the senior most officer involved in the incident or notification of the incident and is to contain as much information as possible and indicate the people directly involved in the incident.
- (c) All staff and youth that experience a critical incident related to a suicide or suicide attempt shall be offered appropriate support services as needed and requested.
- (d) Where required, a meeting will be organized to determine issues and responsibilities relating to:
 - 1. Assessing risks and response actions;
 - 2. Liaison with emergency and other services;
 - 3. Contact with the affected person’s relatives and other supports;
 - 4. Counseling and supporting staff, contract staff, volunteers;
 - 5. Media management (if required).

916.4.11 CRITICAL INCIDENT DEBRIEFING (ADMINISTRATION)

The facility superintendent will ensure a process is in place for an administrative review of the circumstances and responses proceeding, during and after the critical incident. The facility

Trinity County Probation Department

New Probation Manual

New Probation Manual

Suicide Prevention Plan - Article 3 Training, Personnel and Management

administrator will ensure that a medical and operational review of each in-custody death occurs. The review team includes the facility administrator and/or the facility manager; the health administrator; the responsible physician; and other health care and supervision staff who were relevant to the incident.

Reporting of Legal Action - Article 4 Records and Public Information

917.1 PURPOSE

To establish procedures for dealing with legal actions brought against Juvenile Hall.

917.2 POLICY (TITLE 15 CCR, SECTION 1340)

- (a) The Board shall be notified, in writing, each time there is legal action in state and/or federal courts pertaining to conditions of confinement, filed against staff or the Trinity County Probation Department. The Chief Probation Officer shall submit this report.
- (b) Board need not be notified of employee grievances or complaints.

Death of a Youth While Detained - Article 4 Records and Public Information

918.1 PURPOSE

To set forth guidelines to follow in the event of death or imminent death of a youth under the supervision of institutional staff.

918.2 POLICY (TITLE 15 CCR, SECTION 1341)

It is the policy of the Trinity County Juvenile Hall, in cooperation with the health administrator and behavioral/mental health director, to have in place policies and procedures wherein immediate steps are taken regarding the death, or serious injury or illness, of a youth while detained.

- (a) The death of a youth in custody can occur at any time and any place. Staff must be aware of this possibility and be prepared to take proper action. Types of incidents that could result in death to a youth are: suicides, assaults, choking, fire, explosion, and a multitude of other types of accidents. There may be times when no matter what staff does, a death may occur. For this reason, staff will observe the following when the death of a youth is suspected.
 1. Counseling staff will not make judgments as to whether or not the youth is, in fact, dead. Continue first aid and rescue efforts until emergency personnel/medical personnel take over.
 2. Emergency medical assistance will be summoned to the scene immediately by dialing 9-911 and stating clearly the nature of the emergency.
 3. It will be up to medical personnel to determine whether the youth is dead.
- (b) If it is determined by medical personnel that the youth is dead, the following will be notified by or at the direction of the Senior Corrections Counselor:
 1. Trinity County Sheriff's Department/Coroner (this should be done immediately upon confirmation of death).
 2. Chief Probation Officer.
 3. Assist. Chief Probation Officer.
 4. Juvenile Hall Superintendent,
 5. Institution Physician designated by Jail Health.
 6. The youth's parent(s)/Legal Guardian will be notified by medical personnel.
 7. The juvenile court will be notified by a Probation Officer.
 8. The youth's attorney of record will be notified by a Probation Officer.
- (c) In the event of a serious illness or injury, the juvenile court, Doctor/medical personnel, and parent/guardian, shall be notified.
- (d) After the incident, Special Incident Reports giving complete details regarding the situation will be written by all staff involved.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Death of a Youth While Detained - Article 4 Records and Public Information

- (e) Except as necessary to provide treatment, staff must leave the site of the incident unoccupied and as undisturbed as possible. This will continue until directed otherwise by the Superintendent.
- (f) It is required that the Administrator of the facility shall provide to the Board a copy of the report that was summated to the Attorney General under Government Code 12525, within 10 calendar days after the death of a youth detained in Juvenile Hall. This report must include, but not necessarily be limited to the following:
 - 1. Youth's name.
 - 2. Date of Birth.
 - 3. Sex.
 - 4. Race.
 - 5. Date and time of admission to Juvenile Hall.
 - 6. Reason for admission.
 - 7. Physical description and condition on admission (i.e. a copy of the physical done, medical screening, and any other pertinent information).
 - 8. Copy of autopsy report, if any, or facts relating to the death, including but not necessarily limited to the following:
 - (a) Date and time of death.
 - (b) Cause of death.
 - (c) Any incidents related to death.
 - (d) Name of physician in attendance
 - 9. Name and address of parent, guardian, or person standing in loco parentis
 - 10. Name of Juvenile Hall.
 - 11. Name and title of employee making the report.
- (g) Upon receipt of a report of the death of a youth from the administrator, the Board may within 30 calendar days inspect and evaluate the juvenile facility, jail, lockup or court holding facility. Any inquiry made by the Board shall be limited to the standards and requirements set forth in these regulations. Due to the need for the above information, and due to the fact that the Board may be completing an inspection and evaluation of Juvenile Hall within 30 days of receiving the report of a death of a youth, it is extremely critical that staff keep all reports, documentation, notifications, time references, etc, up- to-date and available.
- (h) The facility administrator, in cooperation with the health administrator and the mental health director, shall assure that there is a medical and operational review of every in-custody death to include all essential staff and administration.
- (i) To assure a medical and operational review of each in-custody death, the review team including the Chief Probation Officer, Hall Superintendent, staff relevant to the incident, the responsible physician, and the health administrator, shall meet to review the incident and all reports.

Population Accounting - Article 4 Records and Public Information

919.1 PURPOSE

To establish procedures for reporting the hall's population to The California Board.

919.2 POLICY (TITLE 15 CCR, SECTION 1342)

The appointed personnel shall submit monthly and quarterly population and profile summary reports to the Board within ten working days after the end of each month, in a format to be provided by the BOARD.

919.3 PROCEDURES

- (a) The graveyard shift shall prepare the Board population report form at the beginning of each shift daily and place the completed form in the appointed file folder.
- (b) The Monthly Population Report and completed Intake and Detention Report shall be submitted via the internet to the Department of Corrections.

919.4 SAFETY/WELFARE CHECKS

Staff will have direct visual observation of youth at a minimum of every 15 minutes, at random or varied intervals during hours when the youth are asleep or when youth are in their rooms, confined in holding cells or in interview rooms. These safety checks will be documented with the actual time the check is completed. More frequent room checks may be required depending on a youth's mental or physical status. All room checks are to be logged on each room check log sheet or the Special Watch sheet if the youth on a special watch. Supervision is not replaced, but may be supplemented by, an audio/visual electronic surveillance system designed to detect overt, aggressive or assaultive behavior and to summon aid in emergencies. Non-compliance with policy could result in a formal letter in your personnel file, time off without pay, demotion, and in some instances termination from employment.

Juvenile Facility Capacity - Article 4 Records and Public Information

920.1 PURPOSE

To establish the facility's capacity and notifications to the Board of overcrowding.

920.2 POLICY (TITLE 15 CCR, SECTION 1343)

The Board established our juvenile hall as a twenty-two (22) bed facility and a six (6) beds designated to our camp program. The facility administrator will notify the Board anytime that we are over capacity over 15 days in a calendar month. The facility administrator shall provide a crowding report to the Board in a format provided by the Board.

The Executive Director of the Board will review the facility's report and initiate a process to a preliminary determination if the facility is suitable for the continued confinement of youth. If the Exec. Dir. Determines that the facility is unsuitable for the confinement of youth, the recommendation shall be reviewed by the Board at the next scheduled meeting.

A notice of the Board's findings and/or actions shall be public record and a minimum, will be provided to the facility administrator, presiding juvenile court judge, chairperson of the board of supervisors and juvenile justice commission within ten (10) working days of the Board meeting.

Logbook - Article 4 Records and Public Information

921.1 PURPOSE

To prescribe procedures for making entries and maintaining Trinity County's Juvenile Hall's Logbook.

921.2 POLICY

- (a) The **Logbook** is a permanent record of day-to-day happenings at the hall and is a permanent record of all activities and events.
 1. Entries are made in the Logbook in a neat and professional manner, with correct spelling and grammar. When not in use, the Logbook should be kept closed. Entries are not to be read by the children at any time. The following are general instructions concerning logbook entries:
 - (a) All entries are to be made in ink.
 - (b) **Do not scribble out, use "white out", or make any erasures in the logbook.** If you must delete material, draw a straight line through it so it is still legible. The person making entry must initial it legibly.
 - (c) Begin each page on the top line; do not leave any blank lines. Fill in each page to the bottom line before beginning a new page. When you have reached the end of the day cross out the remaining lines and start the next day at the top of a new page.
 - (d) At midnight each day, the new day's date will be printed in **red** at the top center of the next blank page in the logbook.
 - (e) When booking a youth into the hall, the staff will initiate a log book entry in **RED** ink: TIME (youth received), LAST NAME, FIRST NAME, MIDDLE INITIAL, OFFENSE CODE, POPULATION. Staff will initial all log entries.
1300 Jones, Jim A. Offence 459 PC POP @10 jar
 - (f) When a youth is being released from the hall, the staff will initiate a log book entry in **GREEN** ink: TIME (youth released), LAST NAME, FIRST NAME, MIDDLE INITIAL, TO WHOM RELEASED, and NEW POPULATION. Staff will initial all log entries.
1300 Jones, Jim A. released to mother POP @9 jar
 - (g) Youth temporarily leaving the facility (court, work detail, etc) will be logged in **BLUE** ink:
1300 Jones, Jim A. to court with Officer Smith POP @9 jar
 - (h) Special notices must be surrounded on all four sides by a single line box headed "NOTICE."

Trinity County Probation Department

New Probation Manual

New Probation Manual

Logbook - Article 4 Records and Public Information

- (i) Indicate shift schedule changes due to a trade, sick or compensatory time off, etc., if these occur on short notice.
- (j) Each shift must write a brief note describing the unit mood, activities, problems and potential problems. "Shift Summary" should be the caption for the note describing this. Information to be passed on to the next shift should also be written on the Shift Summary clipboard.
- (k) Any contact with parents (other than after court and normal visiting times), probation officers, attorney or others should be logged.
- (l) Anytime Juvenile Hall staff, Transportation Officers and Probation Officers report to work at the hall, they must sign- in in the Logbook with signature and population number of youth in the hall.

Youth's File Folder - Article 4 Records and Public Information

922.1 PURPOSE

To establish a uniform method of maintaining written and published information in a youth's file folder at Juvenile Hall.

922.2 POLICY

- (a) The youth's file folder will be organized as follows:
 - 1. TOP LEFT FASTENER (in this order):
 - (a) Police/Court Documents
 - (b) Property issued, rules, and use of force warning.
 - (c) Youth's Rights form.
 - (d) Request for contact forms
 - (e) Incident Report forms
 - 2. TOP RIGHT FASTENER: Most recent Booking Sheet on top. All medical forms, and Property Received form
 - 3. BOTTOM LEFT FASTENER: Print card and photograph.
 - 4. BOTTOM RIGHT FASTENER: All other forms.
- (b) Active files will be maintained in the front section of the top drawer of the file cabinet. Inactive files will be kept alphabetically behind the active files. Files on youth over 18 years old will be kept in a separate file cabinet, unless they are on active probation.

Tours - Article 4 Records and Public Information

923.1 PURPOSE

To establish a procedure for tours to acquaint interested parties over 18 years of age in the function of the Juvenile Hall and to view the facilities provided for the detention of juveniles.

923.2 POLICY

All requests to tour the Juvenile Hall and/or Health Office, other than those authorized by law (i.e. the Juvenile Justice Commission, the Grand Jury, Judges, Fire Marshal, Board, etc.) are to be referred to the Juvenile Hall Superintendent for approval.

923.3 PROCEDURE

- (a) Staff conducting tours will:
1. Assemble the tour group in the public entrance lobby or the vehicle sallyport.
 2. Give a brief explanation of the HIPPA rules so that people will understand their obligation in regard to complying with laws concerning confidentiality.
 3. Inform the tour group also of the laws regarding weapons and contraband being brought into the facility.
 4. Briefly summarize the functions of the Juvenile Hall and answer any questions concerning it. Depending on the group and their interests, this may be brief or may develop into a more detailed commentary on interrelating services and resources available.
 5. If Juvenile Hall is occupied with youth, advise them not to look into rooms or through door windows unless authorized. Remind them not to give or take anything from the youth in residence. Instruct them that they are to stay together and keep their personal belongings with them at all times. Advise them of the possible embarrassment to a youth recognized by a tour member.
 6. Before moving the group from the assembled area, insure that hall staff is aware of the route to be taken for the tour. The route should be based on causing the least disruption to the youth and programs if on going in the hall.
 7. Provide some time at the end of the tour for people to ask questions whenever possible.
 8. Advise the hall staff when the tour is completed.
 9. Report any problems with the tour to the Superintendent utilizing a Special Incident Report if needed.

Donations/Gifts - Article 4 Records and Public Information

924.1 PURPOSE

Provide staff with instructions regarding the acceptance of donations/gifts.

924.2 POLICY

It is the policy of the hall that all staff will refrain from accepting any personal gifts from youth and parents of youth in residence or on probation.

924.3 PROCEDURES

- (a) It is not uncommon for youth in residence to make an item in school or other programs for a staff member. Staff will not accept such items without the Superintendent's approval.
- (b) At times, parents of youth in residence will request to donate an item or items to the hall. It is the policy of the hall not to accept items from parents of youth in residence without the Superintendent's approval.
- (c) When accepting any donation, staff is guided by the following:
 - 1. All donations of money or of items of substantial value (i.e. any item or items that would be considered within our fixed asset limits) are to be referred to the Superintendent or the Chief Probation Officer prior to acceptance.
 - 2. Upon receiving any donation(s), staff will route a memo to the Superintendent recording the following information:
 - (a) Name, address, and telephone number of the donor.
 - (b) A brief description of the item(s) donated.
 - (c) An indication of whether or not the donor would like an official acknowledgement of their donation.
 - (d) The known or approximate value of the donation.
- (d) It is the policy of the Trinity County that the Superintendent or the Chief Probation Officer to report all major donations to the Board of Supervisors.
- (e) Staff members shall not bring any items to youth in custody without prior approval from the Superintendent.

Community Contact - Article 4 Records and Public Information

925.1 PURPOSE

Provide guidelines to staff regarding the dissemination of information from the Juvenile Hall to the community.

925.2 POLICY

- (a) The Probation Department is charged with the responsibility of handling a good deal of sensitive and confidential information regarding juveniles and criminal offenders. Thus, the utmost discretion is necessary in disseminating such information. If, at any time, you have doubts regarding answers to inquiries, confidentiality, etc, consult with your immediate supervisor.
- (b) It is imperative that you keep Juvenile Hall and Probation administration informed of any and all sensitive problems or inquiries. Any public statements you make may have repercussions for the Department. If you are not absolutely sure when responding to inquiries, refer them to your supervisor.
- (c) All requests for staff to speak at any school, service club, media, or other public forum regarding Probation/Juvenile Justice Hall matters, must be approved by the Chief Probation Officer. You must receive approval to do so prior to accepting any speaking engagement. Such requests to speak are to be routed to the Chief via the Juvenile Hall Superintendent.
- (d) Staff is to constantly remain aware that they are representatives of both the Probation Department and the Juvenile Hall. All community contacts are to remain positive and professional at all times.

Child Abuse - Article 4 Records and Public Information

926.1 PURPOSE

To establish Juvenile Hall procedure and to assure compliance with the California Penal Code for mandatory reporting of suspected child abuse.

926.2 POLICY

- (a) Juvenile Hall staff is by law mandatory reporters, this includes whether you are on duty or not.
- (b) Section 11166 of the Penal Code requires "any child care custodian, medical practitioner, non-medical practitioner, or employee of a child protective agency who has knowledge of or observes a child (a person under the age of 18 years) in his or her professional capacity whom he or she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protection agency immediately or as soon as possible by telephone, to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident."
 - 1. "Child Abuse" means a physical injury that is inflicted by other than accidental means on a child by another person. It includes the sexual assault of a child (i.e., rape, sexual exploitation, incest, sodomy, oral copulation, penetration of a genital or anal opening by a foreign object or other acts of child molestation). "Child Abuse" also includes willful cruelty, unjustifiable punishment or corporal punishment resulting in trauma, medical neglect, the infliction of mental suffering, and neglect.
 - 2. The report must be made whenever there is "reasonable suspicion" that child abuse occurred. "Reasonable suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his or her training and experience, to suspect child abuse.

926.3 PROCEDURE

- (a) The staff member who suspects or is told of an incident of child abuse, **MUST** report this information directly to Child Protective Services. Never pass the information to someone else to report. Never assume that someone else will report, or has reported, the information, even if the youth has told you that he/she has also told another person. Remember, the law is very specific; **YOU MUST DO THE REPORTING YOURSELF.**
- (b) Hall staff will call Child Protective Service to report suspected child abuse.
- (c) The hall staff member who is reporting the incident must fill out a "Child Abuse Report" form and send it to CPS. Report forms are kept in the Control Room file drawer.
- (d) After placing the calls and filling out the form, hall staff must also fill out a Special Incident Report. The report should contain information regarding the incident reported,

Trinity County Probation Department

New Probation Manual

New Probation Manual

Child Abuse - Article 4 Records and Public Information

the date and time the report was telephoned in and the name of the person who took the report. It should also contain any follow-up counseling done or planned.

Release of Information - Article 4 Records and Public Information

927.1 PURPOSE

To establish guidelines defining Juvenile Hall staff's limitations and responsibilities in associating and communicating with juveniles, parents or guardians, and other agencies.

927.2 POLICY

- (a) Juvenile Hall is responsible for the care, guidance, supervision and custody of youth while they are in residence at the hall. This responsibility terminates upon the youth's release from the hall.
1. Youth, parents, guardians or relatives contacting hall staff members for assistance or advice after the youth's release from custody should be referred to the youth's probation officer. In an emergency, after normal business hours, the Senior Officer may deem it appropriate to call the probation officer and have the probation officer contact the person. **DO NOT GIVE ANYONE THE PROBATION OFFICER'S PHONE NUMBER.**
 2. Youth's efforts to continue their association with staff members are to be reported to the Superintendent, who will inform the probation officer concerned.
 3. Juvenile Hall staff members will not initiate or continue associations with youth formerly in custody. If very unusual circumstances require continued contact, staff must first obtain the approval of the Superintendent and the probation officer concerned.
 4. The relationship that staff engages in with youth is a professional one. The relationship is based on staff's employment in this Probation Department's Juvenile Hall it is not a personal relationship. As with other communication between staff and youth, there must be documentation and notification of such communication. If a youth corresponds (letters, notes, etc.) with staff after release, or if staff corresponds with a youth after release, the Superintendent must be notified and an exact copy of the correspondence (in coming and out going) must be placed in the youth's file at the hall. Staff is not to give their home address or telephone numbers or other staff's home address or telephone numbers to children or the family of children they have met through their employment with this agency.
 5. It is the policy of the Probation Department that employees of this department may not be foster parents due to the potential for serious conflict of interest. Additionally, Probation Department employees may not have additional employment with any other agency or organization that would represent a conflict of interest (i.e. group homes, certain law enforcement positions, etc.). If in doubt concerning this policy, check with management or the Superintendent.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Release of Information - Article 4 Records and Public Information

- (b) Staff is not to inquire or express opinions concerning any legal proceedings youth are involved in. Youth making inquiry in this area are to be directed to their probation officer or attorney of record.
 - 1. Staff needs to be aware that a youth's attorney will use any information we give them to their client's advantage. Staff is not to discuss any recommendation or opinions about what a recommendation should be. Attorneys must be referred to the probation officer for a Behavior Summary. When in doubt, check with the Senior Counselor on duty or the Superintendent.
- (c) Parents, guardians, or relatives may, at times inquire of hall staff if their youth should come home or be sent to one place or another. In these cases, staff will express no opinion what so ever (even if they should have strong beliefs about the best treatment for the youth). Instead, they are to refer the parent, guardian, or relative to the youth's probation officer.
- (d) Effective communication with parents helps maintain a positive detention culture. Staff may discuss youth's behavior and attitudes with parents, taking care to do so in objective/non-judgmental terms. Good judgement must always be exercised (i.e., to avoid problems as noted in C above).
- (e) Staff is not to initiate discussion or in any way impose their personal religious or political views or disseminate any such literature to youth in custody.
- (f) If parents or guardians inquire about a youth's health or medication, they may be told briefly what is or has been done with a youth. They are to be referred to the medical staff for any details.
- (g) Probation Department and Juvenile Hall records are confidential and may not be given by staff to anyone except persons who have an official need for such information (i.e. probation officer, Court, or by Court Order. It is a misdemeanor to provide information to anyone not authorized by law.) If in doubt about the person's authority to receive information, refer this to a Senior Counselor or the Superintendent.
- (h) The only person authorized in this Department to make a statement to the press upon inquiry is the Chief Probation Officer or designee. All statements to the press, whether written or verbal, must be authorized by the Chief Probation Officer.
- (i) Hall staff is to consider all information known about the youth in custody as confidential. As such, this information is not to be communicated to anyone not authorized by law. This includes the fact that a youth is in our custody. Staff is to take all necessary steps to ensure that information is given only to those authorized. Frequently this means calling someone back (i.e. a parent, another agency, etc.) after verifying the phone number and whether the person is entitled to the information. This rule is: **WHEN IN DOUBT, CHECK.**

Admission Procedures - Article 5 Classification and Separation

928.1 PURPOSE

To outline a uniform method for receiving and admitting youth, and to provide confined youth with information that will allow a positive outcome during their confinement. Policies will emphasize respectful and humane engagement with youth, and reflect that the admission process may be traumatic to youth who may have already experienced trauma. Policies shall be trauma-informed, culturally relevant, and responsive to the language and literacy needs of youth.

928.2 POLICY (TITLE 15 CCR, SECTION 1350)

- (a) Newly arrested youth brought to the juvenile hall will be scored using the DRAI (Detention Risk Assessment Inventory) contained in the Nobel Assessment Program, to assist the Deputy Probation Officer in determining the least restrictive environment that meets the youth's needs.
- (b) Youth admitted to the hall will receive a hall orientation from staff as well as the orientation manual. Admission and orientation will be conducted in an atmosphere of mutual respect and consideration. Staff is to approach youth in a non-judgmental manner regardless of the youth's behavior or the nature of the offense(s).
- (c) A high degree of interaction is maintained throughout the Admission and Orientation Process, emphasizing respectful and humane engagement with youth, and realizing that the admission process may be traumatic to youth who may have already experienced trauma. All interactions shall be trauma-informed, culturally relevant, and responsive to the language and literacy needs of the youth. The facility has interpreter services available as needed and will read the information to youth who are unable to read the materials.
- (d) The juvenile hall staff only accepts youth from law enforcement agencies who have been arrested for bookable offenses pursuant to the Penal Code and Welfare and Institutions Code Section 602, bench warrants and those who's Court ordered disposition includes a commitment to the juvenile hall. All youth must be approved by the on duty Probation Officer or after hours by the on Call Probation Officer prior to being accepted by juvenile hall staff and must be accompanied by the proper booking paperwork filled out to the best of the arresting/committing officer's ability. We do not accept those youth detained by law enforcement pursuant to Sections 300 W&I or 601 W&I.
- (e) Throughout the Admission and Orientation process staff is to assess the youth's behavior, emotional state, supervision and protection needs, communication capabilities, and any evidence of problems that require attention.
- (f) The Human Response Network will provide staff if a youth does not speak English, if they are illiterate, or impaired.
- (g) Youth will be given the opportunity to make one telephone call to parents, a responsible relative or guardian, one call to an attorney, and one to an employer at Trinity County's

Trinity County Probation Department

New Probation Manual

New Probation Manual

Admission Procedures - Article 5 Classification and Separation

expense. Juvenile Hall staff will be responsible to see that these calls are completed within one hour of the youth's booking. If the youth is physically or mentally unable to make the calls, or if they have demonstrated aggressive actions and are incapable for safety reasons, Hall staff may have the youth make the call at the earliest possible time after the youth is capable of doing so. Any delay beyond one hour must be noted in the logbook and on the youth's Booking sheet.

- (a) At no time will a youth be denied the use of the telephone upon intake for disciplinary reasons.
- (b) Once the calls are completed upon intake, they must be documented on the youth's Booking sheet in the appropriate section. If the youth declines to make one or all phone calls to which they are entitled, staff will enter this information on the youth's Booking sheet and ask the youth to counter-sign the section of the form indicating this.
- (h) Staff shall follow the policies and procedures ensuring respectful and equitable treatment of transgender and intersex youth, pursuant to Policy Section 1063: Transgender and Intersex Youth.

928.3 PROCEDURES

- (a) When a youth is being admitted to Juvenile Hall, the staff will:
 - (a) Before a youth or a youth from another county is booked into the juvenile hall, you must first get approval from a supervisor or Probation Officer. They will decide who get booked into the facility or if their charges even have custody time.
 - (b) Have the youth remove all items from their pockets. A pat down search will be conducted and the metal wand will be used. All contraband will be turned over to the arresting officer.
 - (c) Ensure that the Booking Sheet is properly filled out with the youth's name, address (mailing and physical address are needed), date of birth, offence codes, etc. An on-duty Probation Officer must sign the Seven Day Limited Authorization for Medical, Surgical and Dental Services form. *The arresting Officer should be the one to fill out the booking sheet as much as possible with a probable cause statement.
 - (d) The youth shall be advised by the arresting Officer of their Constitutional Rights using the furnished form.
 - (e) Have the Corrections Counselor admitting the youth complete the appropriate sections of the Booking Sheet making sure that there is a statement of parental notification indicated in the report. Parental notification is the responsibility of the juvenile hall staff. (Section 627. Notice to parent or guardian; right to make telephone calls.)
 - (a) In all cases where a youth is detained in the Trinity County Juvenile Hall the booking officer will contact by phone (no later than 1 hour after detention in the juvenile Hall) the parents/legal guardians of the detained youth advising them that their child has been detained and what law violations have been alleged by the arresting agency. This contact is made by

Trinity County Probation Department

New Probation Manual

New Probation Manual

Admission Procedures - Article 5 Classification and Separation

actually talking with the parent/legal guardian of the detained youth, not a neighbor, aunt/uncle, cousin, friend of the family, or message machine. If you get a message machine you will not share any booking/confidential information on the machine.

You will ask that the parent/legal guardian of the detained youth contact the Trinity County Juvenile hall at 623-1204 ext 134. If the booking officer is unsuccessful in initial contact they will continue to attempt contact to the youth's parent/legal guardian every hour until contact is made. The booking officer will also contact the appropriate supervisor; immediate supervisor/ hall superintendent/ on call probation officer. Upon contact, the booking officer will also advise the parent/legal guardian that they will be notified on the next business day by an assigned probation officer as to the court date and time for the youth case.

If parents become unmanageable in their demeanor or insistent on speaking to a higher authority than yourself you should refer the matter to your immediate supervisor/ hall superintendent/ on call probation officer.

- (b) Except when physically impossible, no later than one hour after he has been taken into custody, the youth has the right to make at least three telephone calls from the place where he is being held. One call completed to his parent or guardian, one to his employer, and one to an attorney. The calls shall be at our expense. Any officer or employee who willfully deprived a youth taken into custody of his right to make such telephone calls is guilty of a misdemeanor.
- (f) If the youth to be admitted shows any signs of a serious injury, illness, or under the influence of alcohol or illegal drugs, have the admitting officer take the youth to Trinity Hospital for treatment and obtain medical clearance. A youth who is unconscious may not be admitted to Juvenile Hall.
- (g) Conduct intake screening pursuant to Policy 876, including the MAYSI-2 questionnaire and the Medical Screening Form. Ask each question separately. Ex: Do not ask them all of the communicable diseases at once. Let them answer after each one.
 - (a) Use of these screening tools is to help identify physical, behavioral health and safety issues, and to identify intellectual or developmental disabilities. For youth that are suspected of or identified as having a developmental disability, contact the local Regional Center for the Developmentally Disabled within 24 hours, excluding holidays and weekends.
 - (b) All youth will be screened for physical and developmental disabilities in accordance with Sections 1329, 1413, 1430 of these regulations.
- (h) Prior to administering a prescribed medication that the youth has or has been delivered by the parents, staff will contact Physician's Assistant Michael Novak at 739-2417 or Dr. Krouse's office, at 623-5011, to receive authorization to administer the medication. A MAR (medical authorization request) sheet will be filled out initiating the directions given by Dr. Krouse, P.A. Novak and then the medications will be locked in the medication drawer.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Admission Procedures - Article 5 Classification and Separation

- (i) All youth will be offered food.
 - (j) The youth will be photographed and fingerprinted upon admission. Most out of county youth do not need to be fingerprinted. If the youth's appearance has changed, then a new photo is needed. Remember all tattoos need to be photographed.
 - (k) The parent/guardian should bring any medication prescribed by the family physician and the youth's immunization record (PPD inoculation date is important). The parents are allowed an initial visitation of 30 minutes with their youth. If the youth does not know their SS# have their parents get you this information.
 - (l) The youth's personal property and valuables shall be inventoried using the Personal Property Inventory Sheet. Large items will be placed in the plastic containers with the youth name on it, and secured in the locked property room. Small items/valuables are to be placed in a green zippered property bag marked with the youth's name and locked in the cabinet in the property room.
 - (m) The youth will be offered a shower, furnished hall clothing, and issued hygiene items (comb, soap, toothbrush, toothpaste, shampoo, and deodorant). Youth will not be given shaving supplies during the intake shower. Youth may shave when they have completed the booking and are in their appointed room.
 - (n) The youth is to be advised of the Juvenile Hall Rules and Grievance Procedures by the staff and given an Orientation Booklet. Keep asking youth if they have any questions throughout the booking process.
 - (o) Youth will be assigned a room, which they will survey for any signs of damage and annotate damages.
 - (p) Youth will be issued two sheets, a pillowcase, up to three blankets, a pillow, and mattress. There is a listing posted by each door of what youth may have in their rooms.
 - (q) Staff will use the Booking Log sheet, entering the youth's full name, date of admission, and current charges. Annotate the booking number on the youth's Booking Sheet. Using the JV number sheet, each new youth booked in will be issued a JV# that they will retain until their file is closed or destroyed.
 - (r) Staff will initiate a Logbook entry in RED INK: TIME (youth received), LAST NAME, FIRST NAME, MIDDLE INITIAL, OFFENSE CODE, POPULATION. Staff will initial all log entries. If the youth is here for our camp program that will be logged in the log book as well. Ex. below.
1300hrs Jones, Jim A. Admit 459 PC POP@10 jar
1300hrs Jones, Jim A. Admit 459 PC camp pop @10 jar
 - (s) Youth who are committed to the Juvenile hall will be advised of the estimated length of his/her stay and informed of program guidelines by the intake officer. This will also be documented in his/her file. (whatever process you wish to use)
- (b) **Camp admittance procedures:**

Trinity County Probation Department

New Probation Manual

New Probation Manual

Admission Procedures - Article 5 Classification and Separation

1. Youth entering into the juvenile camp program or post-dispositional juvenile hall programs will be advised of the estimated length of stay and be informed of program guidelines that include written screening criteria for inclusion and exclusion from the program.
2. The admittance procedures for the camp program are by the order of the Court after disposition hearing for an offense that falls under Section 602 of the Welfare and Institutions Code. Youth from other counties must be approved by an administrator or supervisor prior to their acceptance to the camp program. Youth who violate the rules of the program or are not medically cleared by medical staff will not be accepted into or allowed to continue to participate in the program.
3. Youth entering into the camp program must first be medically cleared by Trinity County Medical Staff including but not limited to, Dr. Krouse or P.A. Michael Novak, before going out on any work detail or starting the workout program.
4. Behavior Summaries are to be sent out to the youth Probation Officer after their first month in the camp program. The purpose of this report is to keep the Probation Officer updated on their behavior, school participation, and overall work progress. Each behavior summary should have the accumulated totals for school credits completed and work detail hours.

Release Procedures - Article 5 Classification and Separation

929.1 PURPOSE

To provide uniform methods for releasing youth on both permanent and temporary releases.

929.2 POLICY (TITLE 15 CCR, SECTION 1351)

- (a) Permanent Release:
 - 1. Youth are released from the hall only under proper authorization from the following sources (Section 1351 (a)):
 - (a) Probation Officer as part of the intake process (may be either an intake or supervision probation officer).
 - (b) Parole officer for youth who are being held only on parole hold.
 - 2. No youth will be released from the hall on his or her own recognizance unless the Court Order specifically states so.
 - 3. The youth will be released only to the person specified by the Probation Officer or the Court Order. Such authorization is to be documented on the Release Slip that all PO are required to fill out and give to hall staff.
 - 4. If the person to whom the youth is to be released does not appear at the time of the release:
 - (a) The Senior Corrections Counselor or Shift Lead will review the situation to ascertain if other release arrangements have been made.
 - (b) If not, at the direction of the Senior Corrections Counselor or Shift Lead, staff will contact the youth's parents or guardian.
 - (c) If unsuccessful, the Senior Corrections Counselor or Shift Lead will contact the youth's probation officer or the on- call Probation Officer.
 - 5. In the event the youth cannot be released, it will be necessary to detain the youth until the matter can be brought to the attention of the Probation Officer, Superintendent, or Chief Probation Officer. Ex) Safety of the youth.
 - 6. Prior to releasing a youth, staff will:
 - (a) Contact the youth's Probation Officer if you do not have a Release Form slip. Verify through the youth's booking picture that you have the correct youth to be released.
 - (b) The Probation Officer will meet with the youth and the youth's parents/guardians to explain expectations and coordinate transitional and reentry services including, but not limited to, medical and behavioral health, education, probation supervision and community based services. For post supervision weekend youth, this meeting may occur prior to commencement of the youth serving weekends.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Release Procedures - Article 5 Classification and Separation

- (c) Notify the facility's health care provider in accordance with sections 1408 (Title 15 "Transfer of Health Care Summary and Records") and notify facility mental health personnel. Relevant records are to be forwarded to health care staff in the receiving facility when a youth is transferred to another jurisdiction. Information to be sent shall include:
 - 1. A summary of the health record or documentation that no records exist prior to or at the time of transfer.
 - 2. Advance notification to the local health personnel if the youth being transferred has known or suspected active tuberculosis disease.
 - 3. Written authorization from the youth and /or parent/guardian to transfer health records, unless otherwise provided by a court order.
 - 4. Confidentiality of health records must be maintained.
- (d) Upon written request from the youth and/or parent/guardian the medical records shall be transferred to a specific physician or other health care facilities.
- (e) Section 1437 (Title 15 "Mental Health Services and Transfer to a Treatment Facility") The health administrator/responsible physician, in cooperation with the mental health director and facility administrator shall provide mental health services including but not limited to:
 - (f) Stabilization of persons with mental disorders and the prevention of psychiatric deterioration in the facility.
 - (g) Elective therapy services and preventive treatment where resources permit.
 - (h) Provision for timely referral, transportation, and admission to a licensed mental health facilities, and follow up for youth whose psychiatric needs exceed the treatment capabilities of the facility.
 - (i) Notify the school staff so that they may have the youth accumulated credits ready to send to the youth school.
 - (j) Have the youth clean his/her room. Staff will then inspect the room for cleanliness and damage and note the results. If damage has occurred to the room due to willful abuse and damage is extensive in nature, a Special Incident Report shall be prepared and submitted to the youth's Probation Officer.
- (k) Give the parent/guardian the youth's medication and Medical Treatment information. Parents must sign a Medication Release Form before receiving any medication. The signed slip goes into the medical folder.
- (l) Review each item on the youth's property record and insure that all property is released to the youth with the exception of weapons or paraphernalia that will be delivered to the parent or otherwise handled per policy. In the event that there is property missing, staff will immediately make every effort to locate the property. If still unable to locate the

Trinity County Probation Department

New Probation Manual

New Probation Manual

Release Procedures - Article 5 Classification and Separation

property, a Special Incident Report is to be written. A copy of this report shall be given to the Chief Probation Officer. Then ask the parents/guardian to call the Superintendent during regular business hours.

- (m) Make sure the youth signs the release portion of the Booking Sheet and the release portion of the property sheet. Obtain the signature of the person receiving the youth on the bottom of the Parent/Guardian Liability sheet. The parent, guardian, or approved person must show pictured identification before the youth is released. Staff will then document the release in the department's case management system and in the Daily Logbook in **GREEN** ink.

1400 Smith, Joe released to (name) pop @ 10 jar

- (b) Temporary Release: Temporary Releases will be used for **Short Term Releases or furloughs** for medical/psych. appointments or court appearances. Youth that have not been sentenced will not be allowed to leave the facility on **Temporary Releases**. Prior to the temporary release the staff will confirm the appointment or court appointment. Staff will check to make sure they have any pertinent paperwork, i.e.; Medical Release, Physical Form, court papers.
 - 1. A Temporary Release Form must be properly filled out and properly authorized (by a Probation Officer) before that youth may be released if the youth's parents or guardians are authorized temporary custody for medical appointments, etc.
 - 2. Instructions for temporary release must be thoroughly reviewed with the youth and the parent/guardian prior to the temporary release. Once this has been accomplished, the staff reviewing is to have the youth sign the temporary release form, date and time the signature, and staff's initial.
 - 3. Youth must be thoroughly checked for contraband upon release and return from temporary release.
 - 4. Prior to releasing a youth on temporary release, staff will have the person taking the youth review the Temporary Release Form and sign the form with their signature, the date and time, their address, including city, and their phone number. If there is not a phone number, please secure a message/emergency phone number. The receiving person must show pictured identification.
 - 5. Once this has been completed, staff will enter the time of departure and their initials. Staff will then retain the original copy and deliver a copy to the person receiving the youth.
 - 6. Staff will enter in **BLUE INK** in the logbook as follows:
1300hr Jones, Jim A., Temp Release to court. POP 2+1TR.
 - 7. When the youth returns, staff will indicate the time of return and initial the form. The youth will be readmitted in the log book in **BLUE INK** as follows:
1500hr Jones, Jim A., back from court. POP 3.
 - 8. If the youth is more than 15 minutes late returning from temporary release, a Special Incident Report is to be submitted.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Release Procedures - Article 5 Classification and Separation

9. Any time a youth is late returning from temporary release, the Senior Counselor or Shift Lead will then make every attempt to contact the person responsible for the youth and secure their return to the hall. Refer to "Escape Procedures" for further information as appropriate.
10. If a youth is released from court, they must be readmitted in the logbook before they can be released to the parent/guardian.

Classification - Article 5 Classification and Separation

930.1 PURPOSE

To provide a classification system for determining housing and programming for each youth admitted to Juvenile Hall.

930.2 POLICY (TITLE 15 CCR, SECTION 1352)

- (a) The goal of the classification system shall be to promote a safe and secure environment for the individual youth, other youth, and staff. The systems should provide suitable levels of security for each youth and impose the least restrictive conditions that are practical. Additionally, it is the goal of this classification system to re-classify youth as circumstances warrant (also review Developmentally Disabled Placements policy statement). The classification system shall consider the facility populations and physical design of the facility.
- (b) Maintaining a safe environment for all youth during their stay in Juvenile Hall is both difficult and necessary. Realizing that all sleeping rooms in this facility are double occupancy, with the exception of the dormitory with four beds, sound judgment and prudent decision making on the part of staff are required when making room assignments. Factors to consider are:
 - 1. Age, sex, maturity, sophistication
 - 2. Gender and gender identity of the youth
 - (a) Facility staff shall not consider lesbian, gay, bisexual, transgender, questioning or intersex identification or status as an indicator of likelihood of being sexually abusive.
 - 3. Emotional stability, medical and mental health needs
 - 4. Public safety
- (c) Youth with serious risk factors such as the following will not be housed with another youth. Room assignments must minimize the commingling of:
 - 1. Sophisticated offenders with less sophisticated.
 - 2. Serious offenders with less serious.
 - 3. Violence prone offenders with less serious.
 - 4. Sex offenders with youth who could be victimized.
 - 5. Differences in sex, age, size, and maturity.
- (d) Upon admission to the Juvenile Hall, all youth will be assigned a classification by admitting staff in accordance with classification policies. In that the classification of each youth will determine that individual's activities and programs, the classification of the youth will be listed on the Daily Shift Summary clipboard and updated immediately upon change of classification.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Classification - Article 5 Classification and Separation

- (e) Classification assignments are intended to meet the goals specified above as well as to comply with minimum standards for Juvenile Hall operations. The principle goal of the Juvenile Hall is to maintain youth in a safe and secure environment while at the same time protecting the community. Therefore, the first consideration of classification assignment is an assessment of the potential risk of a particular youth to injure himself/herself, others, or to escape.
- (f) The Juvenile Hall Superintendent, or a Senior Corrections Counselor in his/her absence, will be notified and review restrictive classification (i.e.; MSR or R) within 24 hours of the classification being assigned to a youth. All classification assignments will be reviewed weekly. The classification system is an essential part of the Juvenile Hall program in that by its application we are able to meet minimum standards of Juvenile Hall operation within a single facility setting.
- (g) There will be a daily classification review for youth on administrative separation. Youth on disciplinary separation are given a review hearing. Youth in general population will be reviewed every 30 days or sooner if requested by the youth or staff and
- (h) Provide that facility staff shall not separate youth from the general population or assign youth to a single occupancy room based solely on the youth's actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, gender, sexual orientation, gender identity, gender expression, mental or physical disability or HIV status. This section does not prohibit staff from placing youth in a single occupancy room at the youth's specific request or in accordance with Title 15 regulations regarding separation.

930.3 CLASSIFICATION SYSTEM

930.3.1 GENERAL (G)

Youth booked on a less than 20 days commitment from court. Minimum potential of risk to injury or escape. Less sophisticated/serious offenses.

930.3.2 RESTRICTED (R)

All bookings that do not fall into (G) or (MSR) categories. Moderate potential of risk to injure or escape, and less sophisticated/less serious offender. Same program participation as General EXCEPT:

- (a) No kitchen work detail.

930.3.3 MAXIMUM SECURITY RISK (MSR)

- (a) Youth booked on charges outlined in 707b.
- (b) Youth that have previously escaped from any locked facility (felony escape) using force.
- (c) Youth who are on parole (any state).
- (d) Maximum potential of risk to injure or escape.
- (e) Most sophisticated/serious offender.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Classification - Article 5 Classification and Separation

- (f) MOST RESTRICTED PROGRAM (MSR):
1. Youth confined to individual sleeping rooms.
 2. Youth can or will be provided with separate, independent exercise/recreation each day.
 3. Youth will be showered independently while other youth are in their rooms.
 4. All other activities such as schoolwork and dining can or will be in individual sleeping rooms.
 5. Persons in this classification shall NOT have roommates 707b W&I.
 - (a) Murder.
 - (b) Arson of an inhabited building.
 - (c) Robbery while armed with a dangerous or deadly weapon.
 - (d) Rape with force or violence or threat of great bodily harm.
 - (e) Sodomy by force, violence, duress, menace, or threat of great bodily harm.
 - (f) Lewd or lascivious act as provided in subdivision (b) of Section 288 of the Penal Code.
 - (g) Oral copulation by force, violence, duress, menace, or threat of great bodily harm.
 - (h) Any offense specified in Section 289 of the Penal Code.
 - (i) Kidnapping for ransom.
 - (j) Kidnapping for purpose of robbery.
 - (k) Kidnapping with bodily harm.
 - (l) Assault with intent to murder or attempted murder.
 - (m) Assault with a firearm or destructive device.
 - (n) Assault by any means of force likely to produce great bodily injury.
 - (o) Discharge of a firearm into an inhabited or occupied building.
 - (p) Any offense described in Section 1203.09 of the Penal Code.
 - (q) Any offense described in Section 12022.5 of the Penal Code.
 - (r) Any felony offense in which the youth personally used a weapon listed in subdivision (a) of Section 12020 of the Penal Code.
 - (s) Any felony offense described in Section 136.1 or 137 of the Penal Code.
 - (t) Manufacturing, compounding, or selling one-half ounce or more of any salt or solution of a controlled substance specified in subdivision (e) of Section 11055 of the Health and Safety Code.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Classification - Article 5 Classification and Separation

- (u) Any violent felony, as defined in subdivision (c) of Section 667.5 of the Penal Code, which would also constitute a felony violation of subdivision (b) of Section 186.22 of the Penal Code.

930.3.4 VARIABLES

- (a) Notwithstanding any other provisions of this classification system, youth who have been previously housed in any juvenile facility will be assigned to no lower a classification than that classification to which they were assigned upon their last, most recent release. A phone call may be necessary to get this information.
- (b) In making a classification decision during booking, the highest classification rating shall be the base classification.
- (c) 707 finding of unfitness - current classification increased by one level.
- (d) Talking about escape - current classification increased one level (continued talk results in continued escalation of classification level).
- (e) As soon as the probation officer decides that the disposition recommendation is DJJ or CDCR: youth will be assigned R or greater.
- (f) Youth thinks DJJ is probably disposition - never below R.
- (g) Any counselor can, with proper documentation, raise the classification status of a youth; however, a reduction in classification status requires the joint decision of a Senior Counselor and the Superintendent.

Orientation - Article 5 Classification and Separation

931.1 PURPOSE

Information on daily routines and safety and security procedures for confined youth, support staff, contract employees, school and medical staff, program providers, and volunteers.

931.2 POLICY (TITLE 15 CCR, SECTION 1353)

- (a) Orientation begins immediately upon receiving. A high degree of interaction is maintained throughout the Admission and Orientation process. Should language barriers surface, contact the appropriate interpreter and proceed as usual. The staff is to approach the youth in a non-judgmental manner regardless of the youth's behavior or the nature of the offense(s).
- (b) The staff shall provide complete and concise information regarding the facility's purposes, programs, resources and goals, and assure the youth that he/she is an integral part of the juvenile court process.
- (c) It is the policy of this hall that orientation will be conducted orally. Written material may be used to enhance the process. It is never to be used in place of the interactive process.
- (d) Throughout the Admission and Orientation process staff is to assess the youth's behavior, emotional state, supervision and protection needs, communication capabilities, and any evidence of problems that will require intervention.
- (e) The Human Response Network will provide staff if a youth does not speak English, if they are illiterate, or impaired.

931.3 PROCEDURE

- (a) Staff Duties:
 1. Welcome the youth to the Juvenile Hall, and introduce yourself. Attempt to allay the youth's fears, anxieties, hostility, and concerns (both stated and displayed). Assess for crisis and situational counseling needs, and provide for these needs to be met as appropriate.
 2. Instruct the youth about what he/she can expect in the admissions process, including paperwork, screening, personal property, search, shower, and assignment to a room. Begin the admissions process, while continuing to complete the orientation. The youth should be advised of the following:
 - (a) Facility rules, including contraband and searches, and disciplinary procedures - There is a variety of disciplinary actions: loss of points, time spent in room, and loss of privileges.
 - (b) Facility's system of positive behavior interventions and supports, including behavior expectations, incentives that youth will receive for complying with

Trinity County Probation Department

New Probation Manual

New Probation Manual

Orientation - Article 5 Classification and Separation

- facility rules, and consequences that may result when youth violate the rules of the facility
- (c) Age appropriate information that explains the facilities policy prohibiting sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or harassment.
 - (d) Identification of key staff and their roles- Inform the youth of who each staff member is and their role with interacting with the youth.
 - (e) Grievance procedures - See procedures posted on the dayroom floor wall. This includes the existence of the grievance procedure, the steps that must be taken to use it, the youth's right to be free of retaliation for reporting a grievance, and the name of the person or position designated to resolve the issue. Youth may use this form to request a change in your housing unit, education, programming and work assignments.
 - (f) Access to legal services, including immigration legal services - Youth may contact their attorney by filling out a Request for Contact form. The call will be placed by staff.
 - (g) Access to routine and emergency health and mental health services - To see medical personnel, fill out a Request for Medical Services form. Youth should seek staff assistance if there is an emergency health or mental health issue.
 - (h) Access to recreational activities- Youth may participate in recreational activities during appropriate times.
 - (i) Access to counseling services - To see mental/behavioral health, fill out a Request for Behavior Health Services form.
 - (j) Access to religious services - Youth have a right to attend the religious services provided or with approval you can have your own religious leader.
 - (k) Access to educational services - You have the right to attend school. Our school program is year around.
 - (l) Information on the court process - Your Probation Officer will provide you with your court process and will inform you of each court date and what is likely to happen.
 - (m) Housing assignments - You have the right to be safe while in the juvenile hall. If you are assigned a roommate, you have the right to let staff know if things are not going well with your roommate and request a housing change.
 - (n) The process for requesting different housing, education, programming and work assignments.
 - (o) Availability of personal care items and opportunity for personal hygiene, including daily showers.
 - (p) Rules and access to correspondence, visiting, and telephone use.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Orientation - Article 5 Classification and Separation

- (q) Availability and access to reading materials, programs, and activities.
 - (r) Facility policies on use of restraints and chemical agents.
 - (s) Facility policies on use of force and room confinement.
 - (t) Emergencies including evacuation procedures.
 - (u) Non-discrimination policy and the right to be free from physical, verbal or sexual abuse and harassment by other youth and staff.
 - (v) Availability of services and programs in a language other than English if appropriate.
 - (w) The process by which youth may request access to Title 15 Minimum Standards for Juvenile Facilities.
3. If the decision is to admit the youth and he/she has obvious or serious medical problems, refer to Health Care Procedures. Meet all medical needs.
 4. Inform the youth that their case will be reviewed by a Probation Officer (tell him/her who).
 5. Have the youth complete the authorized telephone calls and indicate that they have been completed on the Booking form. Remember, the law requires that the youth be allowed three telephone calls no later than one hour after they have been taken into custody. Should the youth decline their phone calls, have the youth sign that they refused them. During the phone call to parents or guardian of the youth, staff will:
 - (a) Inquire about any special problems that the youth may have (i.e. medical, emotional, etc.). Note these on the Medical Screening form. Complete the parent/guardian section of the Medical Screening. Ask parents to bring in medication, if appropriate and for them to come to the hall to sign the Medical Release form as soon as possible. Ask parents for documentation of medical insurance, Medi-Cal card, etc, and make a copy of same. (Non Medi-Cal youth should be noted and the information passed on to the juvenile DPO for possible follow-up enrollment assistance).
 - (b) Advise the parents of visiting hours and rules.
 - (c) Parents may get answers to frequently asked questions and contact information for medical, school and mental health services by contacting the facility at (530) 623-1226 or by contacting the probation officer at (530) 623-1204.
 - (d) Provide parents a copy of the Orientation Manual, as this will help to answer many frequently asked questions.
 6. Inquire of the youth as to when they have last eaten. If the youth needs to be fed, staff will ensure that they are given enough of a meal to tide them over until the next regularly scheduled meal.
- (b) There is an orientation sheet for all support and volunteer staff to read and sign. This sheet is to be put in the orientation binder located in the control room cabinet.

Juvenile Hall Rules - Article 5 Classification and Separation

932.1 WELCOME

Welcome to Trinity County Juvenile Hall. I am (Name & Title). We understand that you may not be happy about being here, and in order to make your stay here less difficult, I am going to give you a brief description of Juvenile Hall rules and your rights. You are being admitted to Juvenile Hall on a commitment order or on a new charge.

If you are here on a new charge, the arresting Officer or a Probation Officer has made a decision to detain you until you can see the judge for a detention hearing. The judge will decide at that time whether to continue to hold you through the court proceedings or to release you. You must see the judge within two days if you are booked on a misdemeanor not counting weekends and holidays. If you have been booked on a felony, you must see a judge within three days not counting weekends and holidays.

While you are in Juvenile Hall you have the following rights:

- (a) You have the right to make up to three phone calls within one hour of being booked. One call to your parents or guardian, one call to your attorney, and one call to your employer.
- (b) Your parents may have an initial visit for ½ hour. After that they may only visit on regular visiting days; Sunday from 1:00pm till 3:00pm and Thursdays from 5:00 p.m. till 7:00 p.m. Youth can have scheduled visits for two (2) hours a week. Only your parents, guardians or grandparents may visit you unless your Probation Officer sets up a special visit for a specific purpose.
- (c) You have the right to receive and send letters to friends and family. Your mail can be inspected for content by staff. Juvenile Hall will supply you with two stamps per week. Other stamps will have to be supplied by your family unless you are sending mail to your attorney, a judge, or any other Official, then Juvenile Hall will supply you with the needed stamps.
- (d) You have the right to have access to legal services. If you want to talk to your attorney, staff will place a call for you when you put in a Request for Contact form. Your attorney may talk confidentially with you by phone or they may come to the hall and talk with you face to face. You may send unlimited mail to your attorney.
- (e) You have the right to receive health care while you are at Juvenile Hall, including medical, dental and mental health services, and to take your prescribed medications, including birth control pills. You also have the right to see your own doctor, at your expense. Our health care doctor is available three days a week for sick call if you have a medical problem. You must let staff know and fill out a Request for Medical Services form. If you have a medical emergency you will be taken to the hospital or our health care staff will see you here at Juvenile Hall.
- (f) You have the right to see your minister as long as he or she is over eighteen years of age and has been cleared to come into the juvenile facility.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Juvenile Hall Rules - Article 5 Classification and Separation

- (g) You are encouraged to participate in the programs and activities while you are at Juvenile Hall. The weekday programs: You will be given schoolwork each day and you are expected to participate in this activity. Each weekday you will be given a minimum of three hours recreation time with one hour outside, weather permitting. Other recreation activities may include, basketball, Ping-Pong, table games like chess, checkers, cards, etc., television, videos and writing letters. Each weekend and non-school day you will be given a minimum of five hours of recreation time with one hour outside, weather permitting.
- (h) You have the right to have clean clothing, hygiene care, exercise, one hot meal each day, and a place to safely sleep at night. You will shower prior to receiving your room assignment and being issued Juvenile Hall clothing. You will be allowed to shower each day and will be given clean underclothing, socks, and a shirt. You will be given clean pants and sweatshirt every other day. You will be allowed to brush your teeth after each meal and will be supplied with soap, comb, toothpaste and toothbrush in your hygiene kit. Shaving cream and razor is given when asked for at shower times.
- (i) While you are here you have the right to talk with family planning services. You can receive counseling on birth control, communicable diseases, pregnancy, parenting skills, adoption and abortion. If you desire you can also be tested to see if you're pregnant or have any other sexually transmitted diseases and the results of these test will be kept private, even from your parents if you so desire. If you are found to be pregnant, you are entitled to a full range of treatments from prenatal care, adoption, and therapeutic abortion services. We have reading material on the day room and the classroom. You may select up to two books and have them in your room. Your family may bring in books or magazines for the hall. The staff must approve of them, and any book or magazine will be shared with all of the other wards so do not bring in items that are valuable.
- (j) You are expected to follow all the rules of the hall and instructions of the staff. If you have a complaint or a grievance about your treatment at Juvenile Hall you should first try to resolve it by talking to the staff. If you are unable to resolve it you may file a Grievance (see Grievance procedures). You must write what your grievance is and the staff will annotate what actions have been taken resolve your grievance. If your grievance is still not resolved, the Lead Counselor will review it prior to the end of their shift or at the start of the next shift. If your grievance is still not resolved, it will go to the Superintendent for a hearing. You will be able to present your side of the issue, to an officer not involved in the incident. The Superintendent will make the final decision. If the Superintendent was involved in the incident, then the Chief Probation Officer will make the final determination. Grievance forms are available in a folder posted on the wall in the day room.
- (k) If you are transported while in custody, you will be placed in handcuffs and leg shackles. Restraints will not be used as punishment. However, if you are out of control, refuse to move to a given area or are hurting others or yourself, staff may use physical force on you. This force will be the amount necessary to control you and may include arm holds, the use of restraints like handcuffs, leg shackles, soft cuffs or the use of pepper spray. The intent is not to punish you, but to bring you under control so that

Trinity County Probation Department

New Probation Manual

New Probation Manual

Juvenile Hall Rules - Article 5 Classification and Separation

our hall is again safe. You can avoid restraints by keeping yourself under control and following staff instructions.

932.2 YOUTH RULE VIOLATIONS

These are the basic rules while you are at Juvenile Hall:

- (a) Horseplay
- (b) Out of assigned area
- (c) Slow to follow staff directions
- (d) Possession of non-concealed contraband not constituting a potential safety concern.
- (e) Lying or manipulating others
- (f) Verbal badgering others
- (g) Disrupting programs
- (h) Gang-related talk, gesturing or graffiti (less than three(3) incidents)
- (i) Refusal to attend school
- (j) Verbal altercation with other youth
- (k) Abusive language, swearing
- (l) Misbehavior at meal times, recreational activities, work programs, etc.
- (m) Repeated acts of youth misbehavior

932.2.1 PENALTIES

During your stay in Juvenile Hall, you are responsible for following all rules and regulations. Failure to do so could result in:

- (a) Loss of points.
- (b) Loss of privileges.
- (c) Temporary room restriction, "TIME OUTS".
- (d) Up to four (4) hours of room confinement

932.3 MAJOR RULE VIOLATIONS

- (a) School suspension
- (b) Possession of concealed contraband not constituting a potential safety concern.
- (c) Consensual sexual contact of any nature with another youth
- (d) Gang-related talk, gesturing or graffiti (more than three (3) incidents)
- (e) Gross non-compliance with staff directive
- (f) Refusal to return to room when instructed
- (g) Fighting or physical altercation with another youth*
- (h) Destruction of property*

Trinity County Probation Department

New Probation Manual

New Probation Manual

Juvenile Hall Rules - Article 5 Classification and Separation

- (i) Verbally threatening staff or other youth*
- (j) Possession of serious contraband whether concealed or not that constitutes a potential safety concern (i.e. sharps and shanks, lighter, matches, drugs or alcohol, other potential improvised weapons, etc.)*
- (k) Physical challenge, threat to life, or altercation with staff*
- (l) Non-consensual sexual contact with another youth*
- (m) Battery against another youth*
- (n) Fire-setting*
- (o) Escape or attempt escape*
- (p) Riotous behavior*

932.3.1 PENALTIES

During your stay in Juvenile Hall, you are responsible for following all rules and regulations. Failure to do so could result in:

- (a) Documentation provided to judge, PO for consideration in sentencing and length of stay (LOS) factors
- (b) Loss of points
- (c) Automatic level drop
- (d) Program Restriction
- (e) Up to four (4) hours of room confinement
- (f) *Possible filling of additional charges

932.4 BEDROOM RULES

- (a) Remain QUIET and CALM in your room. Do not yell, talk or whistle out of your room.
- (b) Do not knock on your window or place anything in your window that would hamper staff seeing into your room.
- (c) Use your room buzzer only in an emergency or necessary assistance.
- (d) Do not write on or scratch the walls or furniture, or damage other property (this could result in new charges being filed).
- (e) Do not stand on bed, sink, or toilet in your room.
- (f) There is a posting next to the cell door of what you are allowed in your room.
- (g) You are responsible for a clean room at all times. Bed must be made and toilet flushed.
- (h) You must remain completely clothed at all times, unless in bed for the night.
- (i) No communicating between rooms or between room and dayroom.
- (j) No banging on the walls or doors for the officer's attention.
- (k) Your shoes must be taken off when inside your room and left outside your door.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Juvenile Hall Rules - Article 5 Classification and Separation

932.5 DRESS CODE

- (a) All clothing must be worn properly.
 - 1. T-shirts must be tucked in.
 - 2. No baggy pants.
 - 3. Do not alter, damage, or destroy clothing.
 - 4. If wearing coveralls, the buttons, snaps, etc, will be buttoned up completely.
 - 5. Pant legs will be neatly rolled up so bottoms of the pants will not touch the ground/floor.

932.6 DINING ROOM RULES

- (a) Line up to receive meals. No talking until seated.
- (b) Do not lean on the walls when in line.
- (c) No passing or trading food. Use appropriate table manners.
- (d) Do not leave your seat without permission.

932.7 TELEVISION RULES

- (a) The television will normally be turned on during free time and the evening entertainment hours. The officers will make the final TV programming selection. No youth is allowed to touch the television or make any adjustments at any time without permission of the officer.
- (b) Keep talking to a minimum. Do not disturb others. Staff may direct you not to talk at all if you are disturbing others.
- (c) Do not leave your seat without staff permission.

932.8 SHOWER RULES

- (a) No talking in showers/Only one youth in a shower at a time.
- (b) Do not misuse the toiletries.

932.9 THE FOLLOWING RULE VIOLATIONS WILL RESULT IN AN AUTOMATIC TIMEOUT. THESE ARE CONSIDERED YOUTH VIOLATIONS.

- (a) **EXCESSIVE RULE VIOLATIONS:** Breaking several rules within one shift may result in restriction.
- (b) **PASSING NOTES:** Passing notes or letters to anyone in the juvenile hall.
- (c) **DESTRUCTION OF COUNTY OR OTHER'S PROPERTY:** Combs, toothbrush, clothing, sheets, books, cards, games, etc.
- (d) **GANG ACTIVITY:** Gang writing or signs, hand signals, or gang talk.
- (e) **CHALLENGING TO FIGHT:** Any threats or gestures, which could lead to physical confrontation.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Juvenile Hall Rules - Article 5 Classification and Separation

932.10 THE FOLLOWING RULE VIOLATIONS WILL RESULT IN AN AUTOMATIC TIMEOUT FOLLOWED BY A DISCIPLINARY DUE PROCESS HEARING. THESE ARE CONSIDERED MAJOR VIOLATIONS.

- (a) **POSSESSION OF CONTRABAND:** Weapons, drugs, tobacco, matches, pencils, pens, and etc.
- (b) **PHYSICAL CONTACT:** Fighting, assault, lewd contact with the body of another.
- (c) **DISRESPECT TO STAFF:** Threatening staff or cussing at or about staff.
- (d) **ESCAPE or ATTEMPTING TO ESCAPE:** Talking about or planning escape from custody.
- (e) **DESTRUCTION OF COUNTY OR OTHER'S PROPERTY:** Combs, toothbrush, clothing, sheets, books, magazines, cards, games, & etc.
- (f) **TATTOOING:** Writing or carving on one's body or someone else's body.
- (g) **FLASHING:** Exposing one's body or making vulgar gestures.
- (h) **DESTRUCTION OF COUNTY OR OTHERS PROPERTY:** Fire sprinklers, cell rooms, property of significant value, etc.

Separation - Article 5 Classification and Separation

933.1 PURPOSE

To establish policy and procedures for determining separation standards of youth.

933.2 POLICY (TITLE 15 CCR, SECTION 1354)

- (a) Youth who are separated shall not be denied normal privileges, except when necessary to accomplish the objectives of separation. Separation of youth may be for reasons that include, but are not limited to, medical and mental health conditions, assaultive behavior, disciplinary consequences and protective custody.
- (b) Positive youth development and trauma-informed care principles shall be taken into consideration in all youth separation circumstances.
- (c) The department provides written procedures to provide direct visual observation and review of all youth in separation status to determine whether it is appropriate for them to remain in separation. When separation is for the purpose of discipline, Title 15, Section 1390 applies, and shall be in accordance with Policy 861 - Discipline..
- (d) Youth may request Administrative separation for their own protection. This might be because a youth believes that they are threatened by physical harm or will inflict physical harm upon another youth. When a youth requests separation, a log entry will be initiated and an incident report is to be done. This separation will be reviewed by the Superintendent or a Lead Supervisor every 4 hours; they will decide when the situation no longer warrants separation.
- (e) Youth requiring protective custody will be housed in an appropriate alternate juvenile hall per contract and/or agreement between said counties. The youth will then be transported to and from court or other appointments by Trinity County Probation Department staff.
- (f) Males and female inmates will not be segregated from each other unless it is needed to maintain the safety of everyone in the facility. However, male and female inmates will be separated from each other unless they are involved in an organized activity or program.
- (g) When separation results in room confinement, the separation shall occur in accordance with Welfare and Institutions Code Section 208.3 and Title 15, Section 1354.5, as specified in Policy 964 - Room Confinement.
- (h) Any youth on a separation status will be reviewed daily to determine if separation remains necessary.

933.3 PROCEDURE

There are three types of separation:

- (a) **Medical Separation** - The Dr. or other medical staff places a youth on separation. They will provide specific instructions as to where the youth needs to be placed. A medical report is to be done before the end of your shift and a copy placed in the

Trinity County Probation Department

New Probation Manual

New Probation Manual

Separation - Article 5 Classification and Separation

medical folder. The Dr. or other medical staff will be the only ones to say when a youth may come off of medical separation.

- (b) **Administrative Separation** - The Department's Administrative personnel has the authority to place a youth on separation for their safety. The separation report is to be done before the end of your shift with administrative personnel's signature of approval. A youth may also request to be placed on separation.
- (c) **Disciplinary Separation** - The Department's Administrative personnel has the authority to place a youth on separation for disciplinary reasons. Any youth placed on disciplinary separation is to be given due process (See Policy 862 - Discipline Due Process). The disciplinary separation report and due process is to be completed before the end of your shift.

Youth on a disciplinary separation will be reviewed daily by a panel consisting of a Lead Corrections Counselor or Facility Administrator, a Probation Officer, and a Corrections Counselor II.

- (a) A hearing will be conducted as follows: The panel will review all incident reports filed since the original disciplinary separation and the events leading up to the youth's separation. A case history with this information will be prepared in writing by the Lead Correctionse Counselor or designee. The case history will include a written statement if so desired by the youth and any evidence he/she may wish to have considered at the hearing.
- (b) At the hearing the panel may ask questions of the youth to ascertain his/her level of commitment to change and or insight into the reasons for his/her separation.
Example:
 - (a) Do you understand why you are on Disciplinary Separation?
 - (b) What efforts will you make to address the concerns that placed you in Separation?
- (c) The panel will then ask the youth if he/she has any statements they wish to be considered by the panel prior to its deliberation. The panel may then choose to reduce some of the administrative sanctions, remove the youth from disciplinary separation or enhance the separation. If the youth remains in separation he/she must be evaluated again within 4 hours.

Use of Safety Room - Article 5 Classification and Separation

934.1 PURPOSE

To provide a policy and procedures governing the use of the safety room.

934.2 POLICY (TITLE 15 CCR, SECTION 1359)

The safety room shall be used to hold only those youth who present an immediate danger to themselves or others, who exhibit behavior which results in the destruction of property, or reveals the intent to cause self-inflicted physical harm. The safety room shall not be used for punishment or discipline, or as a substitute for treatment.

934.3 PROCEDURE

Step 1 - You must gain approval from the shift lead or administrative personnel to place the youth in the safety cell.

Step 2 - If the youth is non-compliant then as safely as possible apply restraints or a control hold of wrist or arm. The movement of a youth should be done with at least two staff. If a youth is in restraints they are to be removed immediately upon the youth regaining self-control. One extremity at a time is to be exercised every hour for 15 minutes, if the restraints have not been removed.

Step 3 - If the youth is threatening to harm himself or commit suicide then the youth will be given the suicide gown to wear. If the youth was OC sprayed then the youth is to take a shower as soon as they regain self-control and before being given the suicide gown or new clothing. At this time Medical and Mental Health staff shall be called. The phone calls can be done by the staff member in the control room while you are taking care of the issues at hand. Everything is to be logged in the log book so that you may reference to it for your report.

Step 4 - Youth in the safety room must be under continuous direct visual supervision of staff. The Safety Cell Watch form needs to be filled out and observations recorded every 5 to 15 minutes with the actual times recorded., which shall include a description of youth behavior or actions and any staff intervention.

Step 5 - A supervisor or administrative personnel must approve further detainment with documentation of why the continuation is needed or the youth is to be removed from the Safety Cell. Further detainment will be evaluated every four hours by a supervisor or administrative personnel. Examples of continued safety room use: threats to themselves or others, they are physically challenging others, or medical/mental health reasons (this reason has to be documented by medical personnel or a counselor from behavioral health.)

Step 6 - If Safety cell detainment continues then medical staff needs to come in to review and mental health needs to be notified of continuance. P. A. Novak or Dr. Krouse is to be notified of safety room placement. Medical personnel has to clear the youth every 24 hours if continued retention.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Safety Room - Article 5 Classification and Separation

Step 7 - Behavioral Health is to be contacted for evaluation on the youth if there have been suicidal comments made or the youth's behavior deems it appropriate. Behavioral Health is to give an evaluation within 24 hours of a youth being placed in the safety room.

*Remember youth are to be offered fluids every 30 minutes, and meals as they are served, while they are detained and unless impractical or unsafe, should be allowed to use the intake hallway bathroom. The toilet facilities are built into the floor and should be flushed by staff immediately after use (flushing button is located in the booking room).

SAFETY ROOM PLACEMENTS and ROOM CONFINEMENT

1. The placement of youth in the safety room shall be accomplished in accordance with the following:
 - (a) Safety room shall not be used before other less restrictive options have been attempted and exhausted, unless attempting those options poses a threat to the safety or security of any youth or staff.
 - (b) Safety room shall not be used for the purposes of punishment, coercion, convenience or retaliation by staff.
 - (c) Safety room shall not be used to the extent that it compromises the mental or physical health of the youth.
2. A youth may be held up to four hours in the safety room. After the youth has been held in the safety room for four hours, staff shall do one or more of the following:
 - (a) Return the youth to general population.
 - (b) Consult with mental health or medical staff.
 - (c) Develop an individualized plan that includes the goals and objectives to be met in order to reintegrate the youth to general population.
3. If confinement in the safety room must be extended beyond four hours, staff shall develop an individualized plan that includes the requirements of Section 1354.5 and the goals and objectives to be met in order to reintegrate the youth to general population.

Summary:

- (a) The youth shall be provided with immediate medical assessment or an assessment at the next daily sick call.
- (b) The youth shall be medically cleared for continued retention every 24 hours.
- (c) A mental health opinion shall be secured within 24 hours.
- (d) A written report will be completed by senior staff or Administrative Personnel. This report shall provide the reason for placement, including attempts to use less restrictive means of control, observations of the youth during confinement, and decisions to continue and/or end placement shall be included in your report.
- (e) A second report will be done by the initial staff member(s) involved in the incident. This report will contain the information leading up to the use of the safety room.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Safety Room - Article 5 Classification and Separation

Any staff member inappropriately using the safety cell will receive a formal write up to be placed in their personnel file. The safety cell cannot be used as punishment, cannot be used to replace a regular cell/room, or be used as a holding cell.

Institutional Assessment and Plan - Article 5 Classification and Separation

935.1 PURPOSE

To establish written policies for assesment and case planning for youth in the Trinity County Juvenile Hall.

935.2 POLICY (TITLE 15 CCR, SECTION 1355)

- (a) Trinity County Juvenile Hall provides Behavioral Health counseling, Substance Abuse counseling, Victim Awareness counseling, Anger Management counseling, Life Skills, and Planned Parenthood. The hall superintendent coordinates these programs.
- (b) An Initial Assessment is based on information collected during the admission process with periodic review, which includes the youth's risk factors, needs and strengths including, but not limited to, substance abuse history, education, vocational, counseling, behavioral health, consideration of known history of trauma, and family strengths and needs. Periodic Progress Evaluation will be completed after 90 days (if the youth is still in residence), and a Final Transitional Assessment on every youth at final release. All three can be accessed through Nobel in the CSS case management system for the department. All interventions entered in the system that are specific to juvenile hall will be coded using "JH – " at the beginning (Sample: JH – Youth will attend the Change Series classes). Communication between the corrections counselor and the youth's probation officer will occur weekly to determine the progress of the youth.
- (c) Institutional Case Plan:
 - 1. A case plan shall be developed for each youth held for at least 30 days or more and created within 40 days of admission.
 - 2. The institutional case plan shall include, but not be limited to, written documentation that provides:
 - A. Objectives and time frame for the resolution of problems identified in the assessment.
 - B. A plan for meeting the objectives that includes a description of program resources needed and individuals responsible for assuring that the plan is implemented.
 - 3. Periodic evaluation of the plan shall include progress toward meeting the objectives, including periodic review and discussion of the plan with the youth.
 - 4. A transition or aftercare plan, subject to existing resources, shall be developed for post dispositional youth in accordance with Section 1351. (Policy 929 - Release Procedures)
 - 5. As much as possible and if appropriate, the institutional case plan, including the transition plan, shall be developed with input from the family, supportive adults, youth, and Regional Center for the Developmentally Disabled.

Developmentally Disabled Placements - Article 5 Classification and Separation

936.1 PURPOSE

To establish policies and procedures in handling developmentally disabled youth.

936.2 POLICY

If a youth is believed to have a developmental disability or an obvious physical disability, provisions shall be made to house the youth in a room alone.

936.3 PROCEDURE

- (a) It is the responsibility of the Senior Corrections Counselor or Shift Lead to insure that any youth believed to be developmentally disabled is housed properly in the hall, and appropriate provisions are made to ensure their safety.
- (b) The Senior Corrections Counselor or Shift Lead shall contact Far Northern's 24 hour number before the end of the shift at (530) 222-4791 to access a manager who will help coordinate services for that youth and forward the information to a Service Coordinator. The Service Coordinator for the Trinity County area is Andrew Myers.
- (c) If developmental disability is believed or identified, it is required that Jail Health be notified within 24 hours.

Counseling Services - Article 5 Classification and Separation

937.1 PURPOSE

and services offered here. Counseling and interaction is most effective if done in a planned, aware, sensitive, and professional manner. The material outlined below is to provide a framework and guidelines for the various types of counseling that are considered necessary and appropriate to meeting our goals and providing individualized case planning within the continuum of care concept.

937.2 POLICY (TITLE 15 CCR, SECTION 1356)

All staff must be familiar with the structure and purposes of the counseling types outlined below, and to meet the procedural requirements as outlined. It is important to use the appropriate method with the appropriate types of situations and goals in mind. Communication of counseling contacts with other members of the facility team is critical to the hall program and goals. Such communication must include both verbal feedback and appropriate documentation. Counseling and interaction with youth should always keep in mind the youth's case plan.

Services shall be provided as appropriate to the population housed in the facility, and may include: substance abuse, family crisis and reunification, counseling, public health, and mental health services.

937.3 PROCEDURES

If needed, staff is to assist a youth in requesting contact with their parents, other supportive adults, attorney, clergyman, a probation officer, or any other public officials. A Request for Contact form is to be made available to the youth.

For Behavior Health services we are to call 530-623-1362; If it is after hours this number will direct you to another number for the on call crisis worker. The Sheriff's dispatch can also direct or page out the on call crisis worker.

(a) Crisis Intervention Counseling

1. Any time a youth is experiencing intense, perceived stress and is unable to cope effectively without engaging in destructive behavior, it is probable that the youth is in crisis, and must be dealt with using crisis intervention counseling. Typical crisis behaviors include suicide attempts, escape attempts, assaults or violent outbursts, self-mutilation, and several other destructive behaviors. The goal of crisis intervention is to stabilize the situation, and then to mobilize resources to prevent the acting out and reoccurrence of the crisis.
2. Any staff member identifying or aware of a crisis situation should take immediate steps to intervene. Staff should use any safe, protected area to begin intervention, while giving special consideration to the potential for violence or other destructive behaviors.
3. In intervening, staff should "take over" and ensure the youth is calmed. Let the youth know that we will ensure they are kept safe, and that the crisis can

Trinity County Probation Department

New Probation Manual

New Probation Manual

Counseling Services - Article 5 Classification and Separation

be handled with help from others. Seek to mobilize appropriate resources that provide a support net for the youth. These include Probation Officer, Caseload counselor, teacher, mental health, and if appropriate, parents or others. Once the crisis has passed, provide support for continued coping and allow the youth to use their enhanced resources.

(b) Situational Counseling

1. This type of counseling is the mainstay of our Hall culture and must be approached with our mission and goals in mind. The basic focus of situational counseling is to have youth be responsible for their behavior (their "own" behavior) and to choose reasonable alternatives to unsuccessful behavior. It is also used to reinforce positive behavior.
2. Any staff member who sees or is made aware of a situation requiring counseling should begin the process with the youth(s) involved. Assessment of the situation must be done immediately with staff choosing the best approach to meet the situation. The counseling should begin immediately and take place without an audience (unless group counseling is called for). Meetings between counselors and detained youth are confidential. The counselor can request the camera to be covered. You are not to monitor the counseling sessions over the intercom. If a youth has a history of assault or made threats of assault while incarcerated you should advise the counselor and let him/her make an informed decision in regards to the level of monitoring they wish to receive. If a counselor chooses to have complete privacy it needs to be logged. See section 460A.1.24 at the end of this policy.
3. Assessment should include recognizing the outward sign of emotional distress, and choosing approaches with the needs of the youth, hall, and situation in mind. Counseling should include working with the youth toward satisfactory resolution of the problem while enabling the youth to better control their behavior. Staff must not take undue time or become enmeshed in solving the problem for the youth. Moreover, it is important to remember that the situation could be an indicator of a crisis and require a switch to an intervention mode. Always communicate results of counseling by informing co-corkers and making written comments per policy.

(c) All counseling staff will:

1. Check the assignments at the beginning of each shift.
2. If you have a new youth, introduce yourself and explain your role as counselor.
3. Meet with each assigned youth a minimum of twice weekly for at least 15 minutes each session (times coordinated with other staff and program activities). These sessions are to provide youth with time to review their progress and experience with their counselor.
4. Provide for follow-up counseling as needed.

(d) Large Group Counseling: Large group counseling sessions are of the Informational type: Large groups are an integral part of hall life. All youth currently involved in unit programming are included in an informational group. Usually large groups will be held in the Day Room.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Counseling Services - Article 5 Classification and Separation

1. Informational groups are to impart information from staff to residents. It is not for problem solving or decision/program involvement on the part of the youth, nor lecturing on the part of the staff.
 2. The large group counseling provided by the juvenile hall are: Anger Management and Drug/Alcohol counseling
- (e) Small Group Counseling (may be used with weekend commitments):
1. This type of group involves ten or less youth and is a caseload counseling tool that can be used as a support or substitute for other types of caseload counseling. Membership in these groups is either voluntary or determined as part of a case plan. These groups are regularly scheduled and coordinated with hall programs. Frequency is determined by caseload goals and needs.
 2. Small groups are used for adjustment, support, helping self and others, with the potential for promoting positive behavioral change. Particular consideration should be given to screening membership, group versus individual counseling, and confidentiality issues.

Section 460A.1.24 Confidential Interview Room.

Confidential interview rooms shall contain a minimum of 60 square feet of floor area. In juvenile halls there shall be a minimum of one suitably furnished interview room for each 30 **youth**. In camps there shall be a minimum of one suitable furnished interview room for each facility. This interview room shall provide for confidential consultation with youth.

Guideline: The purpose of this regulation is to protect the rights of the **youth** with respect to confidential interviews with their physician, religious advisor, or attorney. The interview room should not be equipped with audio or video monitoring devices. It is a felony (Penal Code Section 636) to eavesdrop or record by means of electronic or other device conversations between a **youth** and physician, religious advisor, or attorney without expressed permission from all parties.

Case Plan Procedures - Article 5 Classification and Separation

938.1 PURPOSE

To require a series of assessments by Probation, institution, and education staff which is to ensure involvement by the youth and parents to promote improved adjustment of the youth within the institution and later in the community.

938.2 POLICY (TITLE 15 CCR, ECTION 1356)

- (a) All youth admitted to the Juvenile Hall will receive assistance with needs or concerns that may arise in requesting contact with parents, other supportive adults, attorney, clergyman, probation officer or other public official and will be provided access to available resources they may need. All youth will have an assigned probation officer, group counselor and teacher. Any one of these persons may initiate the case plan.
- (b) As soon as practical after admission, the probation officer should prepare and compile sufficient background information and factual circumstances about the youth and his family to present a briefing to the other assigned staff. When a detention recommendation is contemplated, intake officers should gather as much information as possible in order to complete the Risk and Need Assessment and use the form as a guide to begin the development of an initial case plan.
- (c) If the youth is already a ward, the supervision officer is expected to be familiar enough with the case to do a briefing. This may entail a review of the risk and need assessment or the completion of a new assessment. An interview with the parents, guardians and/or placement staff may be appropriate.
- (d) The assigned DPO is responsible to arrange a staffing session with the teacher, counselor, and other appropriate staff, e.g. therapist, etc. developed, focusing on the primary and secondary problem areas, and some general or specific ways in which these problem areas will be addressed. This meeting should take place as soon as possible, but no later than 48 hours after the detention hearing.
- (e) Once there is consensus on the proposed case plan, the youth and/or parents should be included in the meeting to discuss the plan and promote agreement or make modifications. The Case Plan Form should be completed with the various parties, including the youth and/or parent signing it.
- (f) One copy should be routed to the hall file and another in the Probation file. On a routine basis, but no less than twice a week, the assigned counselor and/or other staff are to make notations on the caseload comments form in the hall file. In addition to other relevant information, the comments should reflect progress, or lack thereof, in the case plan.
- (g) Prior to the completion of the dispositional report, the case plan team should meet to staff the case. (This may or may not include the youth, depending on circumstances). Also, the counselor should prepare the Behavior Summary and route it to the assigned

Trinity County Probation Department

New Probation Manual

New Probation Manual

Case Plan Procedures - Article 5 Classification and Separation

DPO. This document should be reviewed, paraphrased, summarized and/or quoted as relevant to the dispositional report.

- (h) If the youth is to have at least a thirty (30) days or more stay in the hall, after an following the disposition of the case, then a new case plan should be developed as above with periodic reviews and follow-up.

Use of Force - Article 5 Classification and Separation

939.1 PURPOSE AND SCOPE

This policy, along with the Policy 300 “Use of Force” contained in this manual, provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the use of department-approved control devices and their corresponding policies.

Nothing in this policy is intended to limit members' lawful ability to defend themselves.

939.2 DEFINITIONS

See Policy 300.1.1 - DEFINITIONS

939.3 POLICY (TITLE 15 CCR, SECTION 1357)

See Policy 300.2 - POLICY

939.4 POLICY OBJECTIVES

The expected results of this policy are:

- (a) Force will ordinarily be used only when attempts to gain voluntary cooperation have been unsuccessful.
- (b) When force is used, it will be only that which is necessary to subdue a youth or preserve or restore institution security and good order.
- (c) Confrontation avoidance techniques will be used when feasible to avoid calculated use of force situations.
- (d) When a youth must be subdued, the use-of-force team technique will be used when feasible.
- (e) OC spray issued by the department will be used as specified.
- (f) Staff will be trained in confrontation avoidance, use of force team technique, use of chemical agents, and application of restraints.
- (g) Every use of force incident will be appropriately documented, reported, and reviewed.

939.5 GUIDING PRINCIPLES OF USE OF FORCE

Corrections Counselors may use force to ensure the safety and security of youth, staff, others, and the facility, but shall only use an amount of force that reasonably appears necessary given the facts and circumstances perceived by staff at the time of the event to accomplish a legitimate law enforcement purpose. The reasonableness of force will be judged from the perspective of

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force - Article 5 Classification and Separation

a reasonable corrections counselor on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that staff are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving. Given that no policy can realistically predict every possible situation staff might encounter, corrections counselors are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. It is also recognized that circumstances may arise in which corrections counselors reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Staff may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose. While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a corrections counselor to retreat or be exposed to possible physical injury before applying reasonable force.

939.6 DUTY TO INTERCEDE

See Policy 300.2.1 - DUTY TO INTERCEDE

939.7 STANDARDS GOVERNING THE USE OF FORCE

- (a) Staff ordinarily **shall** first attempt to gain the youth's voluntary cooperation before using force
- (b) Force shall never be used for punishment, discipline, or treatment.
- (c) Staff **shall** use only force necessary to gain control of the youth. Situations when an appropriate amount of force may be warranted include, but are not limited to:
 - (a) Defense or protection of self or others;
 - (b) Enforcement of institutional regulations; and
 - (c) The prevention of a crime or apprehension of one who has committed a crime.
- (d) In the event that staff witness inappropriate use of force, they **shall** immediately take action and report the incident to the facility lead officer or senior officer.

939.8 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

See Policy 300.3.3 - FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

939.9 TYPES OF FORCE

Since youth occasionally become violent or display signs of imminent violence, it is sometimes necessary for staff to use force to prevent them from hurting themselves, staff, or others, and/or from destroying property.

- (a) **Immediate Use of Force.** Staff may immediately use force when the behavior constitutes an immediate, serious threat to the youth, staff, others, property, or to

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force - Article 5 Classification and Separation

institution security and good order. In an immediate use of force situation, staff may respond with or without the presence or direction of a supervisor.

- (b) **Calculated Use of Force.** This occurs in situations where a youth is in an area that can be isolated (e.g., a locked cell) and where there is no immediate, direct threat to the youth or others.

Force options of techniques that are expressly prohibited include choke holds, tasers, batons/Billy clubs, or any other lethal weapons, any force that restricts the youth breathing, or cuts off blood circulation. **No lethal weapons of any kind will be allowed inside the facility.**

939.9.1 FORCE OPTIONS

All force options utilized by staff shall be consistent with department authorized training in areas related to Weaponless Defense, Cell Extraction, Prisoner Transport, and other similar type training regarding youth movement, physical control of aggressive or non-compliant youth, and general officer safety. These options include but are not limited to such things as non-physical techniques for de-escalation (i.e. allowing youth time to calm down if safe to do so, reassuring dialog, show of force, escort and other control holds, physical distracts and other non-mechanical techniques. Staff are not be limited to just these force options in the event that an immediate risk to the life of the officer, youth, or others is present and department authorized force options would be deemed ineffective or not possible given the circumstances of the situation.

939.10 CALCULATED FORCE

Based on experience, calculated rather than immediate use of force is feasible in the majority of incidents corrections counselors encounter. Staff must use common sense and good correctional judgment in each situation to determine when there is time for the calculated use of force.

The safety of persons involved is the major concern. Obviously, immediate (and unplanned) use of force by staff is required if a youth is trying to self- inflict life-threatening injuries, is attacking a staff member, or another youth. If those circumstances are not present, staff should ordinarily employ the principles of calculated use of force.

Calculated use of force would be appropriate, for example, if the youth is in a cell or in an area where the door is (or can be) secured, even where a youth is verbalizing threats or brandishing a weapon, provided staff believe there is no immediate danger of the youth hurting self or others. The calculated use of force situation permits the use of other staff (e.g., psychologists, counselors) in attempting to resolve situations in a non- confrontational manner.

Prior to applying any force options, staff shall:

- (a) First determine if the situation can be resolved without resorting to force,
- (b) Direct all non-involved youth to their rooms,
- (c) Radio or request additional staff for assistance,
- (d) Contact a shift supervisor or higher,
- (e) Document the incident on video,

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force - Article 5 Classification and Separation

- (f) Provide clear direction to the youth that force will be applied if they fail to comply,
- (g) Allow adequate time for the youth to comply before force is applied.

939.10.1 SAFEGUARDS

To prevent injury and exposure to communicable disease in calculated use of force situations, the following shall occur. Staff participating in any calculated use of force, shall:

Use of Force Team members shall wear appropriate protective gear. This ordinarily includes: helmet with face shield, coveralls, flack vest, arm and knee pads, and lineman gloves. Occasionally, a plastic shield may be used to prevent staff or youth injury. No other piece of equipment or device is authorized. Equipment not authorized includes: towels, tape, surgical mask, hosiery, etc.

The Officer in charge of the Use of Force Team shall ensure only the force necessary is used, based on the nature of the situation. The Officer in charge must clearly monitor the actions of the youth and the team members. The Officer in charge should not be actively involved in subduing the youth, unless it is determined necessary to prevent staff or youth injury.

The amount of time it takes for team members to restrain the youth should be reviewed. If an excessive amount of time elapses; i.e., more than five minutes, and the youth is not struggling with staff, it may be that team members are not adequately trained.

Team members should not remove protective gear while inside the cell or area. Protective gear must remain on team members during the entire process.

Personnel with a skin disease or skin injury shall not be permitted to participate in a calculated use of force action. If an emergency situation results in a use of force, precautions such as clothing help to decrease the chances of transmission.

Any time staff members are going into a cell or area where there is reason to believe that blood or body fluids would be present, protective devices shall be available and shall be used by those staff entering that area.

Following any use of force incident where there is spillage of blood or other body fluids will be sanitized immediately upon the authorization of the Shift Supervisor. The supervisor must first make the determination as to whether there is a need to preserve evidence.

939.10.2 CONFRONTATION AVOIDANCE PROCEDURES

Prior to any calculated use of force, the ranking Corrections Counselor, a designated mental health professional, and others shall confer and gather pertinent information about the youth and the immediate situation. Based on their assessment of that information, they shall identify a staff member(s) to attempt to obtain the youth's voluntary cooperation and, using the knowledge they have gained about the youth and the incident, determine if use of force is necessary.

Ordinarily, in calculated use of force situations, there is time for the Chief Probation Officer or designee, the designated mental health professional, Probation Officer, or Counselor, to confer

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force - Article 5 Classification and Separation

with each other and to assess the situation and the level of intervention necessary to resolve the incident.

This discussion may be accomplished by telephone or in person, the purpose being to gather relevant information about the youth's medical/mental history, any recent incident reports or situations which may be contributing to the youth's present state of mind (e.g., a pending criminal prosecution or sentencing, the recent death of a loved one). This assessment could include discussions with staff that are familiar with the youth's background or present status. This information may provide insight into the cause of the youth's immediate agitation, and assist in the identification of staff members who may have some rapport with the youth, or who are more likely to be successful in attempting to reason with the youth.

939.10.3 DOCUMENTATION

The confrontation avoidance process will be documented in writing for placement in the youth's file, and will be videotaped if possible to include an introduction of all staff participating in the confrontation avoidance group and the actual confrontation avoidance process.

The superintendent shall forward each videotape of each incident where force is used for review by the incident review team.

939.11 USE OF PEPPER SPRAY OR OTHER NON-LETHAL WEAPONS

The on duty Officers may carry department issued non-lethal tools including OC spray of 1.5 Ounce (42.5 grams) containing no greater than a 10% capsicum content and 2,000,000 SHU. OC spray canisters are to be carried securely on the duty belt of the officer and only removed for purposes of training and preparation for duty unless needed as a force option during an incident. As with all force options, OC spray should only be used then there is an imminent threat to a youth's safety or the safety of others and only when de-escalation efforts have been unsuccessful or are not reasonably possible.

The following are examples of circumstances where OC may be deployed:

- (a) When the youth is armed and/or barricaded; or,
- (b) When the youth cannot be approached without danger to self or others; and,
- (c) When it is determined that a delay in bringing the situation under control would constitute a serious hazard to the youth or others, or would result in major disturbance or serious property damage.

When considering the use of OC Spray in a calculated use of force situation, qualified health personnel shall be consulted prior to staff using OC spray or other non-lethal weapons, unless the circumstances are such that immediate use is necessary. Whenever possible, the youth's medical file should first be reviewed to determine whether the youth has any diseases or condition which would be dangerously affected if the chemical agent, pepper spray, or other types of use of force. This includes, but is not limited to: asthma, emphysema, bronchitis, tuberculosis, obstructive pulmonary disease, angina pectoris, cardiac myopathy, congestive heart failure or a pregnant youth.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force - Article 5 Classification and Separation

If a youth has a medical condition such as a broken or sprained arm that prohibits use of force, you can place the youth in an arm bar or wrist lock using the opposite arm. Staff will try to ensure that the youth is not reinjured.

939.12 USE OF FORCE IN SPECIAL CIRCUMSTANCES

In certain extenuating circumstances, and after confrontation avoidance has failed or has proven to be impractical, staff may be forced to make a decision, such as whether to use force on a pregnant youth or an aggressive youth with open cuts, sores, or lesions. Special cases such as mentally ill, handicapped, or pregnant youth, after consultation with the medical staff, must be carefully assessed to determine whether the situation is grave enough to require the use of physical force.

Aggressive youth with open cuts or wounds who have attempted to harm themselves or others should be carefully approached, with staff wearing prescribed necessary protective gear. A full body shield should also be used in these instances to protect staff, if force is deemed necessary. Aggressive youth should be placed on disciplinary separation and separated from all other youth. Youth of this status ordinarily shall remain on disciplinary separation until cleared to return to the general population by the Chief Probation Officer or designee, mental health, or medical staff.

939.12.1 PREGNANT YOUTH

When use of force on a pregnant youth is necessary, all precautions to ensure the fetus is not harmed shall be taken.

Any youth known to be pregnant or in recovery after delivery shall not be restrained by the wrists, ankles, or both (including the use of leg irons, waist chains, or handcuffs behind the body), unless deemed necessary for the safety and security of the inmate, the staff, or the public. In the event that restraints are deemed necessary, absent exigent circumstances, they shall be removed when a professional who is currently responsible for the medical care of a pregnant inmate during a medical emergency, labor, delivery, or recovery after delivery determines that the removal of restraints is medically necessary.

Upon confirmation of an youth's pregnancy, she shall be advised, orally or in writing, of the standards and policies governing pregnant youth in custody, including, but not limited to, the relevant regulations and the facility policies.

939.13 MEDICAL ATTENTION IN USE OF FORCE INCIDENTS

In calculated use of force situations, the use of force team leader shall seek the guidance of qualified health personnel (based on a review of the youth's medical record) to identify physical or mental problems. When mental health/medical staff or qualified health personnel determine that a youth requires continuing care, and particularly when the youth to be restrained is pregnant, the senior staff shall assume responsibility for the youth's care, to include possible admission to the hospital, or, in the case of a pregnant youth, restraining her in other than face down four-point restraints.

After any use of force, the facility superintendent or designee shall be contacted and the youth shall be examined by qualified health personnel, and any injuries noted, immediately treated. Notable

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force - Article 5 Classification and Separation

injuries would include but not limited to: persistent redness, swelling, broken bones, bleeding, etc. If medical personnel are not available in the facility then a phone call to the medical staff is placed. During this call staff must give the medical personnel details of the incident and they will decide if they need to come in. The phone call and results of the phone call will be logged in the log book.

If any staff involved in a use of force reports an injury, qualified health personnel should provide immediate examination and initial emergency treatment.

939.14 DECONTAMINATION AFTER A USE OF FORCE INCIDENT

If possible, staff should wear gloves during a use of force incident. During the cleanup of an incident, staff will be required to wear gloves to protect them from any body fluids or OC spray that may be present.

Any material used to cleanup blood or stool, clothing with blood or stool present will immediately go into the red bio-hazard can unless it is needed for evidence. Any material or clothing with OC spray present will be washed in a separate load from any other clothing.

The department provides a disinfectant spray (Pro Quat Now) or bleach to aid in any clean up. If a mop is used and has come into contact with blood or stool will be removed and placed in the red bio-hazard can.

If OC spray was used and the youth's behavior to the situation has calmed, the youth should immediately be allowed access to or provided with clean water to rinse off any affected areas and offered a shower and new clothing. The youth should no be left alone until the decontamination process is completed and the youth is no longer suffering the effects of the chemical agent. If a medical issue arises, medical personnel is to be called immediately and any instructions of the medical staff are to be followed.

939.15 DOCUMENTATION OF USE OF FORCE INCIDENTS

Staff shall appropriately document all incidents involving the use of force, chemical agents, or non-lethal weapons using the facility Use of Force Reporting Template. Staff shall also document, in writing, if a youth becomes violent or displays signs of imminent violence.

939.15.1 USE OF FORCE REPORT

A Use of Force report formally documents when when force, chemical agents, or non-lethal weapons are used to protect or control a youth. The report establishes the identity of youth, staff, and others involved, and needs to describe the details of the incident. The report (to include mental health/medical reports) must be submitted to the Juvenile Hall Superintendent and Chief Probation Officer or designee by no later than the end of that shift. A copy of the report is to be placed in the youth's file. Copies are also to be sent within two working days to Mental Health Services and Medical Services for a determination of appropriate follow-up medical and mental health needs of the youth.

Specific requirements of documentation regarding in the report when OC Spray is deployed are:

- (a) The reason(s) when OC spray was the force option chosen,

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force - Article 5 Classification and Separation

- (b) Efforts to de-escalate prior to deployment,
- (c) Decontamination procedures utilized.

939.16 USE OF FORCE INCIDENT REVIEW TEAM

See also Policy 300.7 - 300.7.1.

Upon receiving a Use of Force Report, the Superintendent shall convene a Review Team which shall include, at minimum, the Chief Probation Officer, Juvenile Hall Superintendent, and at least one (1) line staff member to review the incident. The Review Team's purpose is to ensure that the use of force was in accordance with existing policy. Some of the factors that are to be taken into consideration upon review include:

- (a) Was the youth given the opportunity to voluntarily submit to the placement of restraints? If he or she submits, then team action is ordinarily unnecessary,
- (b)
- (c) What techniques, if allowable under the circumstances, were employed or attempted to gain cooperation from the youth,
- (d) Was the force option chosen either prohibited or not reasonable under the circumstances,
- (e) Was the application of the force applied in a way that is consistent with training,
- (f) Did the actions of the officer(s) contribute in any way to the need to use force,
- (g) Did the officer(s) fail to de-escalate when able to do so,
- (h) Did the youth receive appropriate follow-up medical and mental health evaluation and services,

When this review is completed, an After-Action Review Report shall be completed, as soon as possible or no later than two working days after the use of force incident. This will ensure that staff having relevant information will be available and that any necessary medical follow-up can be immediately provided to ascertain the nature of any injuries involved. The Chief Probation Officer or designee shall then personally attest by his or her signature that the review has taken place and that the use of force was either appropriate or inappropriate.

The reviewers should also decide if the matter requires further investigation, and whether the incident should be referred to the Sheriff's Department or District Attorney's Office. If deemed appropriate, the Chief Probation Officer's rationale for such an assessment shall be included.

The Chief Probation Officer shall maintain all documentation, including the original report, for a minimum of two and one-half (2 ½) years. A separate file shall be established on each use of force incident.

939.16.1 INCIDENT DEBRIEF

Upon the completion of an incident review, or as soon as reasonably possible following an incident, an incident debrief shall be held with staff and/or youth for the purposes of training as well as mitigating the effects of trauma that may have been experienced by staff and /or the youth involved

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force - Article 5 Classification and Separation

939.17 DETERMINATION OF POLICY VIOLATIONS

Use of Force incidents shall be documented and reviewed, and if the provisions of this directive are violated, such review shall also determine if a person using sound correctional judgment would reasonably believe the situation required an exceptional response and if the actions taken were reasonable and appropriate.

If inappropriate use of force is used staff will receive a formal write- up in their personnel file, demotion, and/or time off without pay. If staff witnesses inappropriate use of force by another staff member they must bring it to the attention of any supervisor.

The Chief Probation Officer or designee, Superintendent, Deputy Probation Officer and Corrections Counselor shall comprise the After-Action Review Team reviewing the incident on the next work day after the incident.

Youth may file a grievance if they feel that use of force was unnecessary or applied inadequately. (See Grievance Procedures posted on the dayroom wall).

939.18 REPORTING TO THE CALIFORNIA DEPARTMENT OF JUSTICE

See Policy 300.5.2 - REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

939.19 TRAINING IN USE OF FORCE, CONFRONTATION AVOIDANCE TECHNIQUES, OC SPRAY, FORCED CELL MOVEMENT

See also Policy 300.9 - TRAINING

In order to control any potential situation involving aggressive youth, all staff must be made aware of their responsibilities through ongoing training. At a minimum, training must cover:

- (a) Communication techniques,
- (b) Cultural diversity,
- (c) Dealing with the mentally ill,
- (d) Confrontation avoidance procedures, the application of restraints (progressive and hard), and reporting procedures, and
- (e) Instruction on the constitutional limitations of use of force,
- (f) Weaponless defense training
- (g) Known medical and behavioral health conditions that may contraindicate certain types of force,
- (h) Acceptable chemical agents and methods of application,
- (i) Signs or symptoms that should result in immediate referral to medical or mental health staff,
- (j) Requirements of the decontamination of chemical agents and appropriate response if the current use of force is ineffective,

Newly appointed correctional staff shall receive training in confrontation avoidance techniques, weaponless defense, and Forced Cell Movements, and will not be authorized to carry control

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Force - Article 5 Classification and Separation

devices including OC Spray until also receiving additional training in its use and requirements. Additional training in Confrontation Avoidance, Weaponless Defense, Control Devices, and Forced Cell Movement will be provided to correctional staff annually. Training should also include specific information pertaining to special situations in a correctional environment.

Use of Physical Restraints - Article 5

Classification and Separation

940.1 PURPOSE

To establish policies and procedures regarding the utilization of physical restraints and describe the purpose for, location of, inventory, and safe use of handcuffs and leg restraints.

The provisions of this section do not apply to the use of handcuffs, shackles or other restraint devices when used to restrain youth for movement or transportation within the facility. Movement within the facility shall be governed by Section 1358.5, Use of Restraint Devices for Movement Within the Facility.

940.2 POLICY (TITLE 15 CCR, SECTION 1358)

- (a) Restraint devices include any devices which immobilize a youth's extremities and/or prevent the youth from being ambulatory. Physical restraints should be utilized only when it appears less restrictive alternatives would be ineffective in controlling the disordered behavior.
- (b) Physical restraints may be used only for those youth who present an immediate danger to themselves or others, who exhibit behavior which results in the destruction of property, or reveals the intent to cause self-inflicted physical harm. With the exception of custodial transport of an in-custody youth, all other circumstances leading to the application of restraints must be documented.
- (c) Physical or mechanical restraints (handcuffs and shackles) shall not be used as a form of punishment, discipline or substitute for treatment. The use of restraint devices that attach a youth to a wall, floor or other fixture, including a restraint chair is prohibited. The use of restraints on pregnant youth is limited in accordance with Penal Code Section 6030(f) and Welfare and Institutions Code Section 222.
- (d) Physically restraining a youth by use of handcuffs or shackles shall be done only when necessary and as a temporary emergency measure.
- (e) No Restraints of any kind shall:
 1. Be placed about the neck of a youth, nor will restraint equipment be applied in any way so as to inflict physical pain or restrict blood circulation or breathing.
 2. Be used to secure a youth to any part of a transporting vehicle (with the exception of safety seat belts).
 3. Restraining hands and feet together behind the youth's back (hogtying) is **prohibited**.
- (f) Prior approval for utilization of handcuffs and shackles must be obtained whenever possible from a Senior Corrections Counselor or Superintendent. There should be at least two staff present when restraints are applied. The use of restraints is to be consistent with department training.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Physical Restraints - Article 5 Classification and Separation

- (g) Staff shall attempt to have a staff witness present. All handcuff and shackle restraints shall be removed immediately upon the youth regaining self-control. There will be continuous direct visual supervision of the youth's behavior and any staff interventions are documented at least every 15 minutes, with actual time recorded. Reasons for continued retention in restraints are reviewed and documented a minimum of every hour. One extremity at a time is to be exercised every hour for 15 minutes.
- (h) The use of "bar arm choke hold" or carotid chokehold restraint is prohibited. Locked wrist holds should generally not be used on youth aged 12 or under (due to immature bone growth - this hold can lead to a broken arm or wrist). Inappropriate use of restraints could result in a formal letter in your personnel file, demotion, time off without pay, and in some instances loss of employment.
- (i) Incident reports shall be prepared and maintained on all physical contacts and incidents involving physical restraints as to persons present, time, date, reason, means, duration, and condition of the youth while in restraints as well as necessary phone calls to medical or mental health personnel.
- (j) Within two (2) hours of restraint, a medical check by medical personnel shall be done on youth who have been physically restrained.
- (k) The Department is responsible for training and reviewing staffs' knowledge and performance of restraint techniques. This is to be accomplished in initial training, with reviews to be done yearly.

Review of policy: Restraint devices include any devices which immobilize a youth's extremities and/or prevent a youth from being ambulatory. Physical restraints should be utilized only when it appears less restrictive alternatives would be ineffective in controlling the disordered behavior.

Staff may use restraints to control a youth who becomes violent, displays signs of imminent violence, to prevent injury, escape, or suicide. In restraint and control situations, staff may utilize only those control and restraining techniques and devices which are approved and provided by the department.

The application and use of restraints must be done in a safe and proper method. Staff must be physically in the presence of any youth while the youth is in restraint equipment. There will be a supervisory and/or administrative review for the use of all physical restraints. The circumstances leading to the application of restraints must be documented.

940.3 PROCEDURES

- (a) Handcuffs and Hard Leg Restraints:
 - 1. If handcuffs or leg restraints are checked out to anyone not a hall staff member, this fact will be noted in the log book, indicating the number of the set of handcuffs and who checked them out. The estimated time of return of the handcuffs should be indicated also. On-duty staff must note when the handcuffs/leg restraints are returned.
 - 2. When handcuffs are returned to storage, they are to be left in such a position as to be available for use immediately.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Physical Restraints - Article 5 Classification and Separation

3. Knowledge of the use of handcuffs and leg restraints is important to staff. These hard restraints can become dangerous weapons, when partially applied (attached to only one wrist or leg). Furthermore, they do not prevent escape. A staff member is most vulnerable to attack when in the process of putting on or taking off the handcuffs and shackles.
 - (a) To reduce the danger, the youth should be required to hold his or her arms extended behind his or her back, palms turned out, when the handcuffs are placed in position. Never cuff only one limb. To prevent slipping, the double lock safety must be utilized. This is accomplished by inserting the key prong into the safety opening on the cuffs.
 - (b) The process of restraint removal can be particularly dangerous since handcuffs and leg restraints must be taken off singly and it is possible for the youth to use the loose cuff as a weapon. To prevent this, the removed cuff should always be firmly grasped by staff until both cuffs are completely off. Only staff will remove the belly chain for it can be used by the youth as a weapon. Once their hands are uncuffed they should be placed behind the youth's head with fingers interlaced.
 - (c) Leg restraints are to be removed in the same manner as they were applied, by having the youth kneel on a chair or bench.
 - (d) Staff shall NEVER to allow youth access to restraint equipment.
4. Items that must be considered when undertaking a restraint procedure:
 - (a) As many staff as possible must be on hand to lessen the chance of harm to the youth or staff. At least one staff member of the same sex should be present if at all possible and assist fully in the procedures. The restrained youth will be housed in a separate room with provisions to protect the youth from abuse.
 - (b) Assure that there is cardiopulmonary resuscitation equipment readily available.
 - (c) All other youth should be in their assigned rooms prior to restraining a youth if at all possible. It should be noted that often times moving other youth to their rooms will have a dampening effect on the youth that is out of control and may assist in defusing the situation without restraint.
 - (d) Explain to the youth what you are doing and why, even though you think he or she will not understand.
 - (e) If the youth's skin becomes irritated, reposition restraints or pad with a soft material. Signs that require immediate medical attention:
 1. Bleeding
 2. Blue coloring to skin
 3. Broken skin
 4. Inability to breath

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Physical Restraints - Article 5 Classification and Separation

5. Unconsciousness
 6. Extremely hot skin or clammy skin
 7. Throwing up/stomach problems
- (f) Remember that a restrained youth is totally dependent for all of his or her needs. You are responsible for fluids, toilet, etc. Fluids are to be offered every half-hour and toilet facilities every hour. The safety cell is fitted with an in the floor toilet in the event the youth presents in such a manner that using the intake hallway bathroom would be impractical or in any way unsafe.
- (g) Never give a restrained youth a pillow. It could be dangerous. Remove all objects from the room.
- (b) For a youth to be physically restrained more than one hour, a decision must be made by the Superintendent, Administrative Personnel, or a designated medical authority.
- (c) As soon as possible but within two hours of placement in restraints, youth must have a medical assessment, by medically trained staff, to determine whether they have a serious medical condition which is manifested by the aggressive behavior. The youth is medically cleared for continued retention at least every three hours after the initial medical opinion. If medical staff is not on hand during this time our medical staff is to be contacted by phone for the assessment.
- (d) As soon as possible, but within four hours of placement in restraints, the youth must be evaluated by a mental health professional to assess whether or not the youth needs immediate long term mental health treatment. If this procedure is after hours then dispatch is to be called and mental/behavioral health is to be paged for the consultation.
- (e) While in restraint devices all youth shall be housed alone or in a separate housing area as to protect the youth from abuse.
- (f) Continuous direct visual supervision shall be maintained by staff for all restrained youth to ensure that restraints are properly employed and to ensure the safety and well-being of the youth, with observations of the youth's behavior, actions taken, etc. documented at least every 15 minutes using the actual times recorded. This will be documented on the Special Cell Watch/Safety Room log.
- (g) Staff is to be aware of known medical conditions that would contraindicate certain restrain devices and/or techniques such as:
1. Pregnant youth- Pregnant youth are not to be handcuffed or shackled.
 2. A youth with a broken hand, wrist, arm, etc.

Staff may apply restraints (for example, handcuffs) to the youth who continues to resist after staff achieve physical control of that youth. If a youth in a forcible restraint situation refuses to move to another area on his own, staff may physically move that youth by lifting and carrying the youth to the appropriate destination. Staff will not use the restraints for lifting or carrying a youth.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Use of Physical Restraints - Article 5 Classification and Separation

Restraints should remain on the youth until self-control is regained. Except when the immediate use of restraints is required for control of the youth, staff may apply restraints to, or continue the use of progressive restraints on, a youth while in a cell on disciplinary separation only with approval of the Chief Probation Officer or designee.

You will not apply restraints in a manner that causes unnecessary physical pain or extreme discomfort. The officer-in-charge shall ensure that unnecessary pressure is not placed on a youth's body while applying restraints for example, pressure to the youth's chest, back or neck. While the proper application of restraints may result in some discomfort, prohibited uses of restraints would include, but are not limited to: hogtying, unnecessarily tight restraints, or improperly applied restraints.

Use of medication may NOT be used as a restraint.

Searches - Article 5 Classification and Separation

941.1 PURPOSE

This section outlines the policies and procedures governing the search of youth during intake and after the initial detention hearing. Searches are necessary to ensure the safety and security of the public, youth, and staff. Searches shall, to the extent possible, be conducted in a manner that preserves the privacy and dignity of the person being searched, and shall not be conducted for harassment or as a form of discipline or punishment.

941.2 POLICY (TITLE 15 CCR, SECTION 1360)

Detainee searches are permissible when staff has reasonable suspicion that a detainee possesses contraband (including but not limited to weapons or drugs), or when staff believes the safety, security, and order of the institution is threatened. As explained below, searches at intake are subject to specific standards. After the initial detention hearing, shakeout, pat down, and metal detector searches may be conducted on a random and routine basis to ensure continued institutional safety and security. However, searches shall never be conducted as a form of detainee discipline, punishment, or harassment. Searches of transgender or intersex youth shall comply with Section 1352.5 (POLICY 1063). Additionally, all searches are to be conducted in accordance with PREA standard #115.315 (POLICY 909).

941.3 DEFINITION OF SEARCHES

There are six (6) types of searches that may be conducted on a youth; however, some searches are subject to very specific requirements of cause.

- (a) **Shake Out Search:** The shake out search is used on detained youth primarily when detainees depart their Unit without supervision or escort. This search involves a detainee removing his/her shoes and sweatshirt for visual and tactile inspection by staff. The clothing still on the youth are part of the Shake Out when a staff member lifts, expands or exposes each clothing item in such a way that contraband will either be exposed or dislodged from a potential hiding place.
- (b) **Pat Down Search:** The pat down search involves the actual touching of clothed individuals during intake or with detainees. Training concerning the pat down procedure will be provided, but includes a consistent organized physical patting down the youth's outer clothing. Pockets are emptied and turned inside out as part of a Pat Down search. Cross-gender pat-down searches are prohibited except in exigent circumstances or when conducted by a medical professional. Such searches must be justified and documented in writing.
- (c) **Metal Detector Search:** A search with the metal detector is in addition to other searches when suspicion of weapons is raised. This should not be done as a stand-alone search, but in addition to a pat down or shake down search to help assure that a weapon is not missed. Since this is not a failsafe method, it should augment other searches. The procedure for this search is to activate the metal detector and have the subject spread

Trinity County Probation Department

New Probation Manual

New Probation Manual

Searches - Article 5 Classification and Separation

his/her feet and hold out their arms before the detector, not touching the subject, is run around and over the body as detailed in training.

- (d) Visual Search: A search defined in PC 4030 which requires a person to remove or arrange some or all of his/her clothing so as to permit a visual inspection of the underclothing, breasts, buttocks, or genitalia of such a person. **Under no circumstances shall a visual search involve physical contact to a detainee's body or physical intrusion into a body cavity by staff.** Cross-gender visual searches are prohibited except in exigent circumstances or when conducted by a medical professional. Such searches must be justified and documented in writing.
- (e) Physical Body Cavity Search: Means the physical intrusion into a body cavity for the purpose of discovering any object concealed in the body cavity (PC 4030). **Under no circumstances is Juvenile Hall staff to conduct a physical body cavity search.** Only medical professionals shall conduct physical body cavity searches.
- (f) Room Searches: The room search involves the complete search of a youth's room to include bedding, window frames, and storage areas, items stored within the room, intercom, floorboards, and doors. Room searches may be performed on a random basis or specified to a particular room to search for a particular item or items.

941.4 INTAKE SEARCHES

Under normal circumstances, intake searches are always to be conducted by a staff member of the same sex as the youth. If special or emergency circumstances arise that staff believe may justify an intake search by a staff member of the opposite sex of the youth, a Supervising Officer will be informed. If circumstances arise where an intake search is conducted by staff of the opposite sex of the youth, a Special Incident Report will be prepared immediately after the incident explaining the circumstances that led to the search.

In addition, the type of search to be conducted at intake depends whether reasonable suspicion exists to justify a visual search as explained below.

All intake searches shall be conducted in a location and under conditions that provide the maximum possible privacy to the youth. Under normal circumstances, intake searches shall be conducted in the intake shower room.

- (a) Youth who are brought to Juvenile hall, but will not be detained at the Hall.
 - 1. For officer safety, youth brought to Juvenile Hall, who will not be detained at the Hall, are to be subject to a pat down search and/or metal detector search.
- (b) Youth who will be detained at Juvenile hall.
 - 1. Youth brought to Juvenile Hall are subject to a pat-down search, metal detector search, and a thorough clothing search only.
 - 2. If the arresting officer has reasonable suspicion, based on specific and articulable facts to believe that the youth who has been arrested for a crime has concealed a weapon or contraband, and a visual search is necessary to discover the weapon or contraband, he/she may authorize the visual search by completing a statement of reasonable suspicion in their probable cause. Intake

Trinity County Probation Department

New Probation Manual

New Probation Manual

Searches - Article 5 Classification and Separation

staff may also prepare a written request to the Probation Officer to conduct a visual search, when circumstances surrounding a detained youth warrant a visual search in accordance with reasonable suspicion involving contraband, drugs, or weapons. The request shall clearly state the reason and justification for the search.

941.5 SEARCHES OF YOUTH POST DETENTION HEARING

The following definitions indicate the type of detainee searches which are authorized and permissible in Juvenile Hall after the detention hearing. Circumstances shall dictate the type and appropriateness of a search, as well as the associated restrictions.

Types of Detainee Searches:

941.5.1 SHAKE OUT

This type of search may be conducted at any given time, but it is routinely conducted whenever a detainee departs a Unit without staff supervision and escort. Upon return to the Unit, the detainee is instructed by staff to “shake out”.

Procedure: The shake out procedure requires a detainee to shake out their clothing under the supervision of staff for the purpose of revealing any hidden contraband. Specifically, the detainee is required to remove their sweatshirt and shoes for a visual inspection by staff, and to shake out all remaining articles of clothing by lifting, expanding, or exposing each clothing item in such a way that contraband will either be exposed or dislodged from a potential hiding place.

941.5.2 PAT-DOWN

Pat-down searches are authorized on a routine basis for all detainees returning to their Unit after departing the Unit unescorted, (exp. For interviews, kitchen, etc).

Procedure: A pat-down search is a cursory search of a detainee while the detainee is clothed. A pat-down search is performed by a staff member and involves the physical patting down of the detainee’s outer clothing. When conducting this type of search, staff shall have the detainee empty the pockets of all clothing items. Cross-gender pat-down searches are prohibited except in exigent circumstances or when conducted by a medical professional. Such searches shall be justified and documented in writing.

941.5.3 VISUAL SEARCH

Visual searches may be conducted under limited circumstances with prior approval from a supervisor during the detention of a youth. The following circumstances may justify a visual search of a detained youth:

- (a) Staff has reasonable suspicion, based on specific and articulable facts, that a youth has hidden on their body illegal drugs, a weapon or evidence from a crime a visual search may be appropriate.

If staff believes that a youth in detention requires a visual search, the intake staff shall immediately let the arresting officer or a Deputy Probation Officer know and the reasonable suspicion shall

Trinity County Probation Department

New Probation Manual

New Probation Manual

Searches - Article 5 Classification and Separation

be documented. Written authorization must be obtained from a supervisor prior to conducting a visual search.

Procedure: A visual search of a detainee is a search conducted by staff which requires a detainee to remove or arrange some or all of their clothing, so as to permit visual inspection of the underclothing, breast, buttocks, or genitalia of the detainee. Staff shall not conduct physical searches of any youth for the purpose of determining the youth's anatomical sex. Whenever feasible, the facility shall respect the youth's preference regarding the gender of the staff member who conducts any search of the youth. Cross-gender visual searches are prohibited except in exigent circumstances or when conducted by a medical professional. Such searches shall be justified and documented in writing.

- (a) Ask all persons not party to the search to leave the room.
- (b) Instruct the youth to take off all clothing items and hand them to you so they can be searched. The search of clothing should include a search of seams and pockets of all outer garments, the soles of socks and shoes, and if relevant, the inside of casts and bandages. After searching the clothing it should be deposited in the detainee's property bag.
- (c) Conduct a visual inspection of the detainee's body. The searching staff member shall check the detainee's hair, in and around ears, mouth, under the tongue, under the arms, under breasts, in the groin area, genitalia, buttocks, soles of feet and both sides of their hands with fingers spread.
- (d) Minimize talk with the detainee. Engaging in idle conversation may distract the staff member from completing the search procedure in an effective and efficient manner.
- (e) After the detainee has placed his personal clothing in the designated property bag under direct observation of staff he is not to have access to his clothing items. Contraband which was undiscovered during the initial intake search may be reacquired by the detainee, if they are permitted access to their clothes.
- (f) Staff shall maintain constant visual observation and supervision of the detainee during the visual search. Under no circumstances shall a staff member leave a youth unattended before, during, or after the visual search and/or clothing collection procedure.
- (g) Prior to completing the visual search and securing the youth's personal clothing, staff shall not permit the detainee to have contact with other detainees. Any delays incurred between the youth's personal clothing inventory and visual search shall necessitate the detainee to be held in a holding tank, separate from the general population. The purpose of the visual search is to prevent a detainee from bringing unauthorized contraband into the facility, particularly contraband consisting of drugs, drug paraphernalia, and weapons. **However, under no circumstances shall a visual search involve physical contact with a detainee's body or physical intrusion into a body cavity by staff.**

When visual searches are conducted, they must be done in an area of privacy by the same sex gender, so as not to be observed by any person not participating in the search. Person considered "to be participating" in the search if their official duties

Trinity County Probation Department

New Probation Manual

New Probation Manual

Searches - Article 5 Classification and Separation

relative to search procedures require them to be present at the time the search is conducted. During visual searches, staff shall treat detainees in a courteous and humane manner. Derogatory comments or inappropriate references shall not be made by staff.

941.6 VISITORS

Visitors to the facility are subject to limited administrative searches for the purpose of maintaining safety and security to the facility. A limited administrative search may include the use of a metal detecting wand, a cursory pat-down of outer clothing, the removal and inspection of shoes or over clothing such as coats, sweaters, or sweatshirts and hats. Visitors should be noticed of the intent to search and their approval must be obtained. Should a visitor refuse such search, entry into the facility should be denied.

Grievance Procedures - Article 5 Classification and Separation

942.1 PURPOSE

To ensure youth grievances or complaints are given opportunity for full hearing, consideration, and resolution. This formal grievance procedure is intended to supplement, not replace, existing informal channels of resolving grievances.

942.2 POLICY (TITLE 15 CCR, SECTION 1361)

- (a) All youth shall be assured access to a procedure that provides an opportunity for a fair hearing and resolution of complaints pertaining to any condition of confinement, including but not limited to health care services, classification decisions, program participation, telephone, mail or visiting procedures, food, clothing, bedding, mistreatment, harassment or violations of the nondiscrimination policy. There shall be no time limit on filing grievances. Such a procedure should include:
 - (a) Formal grievances are available to all youth, and may be filed by both individuals or a group. Any party to a grievance has the right to appeal through the second level of review. Grievances are located in a folder taped to the dayroom floor wall, and shall at all times be accessible to all youth.
 - (b) Time limits shall be as brief as possible for adequate review and response. There shall be an initial response to grievances within three (3) business days.
 - (c) Grievances of an emergency nature, i.e., sexual or physical assault or critical time factors shall have immediate recourse to the Senior Counselor, Shift Lead or Superintendent.
 - (d) The grievant may elect to have a staff representative, approved by the facility administrator, to assist the youth.
 - (e) The youth shall have the option to confidentially file the grievance or to deliver the form to any youth supervision staff working in the facility.
 - (f) All responses to a written grievance shall be in writing, giving reason for action taken. Such responses will be written on the grievance form; read and reviewed by the youth for response. The youth will provide his/her own written response in the appropriate area.
 - (g) No reprisals, punishment, or anything negative shall happen to the youth for participating in the grievance procedure.
 - (h) Youth may elect to be present to explain their version of the grievance to a person not directly involved in the circumstances that led to the grievance. A staff member not directly involved in the circumstances will hear the appeal of a grievance.
- (b) Whether or not associated with a grievance, concerns of parents, guardians, staff or other parties shall be addressed and documented in accordance with written policies and procedures within a specified timeframe.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Grievance Procedures - Article 5 Classification and Separation

942.3 PROCEDURES

- (a) The following procedure is available to any youth in Juvenile Hall for the resolution of any problem which arises out of action on the part of staff, behavior on the part of other youth, or regulation, policy or procedure which the youth believes may have adversely affected them.
- (b) There are multiple internal and external methods to report sexual abuse and sexual harassment, as detailed in Policy 922 - Youth Reporting.
- (c) The goal of this procedure is to solve problems at the lowest possible level with the highest possible resolution in the shortest possible time. In order that this may be accomplished, it will be necessary that the procedure be followed step by step so that all parties to the problem may clearly establish their position as well as give or receive clarification.
- (d) **STEP I:**
 - (a) When a youth has a complaint, they may first bring it to the attention of a Corrections Counselor. The officer is responsible to attempt to resolve the problem at that point (verbally) with the youth. If the grievance is resolved at this level, the staff member will write a brief summary of the grievance and the resolution on an Incident Report form.
 - (b) If it is not possible to resolve the problem at this level, the youth can get a Grievance Form (located on the dayroom floor) and write a narrative of the grievance. The officer will write a reply and what action the officer took in attempting to resolve it.
 - (c) If the youth requests a grievance but is not allowed to have a pencil, one of the staff members on shift will help the youth fill out their grievance form.
 - (d) The youth may give the grievance to any officer without having to fear retaliation from any staff member.
 - (e) Staff will respond within 48 hours or sooner upon receiving your grievance. The youth has the option of dealing with a staff member that was not involved in the incident.
- (e) **STEP II:**
 - (a) Resolution of the grievance can be handled by the lowest appropriate staffing level. They will then meet with the youth who initiated the grievance within two days to attempt to resolve the problem. In the event that the documentation is received at, or just prior to a shift change, a staff member from the next shift will meet with the grievant to assess the time necessary to complete this step.
 - (b) If the grievance is resolved at this level, the staff member shall, on a "Reply to Inmate Grievance" form, provide a complete record of Step II, together with the written record of Step I. The youth will check that they agree with the reply and sign the form. The forms will be placed in the "in box" located up in the control room. The grievance officer will place the grievance in the "Grievance Binder" located in central control, and a copy will be given to the youth.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Grievance Procedures - Article 5 Classification and Separation

- (a) The grievance officer will make sure the forms are completely filled out with signatures of all parties involved as well as assigning a log number.
- (c) If the grievance cannot be resolved at this level, the staff member will document (on the Reply to Inmate Grievance form) the proceedings and present them, together with the documentation resulting from Step I, to the Lead Corrections Counselor or Superintendent, who will conduct a hearing within two days after receipt. The youth will need to check the disagreement box and sign the form.
- (d) If a youth fills out a grievance in such a way that the Officer does not know what is being grieved, then the Officer will give the grievance back to that youth and explain why it is being returned. The staff member will help the youth fill out their grievance form. Let the youth know they need to have the facts in their grievance, explain what they are grieving, and to leave out the bad language, and any disrespectful remarks.
- (f) STEP III:
 - (a) The persons involved at this level will include the youth, the Corrections Counselor, and Lead Corrections Counselor who handled the grievance, and the Superintendent. All information will be brought out in a hearing with these parties present. The youth will present their side of the issue and will get to be present at the time the decision is made.
 - (b) At this level, a record will be kept of the proceedings and a written response to the grievance will include the reasons for the decision(s). Complete documentation of these proceedings will be maintained in triplicate. One copy to the Superintendent's office, one copy in the grievance binder, and one copy will be given to the youth to keep.
 - (c) Resolution of the grievance must occur within ten (10) business days unless circumstances dictate a longer time frame. The youth shall be notified of any delay.
- (g) Parents, guardians, staff, or other parties' grievances are addressed and documented within two days of the filed grievance. Depending on the nature of the incident the Lead Corrections Counselor will start off handling the response to the grievance.

Reporting of Incidents - Article 5 Classification and Separation

943.1 PURPOSE

To establish a method of filing and retaining incident reports.

943.2 POLICY (TITLE 15 CCR, SECTION 1362)

An Incident Report on all incidents which result in use of force, deployment of OC/Pepper spray, physical harm, serious threat of physical harm, or death to an employee or a youth in Juvenile Hall, or other persons shall be prepared by staff and submitted to the Superintendent, and/or the Chief of Probation as well as medical personnel at the end of each shift unless additional time is necessary and authorized by the facility manager or designee.

943.3 PROCEDURES

When an Incident Report is submitted regarding a youth's behavior (positive or negative), a copy will be placed in the "SIR's to be Corrected" box, a copy in the back of the log book located in the Control Room, a copy sent to the Superintendent. If it is in regards to an out of county youth, fax a copy of the report to the youth's Probation Officer.

The corrected copy of the incident report is to be signed by the report originator and the supervisor and stapled to the original report and put in the SIR binder. All incident reports will be assigned a log number.

Staff is to notify the Dr. regarding the situation as well as the on-call Probation Officer if after hours or a supervisor during regular hours. All instructions are to be followed and added to your incident report.

Security Procedures - Article 5 Classification and Separation

944.1 PURPOSE

To establish staff guidelines for dealing with internal and external security matters.

944.2 PROCEDURES

(a) Internal Security:

1. **Equipment Familiarization:** Staff shall familiarize themselves with the operation of communication and alarm equipment. All communication and alarm equipment will be tested monthly. All new trainees will be taught and tested on use of department radios, telephones, and the alarm system.
2. **Door Security:** All doors will normally be kept locked. Room doors will be kept shut when youth are in or out of their rooms.
3. **Intercom:** The intercom console will be turned on whenever the facility is in use. All rooms, with the exception of the visiting, medical, and counseling rooms, may be audibly monitored by the staff (conversations between attorneys and their legal staff with youth in custody are private and will not be monitored).
4. **Security Devices:** The juvenile hall staff is authorized to use OC spray after an eight hour training provided by the department and taught by an outside agency. The Department Range Master is responsible for storage of non-issued OC canisters and disposal of old or expended canisters. Non-issued OC canisters are not to be stored inside the facility. Each trained staff member will have their OC spray on their duty belt. The department also furnishes an OC fogger canister and is kept in the control room.
5. **Hostage Situation:** This department has a no hostage policy. This department will not negotiate with an inmate or give into the demands of an inmate to facilitate the release of a hostage.
6. **Out of Bounds Areas:** Youth are not allowed to cross the RED boundary line without staff permission. Youth are not allowed to be behind the dayroom floor desk or approach the counselor's desk without permission. No youth is ever allowed to open or take any item from the dayroom floor desk. No youth is ever allowed in the Control Room.
7. **Entrance Prohibition:** Staff will not enter into a youth's room without backup. They may speak with a youth in their room if the door is left open and another staff is aware of the situation or through an open port in the door. If possible, a neutral room such as booking or the dayroom should be used.
8. **Room Checks:** See section 4-3 Population Accounting. Youth on suicide watch should be observed per their status. Staff will conduct suicide room checks every 5 minutes and will log each check on the Special Cell Watch sheet.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Security Procedures - Article 5 Classification and Separation

9. **Lighting Policy:** Staff will never open darkened rooms. The night lights or standard lighting should always be on. Staff will always let their partner know where they are and be accountable to one another at all times.
 10. **Room Searches:** Unannounced and varied room searches are part of staff's mission. Staff will document all contraband found and appropriated disciplinary measures. Staff will also note any needed repairs in the logbook and followed up with an incident report.
 11. **Population Count:** Staff must know how many youth they have in custody and their present location. Population counts are completed at the beginning of each shift and logged in the logbook. Staff must track population throughout the shift. A mental count should be taken during any youth movement and during room checks.
- (b) **Riot Control:** Requesting assistance is a matter of judgement. Should a situation explode and be beyond staff's ability to handle, then help should be summoned.
1. **Retreat to an Area of Refuge:** The Control Room would be the best. Ensure that opening the door does not allow a youth into the room. Use the intercom system to instruct the youth to lay face down on the floor. Tell them that help is on the way and refusal to cooperate will bring about severe consequences. A second choice for refuge could be the booking room where help can be obtained using the phone.
 2. **Call for Help, Probation & Administrative Officers:** Immediate assistance may be obtained from staff in the Administrative wing. The request for help should be made directly to the Administrative Reception desk..
 3. **Call for Help, Dispatcher:** If additional assistance is needed, call 9-911 or use the portable radio, explaining the situation. Be specific in the request including any information for additional fire or medical support. Trinity County Sheriff's Department, Weaverville Fire, etc, do not have keys to the facility and must be let in. Staff must inform the dispatcher which hall door to enter by.
 4. **Incident Report:** As with all incidents, a report must be submitted and a logbook entry made. All staff involved should submit an incident report.
- (c) **Keys:** Master keys are not issued to anyone except the Superintendent and the Chief Probation Officer. The on duty staff will take possession of one of the four facility key rings and be responsible to turn the set in at the end of the shift. The facility key rings do not have any keys on them capable of opening any outside door.
- (d) **External Security:**
1. **Perimeter Checks:** Perimeter checks shall be performed daily by day shift. Attention should be paid to the windows on the exterior of the youth' rooms. Staff should also ensure that transport vehicles and the storage shed are secure.
 2. **Outdoor Recreation Area:** Staff shall check the outdoor recreation area before each use, looking for damage to the fence, contraband and weapons.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Security Procedures - Article 5 Classification and Separation

- (a) Youth will be put in their rooms, while a staff member checks the outdoor recreation area and the other staff members stay inside the hall.
 - (b) Youth will be lined up inside the hall prior to being escorted outside. Staff will escort youth to the recreation area. Youth who can not participate in outdoor activities must sit in an assigned area.
 - (c) When youth are returned inside the hall they will be patted down unless circumstances warrant a more thorough search.
3. **Unauthorized Persons:** Staff should be aware of unauthorized persons and vehicles in the area. Should suspicious circumstances warrant, call Trinity County Sheriff's Department, requesting a unit to investigate. Staff will not investigate outside of the building. Only people having a reason to be about the outside of the facility will be allowed. All others will be asked to leave.
- (e) **Escapes:**
- 1. **Reporting:** All escapes will be immediately reported to law enforcement (see Emergency Procedures – Escapes)
 - 2. **Pursuit:** Unless close at hand, pursuit of fleeing youth should be left to law enforcement. Under no circumstances should a staff member leave other in-custody youth to pursue an escaping youth. In all such circumstances, the staff should return the balance of the population to their rooms. An incident report must be submitted.
- (f) **Positioning of Staff:**
- (a) Staff should never allow any youth to position themselves behind them. If a youth disregards staff's orders to move to a more appropriate placement, staff should calmly tell the youth to return to his/her room for a "time out". Should the youth refuse to obey the order, staff should immediately disengage and alert other staff and as a team engage the youth. If necessary, call dispatch for backup before forcing the issue.
 - (b) Never enter a cell room alone without another staff member there as backup. Always leave the door open. The second staff member should position themselves near the intervening door until the situation ends.

The Chief Probation Officer or Assistant Chief Probation Officer shall conduct an annual review of the facilities emergency procedures and forms with all youth supervision staff. They will insure that all of our forms are within California Standards Authority guidelines and work appropriately for our facility.

Confiscated Narcotics and Controlled Substances - Article 5 Classification and Separation

945.1 PURPOSE

To provide a uniform procedure to ensure narcotics and controlled substances, and/or substances thought to be such, are confiscated and handled in an appropriate and legal manner.

945.2 POLICY

- (a) Staff confiscating narcotics/controlled substances will:
 - 1. Notify the Senior Officer immediately of the confiscation.
 - 2. Read the Miranda warning to the youth prior to questioning.
 - 3. Place all suspected narcotic evidence in an envelope. With an ink pen, write on the envelope a description of the contents, the name of the youth, from whom the contents were received, and date and time of confiscation, your name and your ID number. Seal the envelope securely.
 - 4. The Trinity County Sheriff's Department will be notified and requested to come to the hall for a report and to take custody of the contraband.
 - 5. A Special Incident Report will be submitted immediately.
- (b) The Senior Corrections Counselor:
 - 1. If handling the confiscated item(s), also write on the envelope including their name, ID number, the date and time of handling. This procedure is to be followed each time the envelope is passed from one staff to another in order to account for its whereabouts at all times. Care should be taken to avoid any unnecessary handling of narcotics.
- (c) If the suspected narcotics/controlled substance was confiscated from a youth having it in possession when brought in by the arresting agency:
 - 1. Return the evidence to the arresting officer if still on the premises. If possible, have the staff member who confiscated the substance do this.
 - 2. Notify the arresting agency if the officer has left the premises. If they do not wish to take the evidence into custody, notify Trinity County Sheriff's Department, requesting they take custody of the evidence.
 - 3. Include the name, agency, and badge number of the officer receiving the evidence on the Incident Report.
 - 4. Notify the youth's Probation Officer on the next shift they work.
- (d) If the substance was confiscated while the youth is in custody, the Senior Corrections Counselor:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Confiscated Narcotics and Controlled Substances - Article 5 Classification and Separation

- ~~1. Immediately notify the Sheriff's Department and request them to take custody of the evidence and file a report.~~
 2. During the next working day, notify the youth's Probation Officer.
- (e) If the substance was found on the premises, but not in the possession of any specific youth:
1. Investigate the situation.
 2. Contact the Sheriff's Department and request they take the substance.
 3. Write a Special Incident Report describing what was found and the results of the investigation.
- (f) All paraphernalia (marijuana pipe, smoking stone, hash pipe, etc.) is to be confiscated. Hypodermic needles also fall into this category unless the youth has a verified medical reason for having it then the hypodermic kit will be maintained in the medical room in a locked cabinet (staff will verify via the youth's doctor. NOTE: extreme caution should be used in handling needles due to the possibility of contamination. The needle should be inserted into cardboard or the end taped before sealing it in the envelope.) All such items are to be sealed in an envelope with the contents and the youth's name and left for the Superintendent for disposition. Staff will notify the youth's Probation Officer regarding such contraband.

Contraband - Article 5 Classification and Separation

946.1 PURPOSE

The purpose of this policy is to assist staff in their efforts to control contraband from entering the institution. This policy sets forth guidelines for searches and appropriate methods to use to maintain control over chain-of-evidence.

946.2 POLICY

- (a) There are two types of contraband:
 - 1. That which is illegal by legislative definition, i.e. weapons, controlled substances, etc.
 - 2. That which is considered contraband by administrative definition (agency specific).
- (b) Report writing is always important when dealing with any serious incident. This is especially true in incidents involving illegal contraband. These reports should be written as crime reports. Remember to think in terms of probable cause. Document exactly what it was that led to the discovery of the contraband (i.e. suspicious actions, informant, etc.). Keep in mind that these reports may be reviewed by the District Attorney's office.
- (c) When illegal contraband of a suspected controlled substance or weapon is discovered, the staff member should notify their Senior Corrections Counselor (see Confiscated Narcotics & Control Substance). A thorough Incident Report (crime report) is to be written. The Senior Corrections Counselor and/or Superintendent will make the decision to notify the appropriate law enforcement agencies.
- (d) When the contraband discovered is of an administrative nature, it may or may not require a written Incident Report. In some cases, a log entry is sufficient. Check with the Senior Corrections Counselor if you have questions as to which form of documentation to use. If an Incident Report is written, it will be used for the purpose of in house discipline, which will be determined by the Senior Corrections Counselor and/or Superintendent.
- (e) Contraband that is illegal by legislative definition will require certain safeguards to preserve the chain- of-evidence. The steps to be taken are as follows:
 - 1. When dealing with any illegal contraband, staff should wear protective gloves.
 - 2. Only the staff member who discovered the contraband should handle the contraband.
 - 3. The contraband is to be placed in an evidence envelope and the Trinity County Sheriff's Department contacted. Have them take custody of the evidence. All information requested on the face of the envelope should be completed fully, as possible.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Contraband - Article 5 Classification and Separation

4. The envelope opening shall be sealed with scotch tape. The staff member placing the contraband inside the envelope will place his/her initials and the date across the tape; x's that extend beyond the opening of the envelope will also be placed across the tape.
 - (f) These steps will help ensure the security of the chain-of-evidence by reducing the accessibility of others to the contraband. Again, it is recommended that staff should wear rubber gloves when handling suspected illegal contraband. This is for protection of both staff and the potential evidence.
 - (g) When anonymous illegal contraband is discovered, it should not simply be discarded. An Incident Report is to be written indicating that the contraband has been marked and stored.

Collection of DNA Specimens, Samples and Impressions - Article 5 Classification and Separation

947.1 PURPOSE

The purpose of this policy is to inform staff of who to have samples collected from and whom to contact to collect the DNA sample.

947.2 POLICY (TITLE 15 CCR, SECTION 1363)

Below are juveniles that are eligible to have DNA samples taken from:

- (a) Any youth who is adjudicated under Section 602 of the Welfare and Institutions Code for committing any felony offense, pleads guilty or no contest to any felony offense, or is found not guilty by reason of insanity of any felony offense.
- (b) Any juvenile who is required to register under Section 290 or 457.1 because of the commission of, or the attempt to commit, a felony or misdemeanor offense, or who is housed in a mental health facility or sex offender treatment program after referral to such facility or program by a court after being charged with any felony offense.
- (c) Any youth found to be a sexually violent predator or the courts decide the youth must provide a sample for the data bank as a condition of probation or parole.

Staff will provide information regarding the youth's charges and/or sentencing orders to the assigned Deputy Probation Officer trained to perform DNA collection on offenders.

Penal Code Section 298.1 authorizes that law enforcement, custodial, or corrections personnel including peace officers, under the following circumstances, may employ reasonable force to collect blood specimens, saliva samples, and thumb or palm print impressions from individuals who are required to provide such samples pursuant to Penal Code Section 296 and who refuse following written or oral request:

- (a) Trained and competent correctional employee(s), faced with similar facts and circumstances, must consider the amount of force used as necessary and reasonable to gain compliance.
- (b) Use of reasonable force shall be preceded by efforts to secure voluntary compliance. Efforts to get voluntary compliance shall be documented and include advisement of the legal obligation to provide the required sample and the consequences of refusal.
- (c) Force shall not be used without the prior written authorization of the supervising officer on duty. Authorization shall include information that reflects the fact that the offender was asked to provide the sample.
- (d) If reasonable force includes a cell extraction, then it shall be videotaped. The video shall be retained by the agency for the length of time required by the state.

Collection of DNA Procedures:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Collection of DNA Specimens, Samples and Impressions - Article 5 Classification and Separation

- ~~(a) A copy of the court minutes stating the youth has been adjudicated for any of the above mentioned crimes is to be given to Designated Deputy Probation Officer trained to collect DNA samples..~~
- (b) The Probation Officer will let the youth know what is happening and collect the sample. Unless approved by the Chief Probation Officer all samples will be cheek scrapings done per the instructions given in the DNA collection kit.
- (c) If a youth is from another county, staff are to contact the youth's Probation Officer and verify if the DNA sample has already been taken prior to collecting and submitting any additional samples.

School Program - Article 6 Programs and Activities

948.1 SPECIAL NOTE

Since Re-opening the facility as a Special Purpose Juvenile Hall in March of 2015, and housing youth only during non-school days, Policy 6-1 is hereby not applicable at this time.

948.2 PURPOSE

To establish an education program, to be provided by the County Board of Education for youth while in custody.

948.3 POLICY (TITLE 15 CCR, SECTION 1370)

948.3.1 REQUIRED ACADEMIC ELEMENTS

- (a) Goal: The purpose of the Court School educational program is to facilitate the students' education, to assist them in earning junior high or high school credit, and to help in their preparation for high school proficiency or GED examinations. Supplemental instruction shall be afforded to youth who do not demonstrate sufficient progress towards passing the California High School Exit Exam (CAHSEE) as set forth in the Education Code.
- (b) Courses of Study
 1. Students have the opportunity to earn credits in the following courses: English, Social Studies, Science, Health, and Mathematics. Students who are assigned to Court School for a short period of time (less than a week) tend to choose one curriculum area and strive to earn credit in that subject area. Other students do work in all subject areas.
 2. Students also have the opportunity to work in elective programs including Economics, Civics, Art and Self-Esteem Building.

948.3.2 MINIMUM SCHOOL DAY REQUIREMENTS (240 MINUTES)

- (a) The Court School program, consisting of a 285-minute day, is divided into four periods:
Period 1 8:45 to 10:15
Break 10:15 to 10:30
Period 2 10:30 to 12:00
Lunch 12:00 to 12:20
PE/Break 12:20 to 1:30
Period 3 1:30 to 2:45
Break 2:45 to 2:55
Programs 2:55 to 4:00 (Life Skills, Anger Management, Drug & Alcohol, Planned Parenthood)
- (b) Absent exigent circumstances, the facility administrator, in conjunction with education staff, will ensure that the procedures to deliver youth to their educational program do not interfere with the time afforded for the minimum instructional day.

Trinity County Probation Department

New Probation Manual

New Probation Manual

School Program - Article 6 Programs and Activities

948.3.3 SCHOOL DISCIPLINE

- (a) Goal: To provide students with an atmosphere that is conducive to learning.
- (b) Behavioral Management Plan and Security System
 1. Positive rapport between students and staff helps with student behavior management.
 2. The Court School security system relies on personnel security practices. The physical layout of the classroom enables Juvenile Hall officers to observe classes at all times.
- (c) Staff Communication and Information Sharing: Officers at Juvenile Hall maintain a daily log which details information about the youth, including doctor appointments, court visits, etc. Each morning, school staff members are required to read the calendar entries.
- (d) Youth that attend the Court School do not get expelled from school. If a student is suspended from school they may appeal that suspension to the school principle and facility administrator. They can be sent out of the classroom for a time out if they are fighting or any unruly behavior that impinges upon security or the ability of the rest of the students to stay focused on their school work. When appropriate, students have the opportunity to continue their schoolwork in their room, on the dayroom, or return to the classroom.
- (e) Youth that are on room restriction or lockdown will not be able to sit in the classroom. However, all youth will be given school work provided by the teacher or teacher's aide and will be able to request help with that school work when needed.

948.3.4 PROVISIONS FOR INDIVIDUALS WITH SPECIAL NEEDS

Goal: To address the special needs of students.

- (a) Educational instruction to youth restricted to high security/special units. Students have the opportunity to continue working on their schoolwork in their room.
- (b) The Court School addresses the rights of any student who has difficulty in completing the school day. They can do school work in their room, on the dayroom floor, or in another quiet area.
- (c) Observation of state and federal laws for students with special educational needs. Any student entering the hall with an active IEP has those specific goals addressed as part of their educational plan.
- (d) Youth identified as limited English proficient (LEP)/ English Learners (EL) shall be afforded an educational program that addresses their need pursuant to all applicable state and federal laws and regulations governing programs for LEP students.
- (e) Supplemental instruction will be afforded to youth who do not demonstrate sufficient progress towards passing the California High School Exit Exam (CAHSEE) as set forth in the Education Code.

Trinity County Probation Department

New Probation Manual

New Probation Manual

School Program - Article 6 Programs and Activities

948.3.5 EDUCATIONAL SCREENING AND ADMISSION

- (a) Goal: To provide student screening and assessment process that allows for a student to receive assignments appropriate to their educational needs.
- (b) Enrollment Procedures: Evaluating each Student's Educational History:
 - 1. Upon enrolling, all students are interviewed by a teacher or teacher's aid to determine their last school attended, grade level, classes taken, attitude toward school, special needs, and their own behavior.
 - 2. Students are given the WRAT examination to determine word recognition level and skills in mathematics.
- (c) Enroll the youth in school on the day after admission:
 - 1. Students are enrolled in the school the day after their admission to Juvenile Hall.
- (d) Develop a preliminary educational plan within five (5) school days:
 - 1. Following the interview, students are given materials to begin their coursework. By the next day, a preliminary education plan has been completed.
 - 2. If a youth is detained, the education staff shall immediately request the youth's records from his/her prior school(s), including, but not limited to, transcripts, Individual Education Program (IEP), 504 Plan, CELDT scores, (CAHSEE) results, immunization records and exit grades. Upon receipt of the transcripts, the youth's educational plan shall be reviewed and modified as needed.

948.3.6 EDUCATIONAL REPORTING

- (a) Goal: To develop and maintain records that demonstrate each student's progress
- (b) Educational record of a youth shall be forwarded to the school district: Upon written or oral request by the school or parent, the educational record of the youth is forwarded to the requesting individual.
- (c) The school system shall provide credit for completed coursework: To date, all school systems have approved credit for coursework completed during a student's stay in Juvenile Hall.
- (d) The compete facility educational record of the youth shall be forwarded to the next educational placement in accordance with the State Education Code. The County Superintendent of Schools shall provide appropriate credit (full or partial) for course work completed while in juvenile court school.

948.4 PROCEDURE FOR HALL STAFF

- (a) A team approach is used in the classroom with teachers, assistants, and Juvenile Hall Officers working together to help the students attain success. A quiet learning environment should be maintained during times when students are working on individual assignments. Staff's priority is supervision and security.
- (b) In the event that a student is disruptive, the youth will receive a time out and be escorted to their room by staff. The student will not return to school until he/she has

Trinity County Probation Department

New Probation Manual

New Probation Manual

School Program - Article 6 Programs and Activities

completed the time out and the teacher and staff feel that the student is ready to work and can act in an acceptable manner.

- (c) If a student must leave class to see his Probation Officer, Public Defender, doctor, District Attorney or to take medication, the officer should tell the youth in a quiet manner so that other students will not be disturbed. The student will return to class upon the completion of his/her business. Since visits are often emotional, staff should evaluate and do appropriate counseling before sending the student back to school. It is important that the student be cautioned not to disturb others upon his/her return.
- (d) If a student is on restricted activity or taking medication that causes drowsiness, a note stating so will be put in the school mailbox so that the teaching staff is aware of these restrictions.
- (e) An annual review of each required element of the program will be conducted by the Superintendent of Schools or designee, along with a report or review checklist on compliance, deficiencies, and corrective action needed to achieve compliance with this section. Per Title 15, Section 1370, this review cannot be delegated to the principal or any other staff of any juvenile court school site; however, it may, at the discretion of the Superintendent of Schools, be conducted by a qualified outside agency or individual. Upon receipt of the review, the facility administrator or designee shall review each item with the Superintendent of Schools and shall take whatever corrective action is necessary to address each deficiency and to fully protect the educational interests of all youth in the facility.

Programs, Recreation and Exercise - Article 6

Programs and Activities

949.1 PURPOSE

The purpose of this policy is to implement written procedures for programs, recreation and exercise that encourage all youth to participate. It is the intent of this policy to minimize the amount of time youth are in their rooms or their bed area. Such program, recreation and exercise schedule shall be posted in the living unit.

949.2 POLICY (TITLE 15 CCR, SECTION 1371)

- (a) Recreation and exercise programs include small and large muscle activity that are organized and supervised by staff. Where appropriate, youth are to be included in the planning and implementation of recreation programs. Recreation can be of either an active or inactive nature, and can be either indoors or outdoors as weather permits. There will be written annual review of the programs, recreation and exercise by the responsible agency to ensure content offered is current, consistent, and relevant to the population.
- (b) Varied, planned, innovative, and interesting recreation programs are an important part of Juvenile Hall life. Such programs help minimize tensions, depression, and other facility problems.
- (c) All youth shall be provided with the opportunity for at least one hour of daily programming to include, but not limited to, trauma focused, cognitive, evidence-based, best practice interventions that are culturally relevant and linguistically appropriate, or pro-social interventions and activities designed to reduce recidivism. These programs should be focused on the youth's individual needs as identified in their case plans pursuant to Sections 1355 and 1356.
- (d) Programs may be provided under the direction of the Chief Probation Officer or the County Office of Education, and can be administered by county partners such as mental health agencies, community based organizations, faith-based organizations or Probation staff. Programs may include but are not limited to:
 - (a) Cognitive behavior interventions;
 - (b) Management of stress and trauma;
 - (c) Anger management;
 - (d) Conflict resolution;
 - (e) Juvenile Justice System;
 - (f) Trauma-related interventions;
 - (g) Victim Awareness;
 - (h) Self-Improvement;
 - (i) Parenting skills and support;

Trinity County Probation Department

New Probation Manual

New Probation Manual

Programs, Recreation and Exercise - Article 6 Programs and Activities

- (j) Tolerance and diversity;
 - (k) Healing informed approaches;
 - (l) Interventions by credible messengers;
 - (m) Gender specific programming;
 - (n) Art, creative writing, or self-expression;
 - (o) CPR and First Aid training;
 - (p) Restorative Justice or Civic Engagement;
 - (q) Career and leadership opportunities and;
 - (r) Other topics suitable to the youth population.
- (e) Upon entering the juvenile detention facility the youth shall be told what is expected of them during recreation time. Example: While outside for large muscle exercise the youth must be moving about. They can either play a ball game, walk/jog, throw a ball, etc. During indoor recreation youth may engage in unscheduled activities such as leisure reading, letter writing, watching tv, playing cards, playing ping pong, etc. Activities shall be supervised and may include coaching of youth.
- (f) Recreation, programs and exercise (RPE) must meet minimum state requirements at all times. These are as follows:
- (a) There is to be a minimum of three hours of recreation, programming and exercise per day on weekdays. On weekends and non- school days, there is to be a minimum of five hours. At least one hour shall be outdoors.
 - (a) This must include at least one hour of recreation.
 - (b) This must include at least one hour of programming.
 - (c) This must include at least one hour of exercise, preferably outdoor activity if weather permits.
 - (b) Activities are to include a minimum of one hour per day of large muscle activity. Youth are entitled to receive their one hour of large muscle exercise, regardless of classification status.
 - (c) Males and females are to be given equal opportunity in all recreation and athletic programs.
 - (d) The superintendent or chief may suspend, for a period not to exceed 24 hours, access to recreation, programs and exercise. A youth's participation in programs, recreation, and exercise may be suspended only upon written finding by the administrator/manager or designee that a youth represents a threat to the safety and security of the facility.
- (g) The following are the minimum requirements for the conduct of all recreation and exercise programs at the Juvenile Hall:
1. While participation is to be encouraged and staff maintains an involvement-oriented role in recreation, participation in such activities is voluntary.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Programs, Recreation and Exercise - Article 6 Programs and Activities

2. Recreation and exercise programs shall never be used as a form of discipline or punishment.
3. Staff will use reasonable health and safety practices at all times.
4. Staff will ensure that all equipment is in good repair, and is safe to use. Staff will also ensure that youth are instructed in the proper use of all recreation and exercise equipment, and that the equipment is used in accordance with sound safety practices.
5. Youth who are ill or physically handicapped will be provided with opportunities for recreation according to appropriate medical and capability standards for such youth. Such opportunities will be developed in conjunction with medical personnel. Youth that are ill or cannot physically participate in recreation activities are not to be punished.
6. Staff will closely supervise strenuous programs to guard against injuries.
7. Youth on Security Risk and/or a limiting disciplinary status will be afforded the opportunity for recreation and exercise. Such opportunity will be conducted in a safe and protected manner, and approved by the Senior Officer or Senior Shift Lead. Any program for these youth that will not meet the minimum state requirements for extreme safety and protection needs must have the review and approval of the Juvenile Hall Supervisor.
8. Staff will be informed of all recreation activities and know how to implement them. Make sure that all equipment and/or materials are available and in place prior to the activity. If necessary, staff will restructure the activity or program group. Should this occur, make a brief log note as to the reason for the change. Note the substitute program, and how the group responded.
9. While some activities may be competitive in nature, these and other recreation and exercise programs are to emphasize physical and emotional health, self-concept, learning, enjoyment, fair play, and good sportsmanship.
10. The use of television and video movies as sedentary activities will be limited. This does not include education or counseling uses. Senior Officers will ensure that a varied program is implemented on their shift.

949.3 PROCEDURE

- (a) All recreational activities and how the group responded are to be noted in the logbook. Problems with activities and suggested solutions should be noted.
- (b) Staff will conduct a perimeter and grounds check prior to conducting outside recreation activities. Any contraband found will be noted in the logbook, and the perimeter check will also be noted.
- (c) The following are requirements for use and supervision of recreation areas in the hall:
 1. Indoors: All youth may be included.
 2. Outdoors within fenced perimeter: All youth involved in a full program status. Security Risk youth in shackles (youth that have attempted escape, etc).

Trinity County Probation Department

New Probation Manual

New Probation Manual

Programs, Recreation and Exercise - Article 6 Programs and Activities

3. Proper movement and positioning: The staff will move youth to and from activities as a group and not allow youth to wonder. A single straight line will be used to insure tight structure. Staff may participate in activities as long as there is adequate supervision of the youth. Appropriate staffing will always be positioned to supervise the activity from outside.
4. The daily program, recreation and exercise shall be posted in the day room.

949.3.1 WEEKEND AND HOLIDAY SCHEDULE

*During Recreation Time the youth can watch television/movie, listen to the radio, play ping-pong, play board games/cards, select reading material, or make use of the indoor/outdoor rec. room.

Religious Programs - Article 6 Programs and Activities

950.1 PURPOSE

To ensure youth and parents' religious rights are met.

950.2 POLICY (TITLE 15 CCR, SECTION 1372)

- (a) By law, all Juvenile Hall staff is obligated to protect the rights of youth in custody as to their freedom of religion. Juvenile Hall population is considered a captive audience, since they cannot freely leave the area any time they choose to. It is important to note that groups that come into the hall for religious instruction **DO NOT** have the right to pressure, push, or persuade youth to their beliefs.
- (b) Juvenile Hall staff will remain neutral at all times, even if a youth inquires. Staff will keep their personal religious beliefs from intruding on their job function.
- (c) Youth have the absolute right not to attend religious instruction or activities; and to have a reasonable alternative activity outside of their room. Under NO circumstances is a youth to be placed on room rest as an alternative to attending religious activities. If the group is small enough then the use of the counseling room is an option.

950.3 PROCEDURE

- (a) Youth have the right to contact their parents or counseling staff to request religious instruction. Youth may make request for special visits with religious clergy for religious services and practices.
- (b) All youth will be informed of this right in the Orientation process.
- (c) Staff receiving requests for religious contact will:
 - (a) Ask if parents approve of this contact.
 - (b) If conflict exists between the youth's and the parents' desires regarding religious contact, the matter is to be referred to the Superintendent.
 - (c) If there appears to be no conflict, ask youth's probation officer to verify that the person requested is a bonifide representative of the youth's faith.
- (d) All religious material delivered by volunteer organizations is to be routed to the Superintendent prior to being placed in the group.
- (e) As with any other volunteer group, religious groups must receive the approval of the Superintendent prior to being allowed to present any program to the youth. It is important to recognize that while the youth have the right to receive religious instruction; religious groups do not have the right to come into the hall and attempt to persuade youth to their point of view.
- (f) Youth's diet while in the hall shall be modified to meet the religious belief of his/her bonifide faith. The youth's diet will be decided upon between the religious representative, the facility doctor, and the Superintendent.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Religious Programs - Article 6 Programs and Activities

- (g) Staff is expected to refer any problems with violations of a youth's religious rights to the Superintendent via a Special Incident Report. Any immediate problems with an individual or a group of people coming in (as with other volunteers), are to be referred to the Senior Corrections Counselor or Shift Lead.

Work Program - Article 6 Programs and Activities

951.1 PURPOSE

To establish guidelines for employing youth on work detail.

951.2 POLICY (TITLE 15 CCR, SECTION 1373)

- (a) A work program should be a positive experience, fair and consistent, and not imposed as discipline. Youth shall not be required to perform degrading or unnecessary tasks. Work assigned to youth shall be meaningful, constructive and, if possible, related to vocational training or increasing a youth's sense of responsibility.
- (b) Normal housekeeping duties in the hall are required to maintain a clean and sanitary environment. Youth are required to keep their rooms in a neat and orderly appearance (i.e.: beds made, toilets flushed, unworn clothing folded at the foot of their bed).
- (c) Youth can wash dishes and fold clothing under the supervision of staff. Youth will not be allowed in the kitchen unless they are "general" classification status and have been medical cleared by the facility doctor.

951.3 PROCEDURES

- (a) Daily, all occupied rooms will be swept, mopped, toilets and sinks cleaned.
- (b) Daily showers scrubbed and sanitized.
- (c) The dayroom will be swept and mopped daily. Windows and walls will be cleaned as needed. Additionally, all floor drains will have clean water poured into them once a week.
- (d) Camp committed youth that have been medically cleared will have the opportunity to participate in some community service and receive credits for hours worked. Examples of community services:
 - 1. Wood delivery
 - 2. Garden work
 - 3. Park clean up
 - 4. Paint over graffiti
 - 5. Set up/Clean up town holiday activities
 - 6. Set up/Clean up for town meetings

Visiting - Article 6 Programs and Activities

952.1 PURPOSE

Contact with family, and those involved in the legal process are important considerations in a continuum of care. At the same time it is necessary to ensure safety and protection and to allow Hall Programs to function without constant disruption. Thus, it is the purpose of our visiting policies and procedures to balance these needs and considerations.

952.2 POLICY (TITLE 15 CCR, SECTION 1374)

- (a) Visits by parents, guardians or persons standing in loco parentis, and children of youth are considered a right by the Minimum Standards for Juvenile Halls, and as such shall be allowed unless specified otherwise by Court Order. Other family members, such as grandparents and siblings, and supportive adults, may be allowed to visit with the approval of the facility administrator or designee, and in conjunction with the youth's case plan or in the best interest of the youth.
- (b) These standards also require that visiting be allowed for a two hour minimum per week. Visits may be supervised, but conversations shall not be monitored unless there is a security or safety need. Special visitation is allowed with prior approval from the Hall Supervisor or the youth's Probation Officer.
- (c) It is the policy of this facility that parental and family contact be encouraged, and that family is viewed as a potential resource in the care of the youth here. Visiting is to be considered an important part of our system of care. As with youth, parents and other visitors are to be treated with mutual respect and consideration. Staff contact with all visitors is to be professional at all times, no matter how problematic such contacts may be. Staff must recognize that parents will very often be upset and concerned about their son/daughter's confinement and that they may have considerable misinformation concerning the purpose and environment of the hall. Parents are to be informed of who the assigned Probation Officer is. Staff will ensure that the parents know how to contact them if they have concerns or helpful information about their son/daughter.
- (d) Official visits are those made by youth's attorneys, the judge, law enforcement, and other legally constituted officials in the pursuit of their official duties. These visits may occur at any time during the waking day. Official visits during sleeping hours will only occur in serious emergency situations and with review and approval of the Senior Corrections Counselor or On Call Probation Officer..
- (e) Clergy visits may be during normal visiting. Exceptions may be made only with Senior Corrections Counselor's review and approval. Staff will ensure that the clergy are duly ordained ministers and that there is no known conflict with the parent's religious preferences.
- (f) Visitation shall not be denied solely based on the visitors criminal history. The staff shall determine in each case, whether the visitors criminal history represents a risk to the safety of youth or staff in the facility. Any denial of visitation or limitation on visitations shall be communicated to the youth, person denied, and facility manager. Any problems with visitors in terms of visiting rule violations, safety and protection,

Trinity County Probation Department

New Probation Manual

New Probation Manual

Visiting - Article 6 Programs and Activities

or unusual occurrences must be documented via Special Incident Report. Visits may be supervised, but conversations shall not be monitored unless there is a security or safety need.

- (g) The facility may provide access to technology as an alternative, but not as a replacement, to in person visiting.

952.3 PROCEDURES

- (a) Regular Visiting Hours are as follows:
 - 1. Sunday afternoons - 1:00 p.m. to 3:00 p.m.
- (b) Visitation should not occur during mealtimes or bed times except under very unusual circumstances (authorized by the youth's Probation Officer in coordination with Superintendent).
- (c) Monitored visits require a Corrections Counselor or Probation Officer in attendance monitoring the visit throughout. This type of visit occurs whenever there is a reasonable suspicion that there may be danger to the safety and protection of the youth, staff, others, and/or the hall, posed by the visit. Requests for monitored visits must be documented in writing, together with the reasons for monitoring and what the monitor must watch for or intervene in.
- (d) Initial Visits: Youth may receive an initial visit from their parents/guardians as deemed appropriate by the Probation Officer. Such visits will normally occur as part of the intake/detention decision process, and will be limited to 30 minutes. When these visits will occur will depend on the needs of the hall.
- (e) After court, visits may be held with parents and in-custody youth at the hall as soon as all court transportation needs have been met. These visits will be limited to 30 minutes. The Transportation Officer will inform interested parents of the appropriate time for the visit.
- (f) All family members in attendance will have to share the scheduled one-two hour visit.

952.4 VISITING RULES

- (a) Authorized visitors will report to the lobby entrance of the hall at the designated visiting time.
- (b) All visitors must submit some form of proof of identity to the staff member at the entrance. Identity must be substantiated for the protection of the youth. The following forms of identification for visitors will be accepted:
 - (a) California Driver's License (preferred).
 - (b) Legal-type photograph in employment identification.
 - (c) Identifiable, detailed description by a Deputy Probation Officer regarding what type of identification is acceptable. Proper identification will be required however; the final decision rests with Senior Corrections Counselor.
- (c) Visitors must comply with all instructions of the hall staff and abide by the following rules:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Visiting - Article 6 Programs and Activities

1. Do not smoke during visits.
2. No items at all will be given to the youth including but not limited to magazines, paperbacks, hygiene, or food stuffs. If the youth wishes books or magazines not provided by the Trinity County Juvenile Hall, they must be mailed through the U.S. Postal service by a bookstore or publisher. The hall will be in no way responsible for any items lost or left behind.

952.5 COUNSELING STAFF WILL

- (a) Provisions for special visits, in addition to the two-hour minimum and/or outside of the regular visiting hours, shall be accommodated as necessary and within the discretion of the facility administrator or designee. Family Therapy and professional visits shall be accommodated outside the provisions of this regulation. Facilities may provide visitation opportunities outside of normal visiting hours to accommodate special visits.
- (b) Record all visiting privilege changes as directed by the Probation Officer or Superintendent. All visiting information will include the full name of the visitor, followed by the type of visit (regular or scheduled), and followed by the nature and frequency or duration of the change. The name and capacity of the person directing the change, the date and time notification was received, and the initials of the staff member recording the entry.
- (c) Process visitors as follows:
 1. Check for the visitor's identification.
 2. Determine visitor's eligibility to visit by checking information given with any information that may be recorded in the logbook. The prerequisites to visit are:
 - (a) For parents or guardians:
 1. The visitor(s) must be listed on the youth's booking sheet.
 2. The visitor(s) must not be listed as restricted from visiting.
 - (b) For official legal counsel, clergy:
 - (a) The visitor must be able to certify their identity as the person and classification they claim to be.
 - (b) Such visitors should not appear in the log as being restricted from visiting.
 - (c) In case of legal counsel (i.e., attorneys except Public Defender or District Attorney) must be the Attorney of Record in order to visit or interview the youth. Problems in this area should be referred to the Senior Corrections Counselor, who will refer the matter to Probation Officer for disposition.
 - (d) Clergy must be the minister of the youth's and/or parent's church and is 18 years of age or more.
- (c) As courteously as possible, inform person not eligible to visit of their ineligibility and the procedure available to them to gain eligibility. Inform

Trinity County Probation Department

New Probation Manual

New Probation Manual

Visiting - Article 6 Programs and Activities

them that they must discuss the situation with the youth's Probation Officer during normal working hours. If they request the Probation Officer's telephone number, give them the general number for Probation. Never give out home telephone numbers or addresses of employees for this purpose.

- (d) Once the visitor has been determined to be eligible, staff will direct that visitor to the area unit where visiting is to take place. If it is the visitor's first visit, staff will review visiting rules and regulations with the visitor.
- (e) Staff members will remain alert to situations not anticipated or specifically provided for herein. Staff is to use their own judgement in restricting or denying visiting privileges otherwise allowed in the context of this directive.
- (f) Staff supervising visiting will:
 - 1. For visits that are in the Interview Room, assure that one staff member has an unobstructed view of youth and visitors at all times.
 - 2. Check all items brought by the visitor(s) and permit only those allowed.
 - 3. Terminate Visits:
 - (a) Immediately:
 - 1. When such visits prove unduly upsetting to the youth or the visitor.
 - 2. When a visitor's violation of the visiting rules makes termination advisable: inform the visitor(s) that the visit is terminated for violation of a visiting rule, and they must talk with the youth's Probation Officer and the Superintendent prior to having their visiting privileges reinstated. Report all violations of visiting rules on a Special Incident Report.
 - (b) Terminate visits for other reasons only as necessary (for example, in case of an emergency or if the area should become overcrowded and overly difficult to supervise).
 - 4. After departure of the visitors:
 - (a) Turn the youth over to whichever staff member is designated to do a thorough search of the youth.
 - (b) During regular visiting hours, visiting areas, lobby, and front restroom need to be searched at the close of visiting hours. The interview room must be searched after each visit.
 - (c) Always note a youth's refusal to visit after arrival of the visitor(s). In case of unusual visits of which the counselor believes the Probation Officer should be advised, submit a Special Incident Report.
- (g) Senior Corrections Counselor during visiting hours will:
 - 1. Preceding regular visiting hours ensure the readiness of staff and the facility for regular visiting hours.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Visiting - Article 6 Programs and Activities

2. Ensure that any Special Incident Reports or appropriate log entries are made with information that needs to be forwarded.
 3. Review all problem situations related to visiting and make appropriate decisions and recommendations for handling them.
- (h) Any visitor desiring to either pick-up or deliver personal property may do so during visiting.

Correspondence - Article 6 Programs and Activities

953.1 PURPOSE

To set forth rules on writing, reviewing, and processing mail originated by or sent to youth in custody.

953.2 POLICY (TITLE 15 CCR, SECTION 1375)

- (a) There is no limitation on the volume of mail that youth may send or receive. The facility shall provide postage for the youth to send seven (7) letters per week. In addition, postage shall be provided by the facility for privileged mail.
- (b) Privileged mail is defined as letters to and from a federal, state, or local court, an attorney, officials of the confining agency and Deputy Probation Officers or California Youth Authority Parole Officers, and the Board. Authorized facility staff may open and inspect such mail only to search for contraband and in the presence of the youth. Staff shall not read confidential correspondences.
- (c) Incoming and outgoing mail shall not be read or withheld unless there is reasonable cause that one or more of the following conditions exists:
 - 1. Facility safety and security, public safety, or youth safety is jeopardized.
 - 2. It contains contraband.
 - 3. If to or from another correctional facility, except as approved on an individual basis via the Case Plan process.
 - 4. There is a "no contact" order from the Court involving the youth this should be verified by the youth's PO. Therefore, if staff is aware that a youth(s) are on probation, it is advisable to contact the Probation Officers involved.
- (d) Staff members having reasonable suspicion that one of the above conditions exist, shall submit a Special Incident Report requesting that mail be read or withheld. The Special Incident Report will contain the basis for believing that the condition or conditions exists and any further information pertaining here to. The Special Incident Report must be delivered to a Superintendent for review and approval (only the Superintendent may approve reading or withholding of mail). Specific pieces of mail may be withheld on a temporary basis for up to 24 hours (excepting legal holidays and weekends) in order to have Superintendent or the Chief Probation Officer review the situation.
- (e) If mail is being withheld, the youth shall be notified.

953.3 PROCEDURES

- (a) All youth will be advised of the mail procedures upon admission to the hall, as part of the orientation process.
- (b) The following procedure will be used for reading and/or rejection of mail as approved per policy above:

Trinity County Probation Department

New Probation Manual

New Probation Manual

Correspondence - Article 6 Programs and Activities

1. Inform the youth of the administrative decision to read and/or reject the youth's mail and the reasons there to. Inform the youth that they may appeal this decision by following the Grievance Procedure.
 2. Inform the youth that they may choose to have incoming mail either placed in their personal property or returned to sender.
 3. Document notification and youth's wishes via Special Incident Report.
 4. Letters being sent, containing profanity shall be blacked out or placed in the youth's personal property. But the sending juvenile shall be subject to the same sanctions as within the hall setting as a juvenile who verbally uses profanity in the Juvenile Hall.
 5. Route outgoing mail that is screened and proven to be inappropriate to a lead counselor for further disposition. The lead counselor will forward the inappropriate correspondence to the Superintendent for review.
- (c) All packages mailed to the Juvenile Hall for youth will be opened and checked for contraband in the presence of a staff witness and the youth. The contents of the package will be handled per existing policy.
- (d) Mail that is not delivered by the post office (i.e. is brought in by someone) will not be accepted by the Juvenile Hall.

Telephone Access - Article 6 Programs and Activities

954.1 PURPOSE

The telephone is an effective tool for reducing tension and anxiety in Juvenile Hall. Youth should be allowed use of telephone to keep in contact with family member.

954.2 POLICY (TITLE 15 CCR, SECTION 1376)

(a) Upon intake:

1. Youth will be given the opportunity to make one telephone call to parents, a responsible relative or guardian, one call to an attorney, and one to an employer. Juvenile Hall staff will be responsible to see that these calls are completed within one hour of the youth's booking. If the youth is physically or mentally unable to make the calls, or if they have demonstrated aggressive actions and are incapable for safety reasons, Hall staff may have the youth make the call at the earliest possible time after the youth is capable of doing so. Any delay beyond one hour must be noted in the logbook and on the youth's Admission sheet.
2. At no time will a youth be denied the use of the telephone upon intake for disciplinary reasons.
3. The cost of all calls at intake, including long-distance, will be the responsibility of the Juvenile Hall.
4. Once the calls are completed upon intake, they must be documented on the youth's Booking Sheet in the appropriate section. If the youth declines to make one or all phone calls to which entitled, staff will enter this information on the youth's Booking Sheet and ask the youth to counter-sign the section of the form indicating this.
5. Any call other than to a parent or guardian needs to be approved by the youth's Probation Officer.

(b) General Population Phone Contact:

1. Youth will be afforded the opportunity to maintain additional telephone contact, at approved times and with approved persons, via the inmate calling system.
2. Youth whose families cannot afford to pay for the cost of the calls will be referred to the assigned Deputy Probation Officer or Superintendent of the Juvenile Hall for consideration of other means of telephone contact.

954.3 PROCEDURES

- (a) The officer will obtain the phone number and name(s) of the people to be contacted.
1. Staff will remain in the area and be alert of the following information and if any of these situations arise, staff should immediately terminate the youth's involvement in the call.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Telephone Access - Article 6 Programs and Activities

2. Escape plans, plans to harm others or self, or threats against other.
 3. Identification and location of crime partners.
 4. Location of narcotics, stolen property, or other contraband.
 5. Information concerning missing or wanted juveniles or other persons.
 6. Parental pressure on youth to behave in a manner not in their best interests i.e. encouraging them to lie or intimidate witnesses, assault others, etc.
- (b) Anyone assisting a youth in making a phone call containing any of the above-mentioned kinds of information is to make note of this on a Special Incident Report.
- (c) Generally speaking, a youth is to be allowed phone calls to their attorney as requested at the soonest available opportunity. The only exception to this would be in the case of a youth whose attorney has requested that the youth not be allowed to call as often (some youth occasionally attempt to handle normal anxiety by "pestering" their attorney).
- (d) Monitored phone calls may be required. Staff having reasonable suspicion that a youth may jeopardize the safety and security of the institution or persons in the community shall monitor the call. Staff will be guided by the following regarding monitored phone calls:
1. Phone calls to attorneys, probation officer, and judges will not be monitored.
 2. Both parties to the call must be notified that the call is being monitored.
 3. Staff initiating or requesting monitored phone calls shall document same by log note and Special Incident Report.
 4. Minors will be offered one ten minute phone call a week on the regular phone to keep in contact with their parent/guardian.
- (e) After intake youth will have access to the in custody phone system on the day room floor. Youth can use these phones during normal waking hours when not in programming or school. Staff has the right to terminate a phone call at any time.

Access to Legal Services - Article 6 Programs and Activities

955.1 PURPOSE

To ensure access to court and legal services for youth.

955.2 POLICY (TITLE 15 CCR, SECTION 1377)

- (a) Youth have a constitutional right to unimpeded access to licensed attorneys and their authorized representatives. Access shall include unlimited no cost to the youth postage for legal mail, and cost-free telephone access as appropriate.
- (b) It is imperative that the "Attorney of Record" be documented as such in our Daily Log. No other attorneys may interview a youth in this institution without specific authorization from that youth's "Attorney of Record". You are to log in the log book the, youth's name and attorney/legal representative's name. When the interview is finished an entry is logged stating the interview is over.
- (c) Attorneys and legal representation have access to the locked counseling room in the juvenile hall. They have the right to meet in a private room unmonitored by camera or the intercom. The attorney or legal representative can request to be visually monitored for their safety.
- (d) If you refuse access to any attorney or legal representation you must immediately notify the Juvenile Hall Superintendent and the Chief Probation Officer, and inform them of the specific circumstances, including name(s), date(s), and time(s).

Points System - Article 6 Programs and Activities

956.1 PURPOSE

- (a) Trinity County Juvenile Hall uses a positive reward point system.
- (b) The focus of this point system is to control behavior within the hall. The built in rewards improve individual and group control and create a more positive proactive atmosphere. However, through the rewarding of positive behavior we hope to incline these youth toward a continued pattern of such behavior after they leave. The proper use of the Point System will enable the staff to critically observe the various areas of behavior that need improvement. At the same time, it will provide the tools necessary to affect positive behavioral changes. The Point System can also serve as an excellent tool to evaluate behaviors for use in court reports and program advancement.

956.2 POLICY

- (a) There are really only two guidelines for the staff to remember in order to effectively use the Point System. They are extremely important, however, for the ultimate success of the Point System depends upon them.
 - 1. **Points are lost for rule violations only.**
 - 2. **No points are to be given unless they are truly earned.**
- (b) Aside from the observation of these two systems the most important contribution each staff member can make toward the success of the system is consistency in the application of the guidelines below.

956.3 PROCEDURE

Full Time Juvenile Hall:

- (a) Points will be earned by the youth per shift, not given. A youth can earn 100 points per day.
- (b) Staff will at the end of their shift, will total up how many points a youth has lost per shift. Any major change in daily points will be reviewed by a supervisor. Points are to be totaled at night and written down for the youth to view on the dayroom floor window.
- (c) Notes explaining loss of points are to be written on the points sheet. If a youth does not earn at least 50 points total for that day a behavior report or incident report is to be written. A Special Incident Report (SIR) will be written if there is a lockdown or a special incident that needs to be reported.
- (d) If a youth has earned 700 points in one week (Monday morning-Sunday night), they will earn a token. Their token can be used to keep a lost level. Staff cannot take their token away as punishment. The points a youth earns in the week can be used to purchase commissary items. If a youth of any level has received a major punishment they will not be allowed to use the token to purchase back their level. Ex) 24 hour lockdown, disciplinary separation, etc.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Points System - Article 6 Programs and Activities

Youth will start as a level 2 upon being booked into the juvenile hall.

LEVEL 1 – Youth at a level 1 status will have to earn 80 points a day for 3 days to reach a level 2. Youth must maintain 80 points to keep their level. Bed time is at 1830 hours, no commissary while a level 1.

LEVEL 2 – Youth at a level 2 status will have to earn 80 points a day for 5 days to reach a level 3. Youth must maintain 80 points to keep their level. Bed time is at 2000 hours.

LEVEL 3 – Youth at a level 3 status will have to earn 85 points a day for 10 days to reach a level 4. Youth must maintain 85 points to keep their level. Bed time is at 2030 hours.

LEVEL 4 – Youth at a level 4 status will have to earn 90 points a day for 10 days to reach a level 5. Youth must maintain 90 points to keep their level. Bed time is at 2100 hours.

LEVEL 5 – Youth at a level 5 status must maintain 95 points per day to keep their level. Bed time is at 2130 hours.

Weekend Custody Time:

Level 1 - You must acquire full points daily and for 8 days to advance to level 2. Privileges are: Detention Clothing, bed time at 19:00, no classroom access outside of programming and, no commissary

Level 2 - As a new arrival you will start here. You must acquire full points daily for 8 days to advance to a level 3. Privileges are: Detention clothing, bed time at 20:30, no classroom access outside of programming and, no commissary

Level 3 - You must acquire full daily points for 12 days to advance to a level 4. Privileges are: Detention clothing, bed time at 21:00, classroom access but no video games, commissary, may bringpillow from home.

Level 4 - Must acquire full points daily. Privileges are: Personal Clothing, bed time at 21:30, classroom and video game access, commissary and, hygiene items from home.

You can acquire a total of 4 points on Saturday's and Sunday's and 2 points on Friday's and Monday's. You will be given a point for each of these rules:

- (a) Maintain positive peer interactions at all times
- (b) Following staff directions at all times
- (c) Full participation in all organized activities and programming
- (d) Following all programming rules

All points will be totaled at the end of the night and posted the following morning.

956.3.1 GOOD/COOPERATIVE BEHAVIOR

- (a) Always follows staff direction when given.
- (b) Volunteers for work, willing to help when asked.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Points System - Article 6 Programs and Activities

- (c) Willing to listen.
- (d) Makes an effort to be friendly and helpful.
- (e) Demonstrates a positive influence on others.
- (f) Maintains a positive attitude in school.
- (g) Follows hall programs with a positive attitude.
- (h) Completing chores correctly and promptly.
- (i) Patient and polite when interacting with others.
- (j) Avoids arguments or confrontations.
- (k) Avoids participating in gossiping or teasing others.
- (l) Always follows juvenile hall rules.
- (m) No messing around during meal periods.
- (n) Good conduct in room.

956.3.2 BAD/UNCOOPERATIVE BEHAVIOR

- (a) Slow to follow directions.
- (b) Disrespectful gestures, expressions, remarks, and inappropriate conversations.
- (c) Misuse of equipment, furniture, or destruction of property.
- (d) Threatening, arguing, or fighting with others.
- (e) Being in a place not authorized by staff.
- (f) Having contraband in room or on their person.
- (g) Contributing or starting difficult situations.
- (h) Complaining or demanding.
- (i) Manipulating/playing staff.
- (j) Horseplay, dishonesty, or lying.
- (k) Being overly loud.
- (l) Teasing others.
- (m) Not following juvenile hall rules.
- (n) Messing around during meals.
- (o) Bad conduct in room.

Variable Commitment Program - Article 6 Programs and Activities

957.1 PURPOSE

To detail how a youth on a court ordered variable commitment program earns time for an early release.

957.2 POLICY

- (a) Youth are placed in the Variable Commitment Program by court order. The program is administered within the Juvenile Hall setting.
- (b) To successfully complete a court commitment of variable time (one which according to the Court allows the Probation Department to release early for good behavior) from Juvenile Hall, the following schedules and criteria will be adhered to:
 - (a) An individualized contract dictating academic and behavior requirements will be drawn up and must be met by each youth. The contract will be prepared by the Senior Corrections Counselor with direct input from the youth's Probation Officer and Juvenile Hall school teacher.
 - (b) The youth's length of stay will be governed by behavior tokens only. Work tokens can be earned for additional spending power while in the program, but have no bearing on the youth's release.
 - (c) The Variable Commitment Program token system will be reviewed and totaled weekly. In order for the youth to be released in the minimum time, they must earn 1,680 tokens per week or have 240 tokens or more for six of the seven days each week. This will allow the youth to pass with as little as 1,440 tokens, as long as the youth has at least 240 tokens for six of the seven days in a given week.
 - (d) If the youth does not earn 1,680 tokens or pass with 240 tokens (per day) for six days of a given week, 3 1/2 days will be added to the youth's minimum commitment time.
 - (e) The column below is the minimum stay time and youth must do at least the minimum stay. If youth's commitment time is not listed below, the tokens needed weekly shall be the same.
- (c) By the youth fulfilling his/her contract, and by careful observance of hall rules, the youth will find it is possible to complete their commitment in the minimum stay time required. The youth starts earning behavior tokens toward their release as soon as the court orders the youth's stay. The youth's release time will be calculated in 24 hour increments from the time of the court order.
- (d) The youth can be charged with an additional crime while in Juvenile Hall, just like on the outside. Fighting can be assault; tearing up a room can be malicious mischief or vandalism; hitting a staff member is assault upon a peace officer, etc. More crimes will mean more time, or worse.

Commitment	Tokens Needed for Minimum Time Release
------------	--

Trinity County Probation Department

New Probation Manual

New Probation Manual

Variable Commitment Program - Article 6 Programs and Activities

10 to 15 day	1,680 tokens, or 240 each day for six days of each week for all variable commitment wards.
15 to 30 day	
30 to 45 day	
45 to 60 day	
60 to 90 day	

Weekend Commitment Program - Article 6 Programs and Activities

958.1 PURPOSE

To establish guidance to hall staff on the treatment for youth assigned to the Weekend Commitment Program.

958.2 POLICY

- (a) Court will sentence youth to the Weekend Commitment Program. Weekend commitment times are subject to change as every youth is different.
- (b) Prior to being processed at Juvenile Hall for the youth's first weekend the youth will be required:
 - 1. To have proof/documentation of full physical examination within the last 90 days and a current PPD.
 - 2. If the youth does not have proof of a current physical examination and up to date immunizations record, the youth will have to report for admission to Juvenile Hall at 7:30am on the first Friday so a complete physical and immunizations can be completed. It is the court and the Probation Officers duty to make sure the youth knows this.
- (c) Youth will be required to submit to standard admission procedures each time they are admitted into Juvenile Hall and their parents/guardians will be required to sign an Authorization for Physical Examination, Treatment and Reports form.
- (d) The youth's can sign the Weekend Commitment form (allowed after the youth's initial booking process).
- (e) Youth on the Weekend Commitment Program (Weekenders) will be treated the same as youth already in custody and will be allowed to participate in the hall's scheduled programs.
- (f) Weekenders will usually be classified as "General." Room assignments are allowed with youth already in custody but staff must ensure that all criteria's of the Policy Manual "Classification" are followed.
- (g) Youth can only be released to the person on the youth's Release Form, which will be signed by the Probation Officer.

Social Awareness Program - Article 6 Programs and Activities

959.1 PURPOSE

Programs designed to promote social awareness and reduce recidivism.

959.2 POLICY

Social Awareness programs shall take into consideration the needs of male and female youth. Such programs may be provided under the direction of the County Board of Education. There will be an annual written record review of the programs by the responsible agency to ensure that the program content offered is current, consistent, and relevant to the population.

959.3 PROCEDURE

- (a) No youth shall be denied the access of any programs, unless it presents a problem for the safety and security of the youth, staff, or the facility.
- (b) Programs provided:
 - 1. Anger Management – Human Response Network
 - 2. Drug and Alcohol – A.O.D.S. (Trinity County)
 - 3. Family Life Skills – Planned Parent Hood
 - 4. Behavioral Health – Trinity County
 - 5. Social Skills – Human Response Network

School Wellness Program - Article 6 Programs and Activities

960.1 PURPOSE

Whereas, children need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive;

Thus, the Trinity County Juvenile Hall is committed to providing a school environment that promotes and protects the health, well-being, and ability of youth to learn by supporting healthy eating and physical activity. Therefore, it is the policy of the Trinity County Juvenile Hall to:

- Set goals for nutrition education, physical activity, and other school based activities that are designed to promote student wellness.
- Set goals for nutrition guidelines for promoting student health.
- Engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing nutrition and physical activity policies.
- Provide all youth in the facility with opportunities, support, and encouragement to be physically active on a regular basis.
- Ensure that foods and beverages served in the facility meet the nutrition recommendations of the U.S. Dietary Guidelines for Americans.
- Utilize qualified child nutrition professionals to provide students with access to a variety of nutritious and appealing foods that meet the health and nutrition needs of young adults, accommodate the religious, ethnic, and cultural diversity of the youth in meal planning, and provide clean, safe, and pleasant settings and adequate time for the youth to eat.
- Provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity.

960.2 POLICY

- (a) Meals served through the National School Lunch and Breakfast Programs will:
 1. be appealing and attractive to young adults;
 2. be served in clean and pleasant settings;
 3. meet, at a minimum, nutrition requirements established by local, state, and federal statutes and regulations;
 4. offer a variety of fruits and vegetables;
 5. serve only low-fat (1%) milk, fat-free milk, and nutritionally-equivalent non- dairy alternatives (to be defined by USDA); and
 6. ensure that half of the served grains are whole grain.
- (b) Facility Meal Times and Scheduling will:

Trinity County Probation Department

New Probation Manual

New Probation Manual

School Wellness Program - Article 6 Programs and Activities

1. provide students with at least 20 minutes after sitting down for breakfast, lunch and dinner;
2. schedule meal periods at appropriate times and in conjunction with school schedules;
3. not schedule interviews or activities during mealtimes, unless students may eat during such activities;
4. provide students access to hand washing or hand sanitizing before they eat meals or snacks; and
5. provide the time after each meal for personal hygiene, including tooth- brushing regimens, of all youth.

960.3 PROCEDURES

- (a) **Qualifications of Food Service Staff:** The Trinity County Juvenile Hall utilizes the Sheriff's Department Jail Kitchen staff for meal preparation. The juvenile hall administrator will ensure that this function is overseen by a qualified nutrition professional.
- (b) **Sharing of Food:** Youth will not be allowed to share their food or beverages with one another during meal or snack times.
- (c) **Snacks:** Snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage.
- (d) **Nutrition Education:** The Trinity County Juvenile Hall/Trinity County Court School will be provided with nutrition education for youth via contractual agreement with the Human Response Network.
- (e) **Physical Activity:** Students will receive the nationally-recommended amount of daily physical activity (at least 60 minutes per day) and opportunities for physical activity beyond physical education class will be encouraged.
- (f) **Monitoring:**
 1. The superintendent shall ensure compliance with established nutrition and physical activity wellness along with coordination from the Trinity County Court School's principal, the Trinity County Sheriff's Office Food Service Manager, and the Trinity County Probation Department's Chief Probation Officer.
 2. The superintendent or designee will develop a summary report every three years on compliance with the facility's established nutrition and physical activity wellness policies, based on input from the school and food service department. That report will be provided to the Chief Probation Officer as well as the Trinity County Office of Education for Review.
 3. Assessments will be repeated every three years to help review policy compliance, assess progress, and determine areas in need of improvement. The

Trinity County Probation Department

New Probation Manual

New Probation Manual

School Wellness Program - Article 6 Programs and Activities

facility and school will, as necessary, revise the wellness policies and develop work plans to facilitate their implementation.

Discipline - Article 7 Discipline

961.1 PURPOSE

This directive sets forth the basic guidelines for maintaining order and safety in the Juvenile Hall setting, and provides a system of expectations, rewards, counseling, positive behavior interventions and support designed to promote acceptable behavior.

961.2 POLICY (TITLE 15 CCR, SECTION 1390)

- (a) Definition and goals of discipline.
 - (a) In general, the objective must be to avoid disciplinary problems by establishing an atmosphere of mutual respect and cooperation. There are a number of definitions for the word "discipline", so it is important that staff understand how the word is used in this facility. Discipline shall be viewed as intervention in negative behavior that is designed to correct or mold the youth's response to the environment and those in it.
 - (b) The primary goal of discipline is to promote the youth's control and exercise of appropriate behavior. Discipline shall be imposed at the least restrictive level that will promote the desired behavior. It must remain clear that such intervention shall be to improve the youth's chances of successfully responding to others and to the Hall's living environment.
 - (c) The point system, using rewards, is an effective tool when used properly, and should guide the youth toward acceptable behavior. The reward process can serve as an excellent counseling tool as well. The point system should be utilized as a primary response whenever compliance becomes difficult to attain (see Policy Manual: Point System).
 - (d) There are established rules of conduct and disciplinary consequences to guide the conduct of youth. The rules and consequences, which include both major and minor youth violations, are simply and affirmatively stated and are available to all youth. There are provisions for youth who are impaired or do not speak English.
 - (e) Minor Rule Violations
 - (a) Horseplay
 - (b) Out of assigned area
 - (c) Slow to follow staff direction
 - (d) Possession of non-concealed contraband not constituting a potential safety concern
 - (e) Lying or manipulating others
 - (f) Verbal badgering or intimidation
 - (g) Disrupting programs
 - (h) Gang-related talk, gesturing or graffiti (less than three (3) incidents)

Trinity County Probation Department

New Probation Manual

New Probation Manual

Discipline - Article 7 Discipline

- (i) Verbal altercations with other youth
- (j) Abusive language, swearing
- (k) Misbehaving at meal times, recreational activities, work programs, etc.
- (l) Repeated acts of minor misbehavior
- (f) Major Rule Violations
 - (a) Possession of concealed contraband not constituting a potential safety concern
 - (b) Sexual misconduct of any nature with another youth
 - (c) Gang-related talk, gesture, or graffiti (more than three (3) incidents)
 - (d) Gross non compliance with staff directive
 - (e) Refusal to return to room when instructed
 - (f) Fighting or physical altercation with another youth
 - (g) Destruction of property
 - (h) Verbally threatening staff or other youth
 - (i) Possession of serious contraband whether concealed or not that constitutes a potential safety concern (i.e. sharps and shanks, lighter, matches, drugs or alcohol, tobacco products, other potential improvised weapons, etc.)
 - (j) Physical challenges, threat to life, or altercations with staff
 - (k) Battery against another youth
 - (l) Fire-setting
 - (m) Escape or attempt escape
 - (n) Riotous behavior
- (b) Restrictions on the use of discipline.
 1. Disciplinary measures are not to be confused with behavior or institutional control. Staff is to maintain control, and ensure a safe and protected environment within the Hall at all times. Behavior and institutional control involve immediate, emergency measures to see that order and safety are maintained. Discipline is a process that begins once order is re-established.
 2. Disciplinary measures shall NOT include deprivation of basic rights. These rights for youth include:
 - (a) Bed and appropriate bedding.
 - (b) Daily shower, access to drinking fountain, toilet and personal hygiene items and clean clothing.
 - (c) Full nutrition.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Discipline - Article 7 Discipline

- (d) Contact with parent or attorney.
 - (e) Minimum exercise
 - (f) Medical services and counseling.
 - (g) Religious services.
 - (h) Clean and sanitary living conditions.
 - (i) The right to send and receive mail.
 - (j) Education and
 - (k) Rehabilitative programming.
 - (l) Room Confinement.
3. In using disciplinary intervention, staff shall avoid the use of sarcasm, ridicule, threats, or public criticism. Physical exercise or group punishment shall not be used as a form of discipline. Corporal punishment in any form **is absolutely forbidden**. Staff will not deny meals or regular snacks as discipline. Staff shall not give youth meaningless and/or degrading tasks to perform, nor engage in any other form of physical or psychological degradation. Discipline shall be administered by staff and will not be delegated to another youth.
- (c) Maintaining a Positive Culture.
- 1. The maintenance of order and safety within a juvenile facility is primarily dependent upon the adequacy of the supervision, which, the youth receives from the staff, and upon the success of the staff in establishing constructive personal relationships with the youth. Reasonable limits for behavior should be governed by rules and regulations that are consistent and easily understood. It is to be expected that the youth detained in a juvenile facility will present many behavior problems. Staff must be prepared to deal with such problems with empathy and understanding regardless of how provoking and disturbing the youth's conduct may be.
 - 2. Staff must remain aware that our objective is to avoid disciplinary problems by establishing an atmosphere of mutual respect and cooperation. Daily routines should always be clearly explained and directed in a calm and orderly manner. The staff **MUST** set an example of courtesy and consideration in their contacts with the youth as well as with each other. It is important to develop a wide range of techniques that can be individualized.
 - 3. Various types of counseling interventions used are designed to ease disciplinary problems and promote an atmosphere that allows for more effective and involved problem solving. Staff must use these interventions appropriately, and make continuous associations between the use of disciplinary actions and effective counseling.
 - 4. Staff must be alert and sensitive to the supervision, interaction, and intervention needs of both groups and individuals at all times. It is important to know as much as possible about each youth's case plan needs, response to confinement, and

Trinity County Probation Department

New Probation Manual

New Probation Manual

Discipline - Article 7 Discipline

their ability to function appropriately in the facility atmosphere. This holds true of group tone and interaction as well. The need for external intervention lessens considerably when a positive and constructive group culture is maintained.

- (d) Discipline Techniques.
 - (a) The techniques below are presented as guidelines for staff in utilizing youth disciplinary interventions. When any sanctions are imposed, staff must make the reason clear to the youth. Remember to use the least restrictive form of discipline that will promote acceptable behavior. In determining discipline, age and maturity of the youth is to be a consideration. Where possible, the discipline should show a direct relation between the negative act and the consequence. Moreover, it is important that discipline be as near in time to the inappropriate behavior as is possible so that the youth involved can see a clear relationship between behavior and consequences.
 - (b) Intervention. Early intervention is essential in preventing behavior problems. Staff must intervene before problems become large and difficult to manage. In many instances, simply moving into an area where there is a potential problem will prevent the problem from developing. If a problem starts to develop, being in the area allows staff to better understand the dimensions of the situation and to take action before a serious situation develops.
 - (c) Counseling. Unless the situation is seriously out of control, very often youth will respond to counseling concerning their behavior. In terms of discipline, primarily situational counseling will be the method used, though crisis counseling may be indicated in some instances. If the problem is with the group, or several individuals, then large and small group counseling respectively may be the methods utilized. Counseling is the technique of choice when it is clear that the youth stands a reasonable chance of identifying their problem behavior, and coming to an acceptable solution. Staff's role in counseling is to facilitate that process with the youth. This generally does not need to be a lengthy process as a part of discipline. The youth may need additional counseling to resolve all of the issues in a problem. However, this should be done either when there is adequate time available (i.e. without unduly disrupting the group and program activities), or by the youth's assigned counselor. The use of situational counseling should generally be very brief. Crisis counseling may require more time.
 - (d) Reprimand. Occasionally, it becomes necessary to reprimand a youth for misconduct and take disciplinary action in order to make it clear that such behavior is not permitted. This must be done without undue excitement or loss of temper on the part of the staff. When it can be avoided, reprimanding a youth should not be done in the presence of the other youth. Reprimand generally involves reviewing the expectations involved, telling the youth what the unacceptable behavior was, and most importantly, telling them what behavior you expect from them in the future.
 - (e) Loss of Privileges. Youth may lose specific privileges if their behavior demonstrates that they are not handling the privileges responsibly. All loss of privilege interventions must have a direct relationship between the problem behavior and the restricted privilege. In counseling the youth on the loss of

Trinity County Probation Department

New Probation Manual

New Probation Manual

Discipline - Article 7 Discipline

privileges, staff must make clear how the youth may earn the privileges back again, and set reasonable and attainable time frames with the youth.

- (f) Work time. Residents may be assigned specific tasks, and work time if directly related to specific problem behaviors. This type of discipline would most likely involve youth correcting damage to their room or the building (when they are capable of completing the repair satisfactorily), or with other associated kinds of tasks. Generally, work time will be completed by the youth during the youth's free time, and will not interfere with educational or counseling programs.
- (g) Special Program. This type of program involves specific limitations, restrictions, and/or supervision and counseling requirements designed to intervene and modify serious, repeated problematic behavior on the part of a youth.
- (e) Documentation Requirements.
 - 1. Staff will document discipline interventions as follows:
 - (a) Intervention - brief log entry, with suggestion for follow-up needs.
 - (b) Counseling - situations = log entry, caseload comment. Crisis intervention = log entry, folder notation, Special Incident Report.
 - (c) Loss of Privileges & Work Time - log entry, caseload comment. Any loss of privileges or use of work time that will extend beyond 4 hours requires a Special Incident Report.
 - (d) Special Program - Superintendent approval and a Special Incident Report for.
 - (f) Major Rule Violations
 - (a) Major rule violations and the discipline process shall be documented and require the following:
 - (a) An SIR is to be written by the Officer involved in the incident.
 - (b) Youth is to receive a written notice of violation and recommendation of discipline prior to a hearing.
 - (c) Hearing by an Officer not party to the incident. Person(s) conducting the hearing shall include a Corrections Counselor. The hearing is an opportunity for the youth to be heard, present evidence and testimony. (See Due Process policy 7-2)
 - (d) The youth has the right to be assisted by staff in the hearing process.
 - (e) The youth has the right to have an administrative review.
 - (f) The Officer will give all of the information to the hall Supervisor or on-call Probation Officer for approval of discipline recommendation. If any physical altercation(s) occur, the Dr. is to be called and updated on the situation. Staff is to follow any instructions given by the medical staff.
 - (g) Update the Incident Report when you receive the final discipline decision.
 - (h) All documentation is to be stapled together in the SIR binder.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Discipline - Article 7 Discipline

(g) Due Process

- (a) Due process differs from youth's grievance procedures in that it is initiated by staff as part of intervention. None of the due process requirements are to prevent a staff member from taking appropriate intervention measures. Once the situation is under control, then disciplinary due process should take place (See Policy 7-2).
- (b) For major rule violations that result in extension of time in custody, see policy statement on "Due Process".
- (c) Youth levels of discipline include intervention, counseling, and loss of privileges. Youth in these situations are to be informed that they may review any caseload comments regarding the situation, and that they can request a review with a Lead Counselor. The lead will be the one having responsibility, unless the lead is directly involved in the discipline. In the latter case, the next on duty (during waking hours) lead will act as reviewer. A brief caseload comment will be made by the reviewer, and findings at this level will be considered final (unless the youth opts to access the grievance procedure).

Discipline Due Process - Article 7 Discipline

962.1 PURPOSE

Due process is an administrative guarantee that youth are not unduly restricted from group activities, privileges, or otherwise subjected to unfair discipline. Only probation staff may impose discipline for violation of facility rules.

962.2 POLICY (TITLE 15 CCR, SECTION 1391)

- (a) In the event of any major disciplinary action, due process procedures must be followed. Fair treatment and control of youth are fundamental to a sound program of detention and rehabilitation. Minimum elements of due process are:
 - (a) Written notice of violation prior to a hearing.
 - (b) Hearing by a person who is not a party to the incident.
 - (c) Opportunity for the youth to be heard, present evidence and testimony.
 - (d) Provision for youth to be assisted by staff in the hearing process.
 - (e) Youth will receive written statement of findings and evidence relied upon.
 - (f) Opportunity to appeal to a supervisor.
- (b) Major rule violations are violations that directly affect the safety and security of the facility or disrupt normal operations and are outlined in Policy 961 - Discipline. Major rule violations and the discipline process shall be documented in a disciplinary report. Examples of major rule violations are assaults on another youth or staff, serious contraband brought into the juvenile hall, weapons brought into the juvenile hall, etc.
- (c) Minor rule violations are violations that do not impact the safety and security of the facility or disrupt normal operations and may be handled informally by counseling or advising the youth of the expected conduct or by imposing a youth penalty. Discipline shall be accompanied by written documentation and a policy of review and appeal to a supervisor. Examples of youth rule violations are instigating a fight, defiant behavior towards staff, etc.
- (d) It is prohibited for staff to delegate discipline to another youth.
- (e) Trauma-informed approaches and positive behavior interventions should be considered when determining the discipline for the youth.

962.3 PROCEDURES

- (a) The staff member recommending the discipline will write their disciplinary report and a written notice of the violation that is to be given to the youth prior to their hearing.
- (b) If there is a staff member on shift that was not involved in the incident, that staff member will present the youth with the evidence against them and conduct an interview. During this procedure the youth will have the chance to present their own evidence and their side of the incident. Staff shall provide assistance to the youth should they need help

Trinity County Probation Department

New Probation Manual

New Probation Manual

Discipline Due Process - Article 7 Discipline

with the hearing process. Accommodations will be provided to youth with disabilities, limited literacy, and English language learners.

- (c) If there are no staff members available to conduct this interview, staff members coming in on the next shift or a Probation Officer will be designated to conduct the interview. This process needs to be handled as soon as the youth has gained control over their behavior.
- (d) Once the interview is finished, the staff member or Probation Officer who conducted the interview with the youth will be required to write a supplemental report.
- (e) Once all pertinent information is reviewed, a Lead Officer, the hall Superintendent, or the on-call Probation Officer shall decide whether or not appropriate disciplinary action was applied. The due process form at the bottom of the disciplinary report shall be completed and will include a written decision made by the Lead, Superintendent, or on-call Probation Officer.
- (f) If the youth wishes to appeal their discipline, staff must then assist the youth with an appeal. The appeal first goes to a Lead Corrections Counselor; if the appeal is not handled at this level then the process will be turned over to the Juvenile Hall Superintendent then the Assistant Chief Probation Officer. The final decision will be made by the Chief Probation Officer if the appeal reaches this level.
- (g) Turn in all documents to the Lead Officer or Juvenile Hall Superintendent for review.

Medical Director's Roles and Responsibilities - Article 8 Health Services

963.1 PURPOSE

The purpose of this policy is give guidance on the duties and responsibilities of the Medical Director for Juvenile Hall and Youth Camp.

963.2 POLICY (TITLE 15 CCR, SECTION 1400 AND 1403)

The Medical Director will define the parameters of health care for youth to be compatible to what is available in the community. All final medical judgment rests with the Medical Director for the Juvenile Hall, Dr. Donald Krouse. 252 Main St. Weaverville, Ca. 530-623-3735. Licensed in the State of California.

Health care staff working at Juvenile Hall will be supervised by Dr. Krouse. The education and experience required for these positions will be consistent with this position the community. These health care personnel are required to possess state license certificates, experience, or registration that applies in the community. Health care certificates will be kept in juvenile hall and Youth Camp manual and reviewed periodically.

963.3 PROCEDURES

The Medical Director or designee will visit the hall a minimum of one time weekly, or as needed when population is low.

- Evaluate/treat youth referred by other licensed medical practitioners upon admission to the Hall.
- Evaluate/treat youth requiring medical attention.
- Review and sign charts, refer to Quality Assurance Plan.

The Medical Director will participate in quarterly Medical/Custodial Quality Assurance Meeting. Audit all active charts.

The Medical Director will participate in the Quality Assurance program. Be available for phone conversation/consultation.

Medical Services Audit - Article 8 Health Services

964.1 PURPOSE

To establish a time frame when Medical Service Audits are performed.

964.2 POLICY (TITLE 15 CCR, SECTION 1403)

The Medical Service Audits will evaluate the medical services program.

964.3 PROCEDURE

(a) Quarterly:

1. Prior to each quarterly Medical/Custodial meeting, the medical personnel shall make a random selection of five medical records of youth submitting "sick call" requests within the last month. If there are no mental health services requests in the five random charts selected, then one additional chart shall be selected that contains a mental health service request within the last month.
2. The following information shall be collected from each chart:
 - (a) Date and time that the youth requested to be seen.
 - (b) Date and time that the medical personnel saw the youth.
 - (c) Date and time any medications, treatments or follow-ups were scheduled or done.
3. If any problems are identified in the way services were provided, a plan of correction will be developed and implemented, and reviewed for success, and a report written and submitted at the next quarterly meeting.
4. At the first quarterly Medical/Custodial meeting of each calendar year, the hall staffs medical/mental health training program will be reviewed and updated as needed.

(b) Annually:

1. Statistical data will be collected by the medical service providers and submitted at least annually to the facility administrator. The health administrator who will provide the facility administrator with an annual written report on medical, dental, mental health and pharmaceutical services assesses the quality and adequacy of health care services at least annually.
2. Corrective action will be taken to right any deficiencies identified in any area of medical, dental, mental health and pharmaceutical.

Health Care Procedures - Article 8 Health Services

965.1 PURPOSE

To insure proper administering and recording of medical care given to youth in custody.

965.2 POLICY (TITLE 15 CCR, SECTION 1409)

It is the responsibility of all Juvenile Hall staff to ensure that proper medical care for the youth in custody are arranged, administered and reported.

A physician or other licensed or certified health professional, working under direction of a physician, shall complete a health appraisal on each youth within 96 hours of admission to Juvenile Hall or YOUTH CAMP. No youth is to be denied medical attention. Any injury, regardless of the extent, and any youth's complaint, regardless of its credibility, must be seen to immediately.

Mid level licensed Health Care Providers, under the supervision of Dr. Donald Krouse, 252 Main St. Weaverville, Ca. 96093. 530-623-3735, supervises medical care for the youth in custody at Juvenile Hall and Youth Camp, 24 hours a day, seven days a week. If that provider is unavailable, care is available through Trinity District Hospital emergency department. All requests for medical care should be directed to the mid level provider through the juvenile hall staff unless other arrangements are previously made, and are a matter of written record. Generally, emergency medical services are provided at Trinity District Hospital at night and on weekends and holidays.

Sick call is conducted Monday thru Thursday and as needed at Juvenile Hall and Youth Camp. Physicals and routine care are handled in the medical room by medical staff (See Appendix B). Medical care required beyond Appendix B will be referred to community health care personnel, but limited to dental, optical, x-ray specialist if required.

Youth have the right to see a private physician, at their parent's/guardian's expense.

Medical resource materials are the CURRENT Medical Diagnosis, Internet, personal palm, and Policy and Procedure Manual. A copy of the Policy and Procedure manual is kept at Dr. Krouse's office in Weaverville, Ca.

Any staff member aware of anything relating to the physical health of any youth in custody, i.e., injury, behavior, talk of illness or medication, previous or current, must take steps to insure the proper medical care and treatment of the youth. It is better for staff to be overly cautious, by getting a diagnosis from a doctor or see a nurse, than to assume that a condition is not serious. Immunizations are obtained from the Trinity County Health Department.

Any parent requesting medical information should be referred to the Senior Corrections Counselor on duty. When a youth requires medical treatment outside this facility, or when medical treatment restricts participation in any hall program activities, the parent will be notified telephonically.

Medical issues involving HIV, S.T.D., and pregnancy **may not** be relayed to the parents/legal guardians without the permission from the youth.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Health Care Procedures - Article 8 Health Services

The Senior Corrections Counselor will ensure that the doctor's medical orders and care plan are carried out by their staff in a manner that reflects good judgment.

Each youth detained in Juvenile Hall shall have a "Sick Call Intake Screening Form" initiated by the staff admitting the youth into Juvenile Hall or Youth Camp. **An authorization to treat form dated and with the youth's name entered on it, will be stapled to the Intake Screening form.** The Intake Screening form must accompany the youth whenever they are seen by medical authorities, either for consultation or for treatment. Treatment and examinations will be charted on the youth's Progress Notes (See Appendix A) Any treatment not taking place at the hall will be annotated on the Progress Notes and any medical documentation furnished by the outside agency will be attached to the youth's medical records.

Youth are not to be used to translate for non-English speaking youth. Language Line Services will be used when needed.

The staff member receiving medical orders given, verbal or written, by the medical authority must then enter the same on the medical treatment sheet exactly as stated. Check with the medical authority as to the correctness of your written orders. The nature and extent of information shared is appropriate to treatment planning program needs, protecting the youth or others, facility management, security or preservation of safety and order.

Male and female youth have the right to go to the Health Department or see a physician for family planning or pregnancy checks without parental consent.

A youth's medical record shall be **confidential**. Medical records may only be copied and transferred to another facility with the signed consent of the minor's parent or legal guardian, or by order of the Court. The youth's medical record will be maintained in the medical room in a locked file cabinet.

When a youth is transferred to another facility or released, the hall staff will submit a letter of Notification of Transfer/Release of a youth to the health care provider who will assure that a health care summary and relevant records are forwarded to health care staff in the receiving facility when a youth is transferred to another jurisdiction, and to the local health officer, when applicable utilizing the Confidential Medical/Mental Health Information Transfer Form and Confidential Medical Summary (See Appendix A)). Records will be labeled and sealed, addressed to the gaining facility's health care staff.

Advance notification is provided to the health department or other facility's physician prior to the release or transfer of youth with known or suspected active tuberculosis disease.

No biomedical research on youth housed in this facility will be allowed. Behavioral research involving youth require assurance for informed consent and the safety of the youth. Such research occurs only when ethical, medical and legal standards for human research are met. Participation in research is not a condition for obtaining privileges or other rewards and the court, health administrator, and facility administrator are informed of all proposed actions.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Health Care Procedures - Article 8 Health Services

The following automated medical forms are located in the in the Juvenile Hall and Youth Camp forms file: Intake Health Screen Form, Medical Consent Forms, Authorization for Release of Information/Treatment, medication release form, and when completed are attached to the youth's file. The Health Appraisals/examination, Health Reports, Progress Notes, immunizations records and laboratory tests results and thirty day Medications Records (when completed) are in the youth's medical records in the medical room.

Confidentiality - Article 8 Health Services

966.1 PURPOSE

To provide guidance for the multi-disciplinary sharing of health information.

966.2 POLICY (TITLE 15 CCR, SECTION 1407)

Confidentiality laws protect the exchange of information and written documentation of medical and mental health treatment from unauthorized disclosure. Written records of medical, mental health and substance abuse treatment are to be maintained separate from the confinement records and, when not required by medical staff, will be locked in the filing cabinet in the medical room.

Confidentiality protection prohibits verbal discussions of this material.

For general routine health care, parents have the right to be aware of and give consent for examinations and treatment of the youth. Youth, however, may seek treatment for certain types of pregnancy, contraception, sexually transmitted diseases, mental health treatment (excluding psychotropic medications) and substance abuse counseling without parental consent. In such cases, parents/guardians do not have access to the medical records, nor can they authorize disclosure to a third party, authority for disclosure lies in the hands of the youth.

Sharing health-related information with hall staff, the court and probation can be of a benefit to the youth and allows for a comprehensive, multi-disciplinary team approach. A certain amount of health-related information can be shared without the consent of the parent/guardian or youth; the nature and extent of the information shared is to be appropriate for treatment planning program needs, protecting the youth and others, facility management, security or preservation of safety and order.

As required by the privacy regulations created as a result of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), used when obtaining and sending youth's health information.

Communicable Diseases - Article 8 Health Services

967.1 PURPOSE

The purpose of this policy is to establish guidelines for controlling the spread of communicable diseases.

967.2 POLICY (TITLE 15 CCR, SECTION 1410)

Any youth who exhibits signs of a communicable disease, and has not seen a doctor, will be immediately taken to see a physician, usually at Mountain Community Medical Services.

Any youth, who upon booking reveals that they are suffering from a communicable disease, should be questioned as to whether they are under medical care. If so, the staff will contact the attending physician and the youth's parents to determine the extent of the problem, and notify the Trinity County Health Department (excluding STDs, (see Policy Statement 8-4, paragraph II, D).

A youth with a communicable disease, who remains in Juvenile Hall, will have an individual treatment plan set up for them, *and contact the Health Department for support in establishing technical advise and assistance.*

967.3 PROCEDURES

- (a) **ISOLATION PROGRAM:** The youth shall be placed in a single room and segregated from other youth in custody or part of the Camp program, or transferred to another facility with the proper facilities. All meals will be served in their room using disposable utensils, and all utensils will be sealed in a plastic bag and disposed of properly. The youth will receive individual recreational opportunity if their health permits. All other voluntary programs such as mental health counseling, religious counseling, etc., will be provided on an individual basis.
- (b) **CLEANING AND SANITATION:**
 1. Cleaning and sanitation practices may vary depending on the nature of the disease. The following information provides a general procedure for use in maintaining cleanliness and sanitation.
 2. General Cleaning - The infected youth's room shall be cleaned on a daily basis using routine cleaning agents. If needed, further decontamination can be accomplished by wiping down all surfaces with a solution of one part chlorine bleach to ten parts water, or by utilizing hospital disinfectants. Blood or body fluids shall be cleaned up immediately using the bleach and water solution, or hospital disinfectant. Disposable latex gloves shall be worn during cleaning and decontamination procedures, and all contaminated disposal items are to be bagged and thoroughly cleaned and sanitized as soon as possible. The youth infected with a communicable disease shall be showered last and the shower area shall be cleaned and disinfected immediately following the showering process.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communicable Diseases - Article 8 Health Services

3. Personal Hygiene Items - All personal hygiene items that are not disposable shall be cleaned and sanitized in a solution of chlorine bleach and water or hospital disinfectant. The infected youth's personal hygiene items shall be kept separate and apart from the items belonging to other youth.
 4. Laundry - All contaminated or soiled bedding or towels shall be kept separate and laundered separately. Bedding or towels shall be kept separate and laundered separately. Bedding or towels contaminated with blood or body fluids should be soaked in bleach and water solution prior to being laundered. All laundry will be dried in the clothes dryer as most viruses are very sensitive to hot drying process.
 5. Contaminated Waste - There is a contaminated waste container in the medical room and Booking entrance.
- (c) PRECAUTIONARY MEASURES: The following precautionary measures shall be adhered to:
1. Staff shall use disposable latex gloves when having direct contact with an infected youth. When the gloves are removed, they should be turned inside out, disposed of as contaminated waste, and staff shall wash their hands thoroughly after every contact.
 2. Staff shall wear a N95 face mask when dealing with youth who have communicable diseases that are transmitted through respiratory discharges, or when dealing with AIDS patients where splashing of blood or body fluids are likely.
 3. Anytime staff must provide cardiopulmonary resuscitation (CPR) to a youth, the staff member should use a resuscitating aid to minimize direct personal contact. If the aid is disposable, it should be discarded properly following use; and if not disposable, it should be cleaned with soap and water, and sanitized with a solution of bleach and water. **Only disposable resuscitation equipment is used at this time.**
 4. When conducting pat-down searches on a youth with or suspected of a communicable disease, staff shall wear disposable latex gloves during the procedure.
 5. Hand washing is the single most effective means of preventing infection. A vigorous, 15 second washing with any soap is recommended. This shall be done even if disposable gloves are utilized.
 6. Care shall be taken to avoid sharp objects that could cut or puncture your skin. Avoid needle sticks, as this is a possible avenue of infection for HIV and other infectious diseases.
 7. Establish a "self help barrier" by keeping all cuts and open wounds covered with clean bandages. Avoid eating, drinking, nail biting and all hand to mouth, hand to nose, and hand to eye actions while working in situations where contact with contaminated blood or body fluid is likely.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Communicable Diseases - Article 8 Health Services

8. Health Services policies and procedures will be updated when local disease priorities necessitate.

Medical Separation - Article 8 Health Services

968.1 PURPOSE

To establish procedures for medically segregating youth in custody.

968.2 POLICY (TITLE 15 CCR, SECTION 1410)

The separation of a youth for medical purposes may only be initiated by the Senior Corrections Counselor or Shift Lead and subsequent to a physical examination of the youth. A licensed physician may recommend separation. All cases of youth held in segregated confinement for medical reasons shall be reviewed by the Superintendent or a predetermined Senior Corrections Counselor every twenty-four hours to determine if further medical attention is needed or whether segregated confinement may be discontinued. The Superintendent or Senior Corrections Counselor, prior to the termination of separation, must obtain the advice and recommendation of the attending physician for a medically segregated youth as to when confinement can be terminated.

AIDS/HIV and Hepatitis B - Article 8 Health Services

969.1 PURPOSE

To provide guidance to the staff while working with youth who have AIDS/HIV, Hepatitis B, or Hepatitis C, and contamination safety.

969.2 POLICY

Treat all youth as potentially infectious.

969.3 PROCEDURES

AIDS is a disease that eventually breaks down the body's immune system, leaving an individual vulnerable to various life threatening infections.

Since it is not usually possible to know if a youth is a carrier of the AIDS and Hepatitis viruses, the following precautions are to be taken with all youth. Counselors will:

- (a) Keep any open cuts, or sores, clean and covered while at work. Change bandage if it gets dirty or wet.
- (b) Hand washing thoroughly after direct contact with youth and/or their personal clothing.
- (c) Wear Latex gloves when performing searches. Hand washing after removing gloves.
- (d) Look before reaching, to avoid accidental cuts or needle sticks.
- (e) Clean spills of body fluids with a solution of 1 part bleach to 10 parts water. Household bleach kills the HIV virus, which is very fragile in the air. Let the bleach solution soak on the spill for at least 30 seconds, then mop up with disposable towels.
- (f) Place contaminated clothing/bedding in water-soluble bags. Normal washing is sufficient to eliminate the HIV and Hepatitis viruses from clothing.

If a counselor believes that he/she may have been exposed to the HIV or Hepatitis viruses while at work, by coming in direct contact with a youth's body fluids, by handling contaminated clothing, or by receiving a needle stick, the following procedure shall be followed:

- (a) Wash area thoroughly.
- (b) Change clothing, if necessary.
- (c) Fill out an incident report.

Follow-up will be made by the Superintendent and appropriate medical personnel to determine if further steps should be taken.

- (a) If the exposure is determined to be a possible means of transmission, the employee will be referred to the County Health Department for counseling about the risks/benefits of HIV antibody testing.

Trinity County Probation Department

New Probation Manual

New Probation Manual

AIDS/HIV and Hepatitis B - Article 8 Health Services

- (b) The employee will be given the opportunity for HIV antibody testing if desired, with all information to be kept confidential. Also, at the same time of the HIV testing, the employee will also be offered a Hepatitis test.
- (c) Testing will only be done with informed, signed consent from the employee.
- (d) Refusal of testing by an employee will in no way affect employment status.
- (e) If such testing does occur, it should include an initial test, with repeat serial testing for a minimum of one (1) year.

Confidentiality of medical information is required, regarding youth and/or staff. Passing along rumors about an individual suspected of having AIDS and Hepatitis may result in a lawsuit against you, or in reprimand, suspension, or dismissal from the job.

Court cases to date have found that an employee's refusal to work with a youth or co-worker with AIDS has been considered insubordination. If a counselor has concerns regarding possible exposure, he/she is encouraged to discuss the matter with the Superintendent, Public Health Worker, or a private physician.

Toll free AIDS information for providers: 1-800-933-3413.

Toll free AIDS information for the public: 1-888-448-4911.

Medical Treatment - Article 8 Health Services

970.1 PURPOSE

To ensure proper administering and recording of medical care given to youth in custody.

970.2 POLICY (TITLE 15 CCR, SECTION 1411)

Staff shall not admit a youth into Juvenile Hall who is suspected of being under the influence of alcohol, drugs or in need of immediate medical attention (i.e. been in a fight, car accident, etc.), or unconscious.

No youth is to be denied medical attention. Any injury, regardless of its extent, and any youth's complaint, regardless of its credibility, must be reported to medical care personnel and noted in the logbook.

Only medical personnel can diagnose and prescribe treatment.

970.3 PROCEDURES

In cases where medical clearance is required prior to admitting a youth into Juvenile Hall, the arresting officer or transporting officer shall be referred to the Emergency Room, at Trinity District Hospital. It is the responsibility of the arresting officer or transporting officer to transport the youth for medical clearance. Upon receiving medical approval, certifying the minor for admission, the officer may return the youth to Juvenile Hall. The officer must have written clearance from the examining physician.

Staff is responsible to follow first aid procedures to save a life or deter further injury until medical personnel assume responsibility.

Parents requesting information of a medical nature should be referred to the Superintendent or Senior Counselor.

Medical/Emergency Treatment

- (a) Staff will immediately perform first aid.
- (b) If emergency treatment is required, not requiring ambulance service, staff will provide transportation to the emergency room of Trinity District Hospital. Staff will notify the Superintendent as soon as possible.
- (c) Emergency treatment requiring an ambulance, staff will immediately request an ambulance by dialing 9-911. A staff member will accompany the youth in the ambulance to the hospital. Staff will then notify the Superintendent as soon as possible.
- (d) A signed medical authorization (signed by parent, legal guardian or Deputy Probation Officer and/or Chief Probation Officer) should accompany the youth.
- (e) An Incident Report must be submitted including the doctor's diagnosis and treatment received.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Medical Treatment - Article 8 Health Services

- (f) If a youth in custody must be hospitalized, the Superintendent will be notified and a staff member must remain with the youth at all times until directed otherwise by the Superintendent or Chief of Probation.

If a youth receiving medical care is transferred to another facility, the attending physician or mid level provider should be notified of the transfer and a record of the minor's condition should accompany him/her to the receiving facility. **Transfer records are usually completed by the Medical Assistant.** If medications or medical supplies are sent along, a description, including number of doses sent, should be included. **This is done by custody staff.** A medical information sheet with the information may be compiled and a copy made for each facility. **Medical records may be transferred without a signed release from the parents/guardian or a court order.**

Long term health care: any youth in detention who is found to require ongoing medical care or supervision will be provided with that care in a prompt and timely manner. This may be by transfer to a facility with the necessary medical facilities or by release to the custody of a parent/guardian.

First Aid Kit - Article 8 Health Services

971.1 PURPOSE

Stating the availability of First Aid kits.

971.2 POLICY (TITLE 15 CCR, SECTION 1412)

The first aid kit shall be available in the Medical Room, Central Control and Booking. The contents are subject to the approval of the medical staff. The Kits will be inspected quarterly by the Medical Assistant.

971.3 PROCEDURE

Contents will be limited to basic first aid supplies. The kits will be inspected quarterly and restocked by the Medical Assistant. First aid kits will be restocked after every use.

Individualized Treatment Plans - Article 8 Health Services

972.1 PURPOSE

Guidance to the health care staff for providing treatment plans for youth with significant health care concerns.

972.2 POLICY (TITLE 15 CCR, SECTION 1413)

Youth with treatment and care programs will be documented on the Progress Notes, in their medical folder. Specific treatment plans will be noted in the medication log, including specific instructions to accommodate any youth who may have special needs when using showers and toilets and dressing/undressing.

The health care treatment plans considered in the hall will be designed as much as possible to allow the youth to participate in programs.

Health care restrictions do not limit participation in school, work, exercise and other programs beyond what is necessary to protect the health of the youth or others.

Medical and mental health information is shared with hall staff in accordance with Policy Statement 8-4, Confidentiality, for the purpose of programming, treatment planning and implementation.

Prior to release or transport to another facility, medical treatment/medication will be given to the parents or to the receiving facility so on care treatment can continue.

Youth who are suspected or confirmed to be developmentally disabled are referred to the local Regional Center for the Developmentally Disabled within 24 hours of identification, excluding holidays and weekends (See Policy Statement 5-7).

Health Clearance for In-Custody Work and Program Assignments - Article 8 Health Services

973.1 PURPOSE

To provide guidance for health screening and monitoring procedures for work, and programs assignments that have health care implications, including, but not limited to food handlers.

973.2 POLICY (TITLE 15 CCR, SECTION 1414)

Youth will not be assigned strenuous work programs until they have a medical screening, and will not be allowed to work in the kitchen until they have had their initial physical and PPD (Also see Policy Statement 9-4).

Health Education - Article 8 Health Services

974.1 PURPOSE

To establish policies for providing health education for youth in custody.

974.2 POLICY (TITLE 15 CCR, SECTION 1415)

Currently working with Office of Education to provide age and sex related health education. Office of Education may have “work packets” with health related topics. Health education program pending at this time.

Reproductive Services - Article 8 Health Services

975.1 PURPOSE

Guidance on assuring that reproductive health services are available to both male and female youth.

975.2 POLICY (TITLE 15 CCR, SECTION 1416)

Youth shall be allowed to use any contraceptive method that they have established prior to admission into the hall.

Females requesting pregnancy testing will be allowed. Counseling and assistance are provided to pregnant youth in keeping with their expressed desire and planning for their unborn children, whether desiring abortion, adoption services or to keep the child. Prenatal care, special diet, management of the chemically dependent youth and care of lactating youth shall be provided.

During pregnancy, waist and ankle chains should not be used. The youth should be handcuffed in front of her body in order to limit the possibility of abdominal injury in the event of a fall.

The Juvenile Hall will provide classes on parenting, STD and personal responsibility in reproduction. When appropriate, males will be included in all aspects of reproductive education and programs.

No Planned Parenthood Services at this time.

Minors will be referred to the Trinity Community Clinic in Weaverville, Ca.

975.3 PROCEDURES

Screening questions regarding pregnancy will be asked at intake.

If the youth believes she is pregnant, she will be referred to sick call.

Medical personnel will obtain the youth's menstrual history, and if indicated, will refer to MLP.

If pregnancy is confirmed, counseling will be provided, explaining available options:

- (a) Youth who are pregnant and request an abortion shall contact the staff and arrangements shall be made.
- (b) Adoptive services information and assistance shall be provided.
- (c) For those youth who are pregnant and wish to continue their pregnancy, care will be provided with access to their OB/GYN physician at their own expense or a referral will be made to a prenatal clinic for continuing care through delivery and post delivery.

Orders and recommendations of the prenatal clinic will be followed, including prenatal diet (See Policy Statement 9-3) and vitamins.

Intake Screening - Article 8 Health Services

976.1 PURPOSE

To outline policy to staff for medically screening all youth prior to admission to this facility.

976.2 POLICY (TITLE 15 CCR, SECTION 1430)

A medical intake screen (medical clearance) shall be administered to each youth during the intake process by staff, before the minor is placed in any living area. Hall staff will be trained in the use of the screening form. The Superintendent will document this training. **The MAYSI-2 questionnaire and Noble Detention Assessment Instrument are being completed at intake screening. (the DRAI is used by Probation Officers).**

976.3 PROCEDURES

The booking counselor will complete the medical intake screen. Screening procedures address medical, dental and mental health concerns that may pose a hazard to the youth or others in the facility, as well as health conditions that require treatment while the youth is in the facility. Youth suspected of having a communicable disease are separated from the general population pending the outcome of an evaluation by medical staff. Timely referrals for health care must be commensurate with the nature of any problems or complaint identified during the screening process.

If the youth to be admitted shows any signs of a serious injury, or illness, or intoxication, have the admitting Law Enforcement officer take the youth to Trinity District Hospital for treatment and obtain written medical clearance. Reason(s) for not accepting the youth will be documented in the logbook.

Unconscious youth will not be accepted into Juvenile Hall (See Policy Statement 5-1, Admissions).

Hall staff will utilize the Automated Medical/Mood Questionnaire (See Appendix A) when admitting a youth into the hall. Staff should be aware and observant of any medical, dental and mental health concern that may pose a hazard to the youth or others in the hall and document these on the questionnaire and in the logbook.

The hall staff should request assistance from medical staff when there is any question as to the medical suitability for incarceration.

Special housing needs shall be assessed and assignments made accordingly.

Youth taking prescribed medications must be seen at the next sick call. If the youth states a need for the prescribed medication prior to the next sick call day, the hall staff may first call the on-call Health Care Provider, or Doctor Krouse's cell phone, 623-7035 if the on-call Health Care Provider is not available, for clearance.

During "sick-call," medical personnel shall review intake screen on all youth (still in the facility) admitted within the last 24 hours.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Intake Screening - Article 8 Health Services

Youth suspected of having a communicable disease are separated from the general population pending the outcome of an evaluation by medical staff (See Policy Statement 8-4).

Intoxicated and Substance Abusing Youth - Article 8 Health Services

977.1 PURPOSE

To provide guidance and establish policies for the staff managing youth suspected to be withdrawing from the influence of alcohol and/or drugs.

977.2 POLICY (TITLE 15 CCR, SECTION 1431)

The non-medical staff shall be aware of signs and symptoms of youth undergoing acute drug or alcohol withdrawal. Such youth shall be observed every 15 minutes by the non-medical staff, with written documentation of observation.

Drug detoxification (for acute withdrawal) will not be provided within the facility. Those in need of detoxification will be transferred to a licensed medical facility, after the need for detoxification has been established.

977.3 PROCEDURES

It shall be the responsibility of the Senior Counselor or Shift Lead to insure that the youth is housed properly in the hall and that appropriate provisions are made to prevent the youth from injuring himself (i.e., posted notification, visual observation checklist of the youth).

Youth presented to staff as needing detoxification, and all pregnant youth who use alcohol or other drugs, must be evaluated by the E.R. M.D. at Trinity District Hospital, or by the on-call medical staff. Substance abuse counseling must be initiated for these youth during confinement and referred for continuation upon release to the community. There must be coordination with mental health services in cases of substance abusing youth with known or suspected mental illness.

Youth undergoing acute drug or alcohol withdrawal will be transported to Trinity District Hospital Emergency Room. These withdrawal signs and symptoms are considered acute:

- (a) Illusions, hallucinations (auditory or visual).
- (b) Grand mal seizures.
- (c) Tremors, sweats, fever, high blood pressure, rapid pulse, illusions, hallucinations, confusion (DTs).

Youth with less severe symptoms will be closely monitored, however, all youth whose intoxicated behavior persists beyond six hours from the time of admission must have a medical evaluation and be placed on intoxication monitoring. The staff will initial and mark the time/date for each visual observation of the youth. Monitoring will continue until cleared by the medical staff. When a youth is no longer considered intoxicated, documentation and monitoring requirements shall be discontinued.

Methadone will not be provided.

Health Appraisals/Medical Examinations - Article 8 Health Services

978.1 PURPOSE

To establish procedures for health appraisals / examinations of youth.

978.2 POLICY (TITLE 15 CCR, SECTION 1431)

A health appraisal/medical examination shall be completed on all youth within ninety six hours of admission to Juvenile Hall or Youth Camp, excluding holidays. The health appraisal / medical examination will be administered by the Health Care Provider in the privacy of the medical room.

The evaluation includes:

- (a) Health History:
- (b) Review of intake screen Medical Assessment Form (Appendix A)
- (c) Checking the Health History Questionnaire (Appendix A).
- (d) Documenting findings on Health History - Examination form and Progress
- (e) Notes (Appendix A).
- (f) Laboratory and diagnostic tests, as required.
- (g) Tuberculosis screening within 15 days of incarceration.
- (h) Pap smear.
- (i) Testing for STDs in sexually active youth.
- (j) Pregnancy testing.
- (k) Review of immunizations.
- (l) Immunizations are verified.

A program is established through the Health Department to bring the youth's immunizations are Up-to-date in accordance with Public Health Standards and Trinity County Public School requirements.

The examination shall include (See Appendix A): Temperature, height, weight, pulse, blood pressure, appearance, gait, head and neck, a preliminary dental and visual acuity screening, gross hearing test, lymph nodes, chest and cardiovascular, breasts, abdomen, genital, musculoskeletal neuralgic and pelvic and rectal examination, with consent, if clinically indicated.

The medical staff may modify the health examination for youth admitted with an adequate examination done within the previous 12 months, providing there is no reason to believe that no substantial change could have occurred since the full evaluation. Medical staff should review the intake health screening form and conduct a face-to-face interview with the youth.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Health Appraisals/Medical Examinations - Article 8 Health Services

978.2.1 WEEKEND COMMITMENTS

Prior to being processed at Juvenile Hall for the youth's first Weekend, the youth will be required: To have proof/documentation of full physical examination within the last year and a current PPD.

If the youth does not have proof of a current physical examination and up to date immunizations record, the youth will report for admission to Juvenile Hall at 1300 on any Monday of the month, except holidays, so a complete physical and PPD can be completed.

When a youth is transferred to another facility or released, the hall staff will submit a letter of Notification of Transfer/Release of a youth to medical staff. Medical staff will assure that a health care summary and relevant records are forwarded to health care staff in the receiving facility when a youth is transferred to another jurisdiction, and to the local health officer, when applicable utilizing the Confidential Medical/Mental Health

Information Transfer Form and Confidential Medical Summary (See Appendix A). Written authorization from the parent/guardian must be obtained prior to **transferring copies of entire health records**, unless otherwise provided by court order, statute or regulation having the force and effect of law. Records will be labeled and sealed, addressed to the receiving facility's health care staff.

Prior to transfer or release with known or suspected active tuberculosis, an advance notification will be provided to the local health officer in the county of jurisdiction and the responsible physician of the receiving facility.

When a youth is released to the community, health record information is transferred to the family doctor or health care facility upon request and written authorization of the youth and/or parent/guardian.

Request for Health Care Services - Article 8

Health Services

979.1 PURPOSE

Guidance on requesting emergency and non-emergency health care for youth.

979.2 POLICY (TITLE 15 CCR, SECTION 1433)

The day shift is to question youth each morning if they feel they need to go to sick-call. If youth requests to be seen by medical staff, staff should evaluate the youth's condition to determine if emergency treatment is required or can be scheduled for regular scheduled sick-call, **if the staff is not sure of the condition of the youth they should immediately contact the on-call Health Care Provider**. If the youth desires, they can fill out a Sick-Call Request form (Appendix A).

Medical staff will be informed of youth needing/requesting to be seen upon the medical staff arrival to Juvenile Hall. If the request from the youth is to see medical personnel other than the hall's medical staff (i.e., private physician, mental health, health department, etc.) the Superintendent or Senior Counselor will be notified.

Corrections Counselors will be aware of the health of each youth during their shift, and be observant for possible injuries suffered by the youth. If situations arise where staff or the youth needs or suspects the need for medical treatment, the on-call Health Care Provider will be called first, or Dr. Krouse's office is to be contacted (623-3735), if the on-call Health Care Provider is not available. If the situation is life threatening - staff will initiate procedures in Emergency Procedure 1, if applicable, and perform emergency first aid until help arrives.

Consent for Health Care - Article 8 Health Services

980.1 PURPOSE

Guidance to staff on the youth's right for informed consent for health care examinations.

980.2 POLICY TITLE (15 CCR, SECTION 1437)

Examinations, treatments and procedures requiring verbal or written consent in the community, also pertain to consent for youth in Juvenile Hall or Camp Program.

When a youth is being admitted to Juvenile Hall, staff will notify the parent/guardian of the youth, and inform the parent that they are to come to Juvenile Hall as soon as possible with medical insurance information and sign the Medical Release Form (See Appendix A). Senior Counselors and Deputy Probation Officers are authorized to sign the 7 Day Limited Authorization for Medical, Surgical and Dental Services by Licensed Practitioners (See Appendix A) when there is no parent/guardian or other person standing in loco parentis.

If there is no parent or guardian available, the court may appoint a conservator, and can specify the extent to which a conservator may or may not provide consent to health care for the youth.

Emergency, life-saving treatment can always be rendered without specific consent. A youth may refuse any non-emergency treatment, regardless of who gave the consent in the first place. Only a court order can override a youth's desire to refuse treatment.

Dental Care - Article 8 Health Services

981.1 PURPOSE

To provide guidance to the staff for obtaining dental care for youth in the juvenile hall or Youth camp.

981.2 POLICY (TITLE 15 CCR, SECTION 1435)

Emergency and medically required dental care shall be provided for all youth. A licensed dentist shall provide dental care.

981.3 PROCEDURES

Youth requesting dental services are referred to sick call.

The medical staff will evaluate the severity of the problem, initiate appropriate on-site treatment as necessary, and refer to the off-site provider.

Dental care is provided by appointment through Dr. Carlin's office, 100 Horse shoe LN. Weaverville, Ca. Phone: 623-8888. Dental care shall not be limited to extractions. However, the dental care provided to youth is not intended to deal with years of personal neglect.

Elective services, if desired, shall be furnished by a licensed dentist. However, Trinity County is not financially obligated for such services. Youth's parents or legal guardians shall be charged for staff time and also for transportation mileage.

Annual dental exams shall be provided to any youth detained for longer than one year.

Prosthesis and Other Medical Apparatus - Article 8 Health Services

982.1 PURPOSE

To provide guidance to the staff for the caring of youth with prosthesis and other medical apparatus.

982.2 POLICY (TITLE 15 CCR, SECTION 1436)

Youth with medical and dental prostheses including eyeglasses, hearing aids, crutches, wheelchairs, canes, respiratory therapy devices, limb prostheses, etc. shall be allowed to keep them.

982.3 PROCEDURES

At time of intake screening, staff will note the use of prosthesis or medical apparatus on intake medical screening form.

The medical personnel shall review all intake-screening forms during sick call.

If the Superintendent, or in his absence the Senior Counselor or Shift Lead, has probable cause to believe possession of such orthopedic or prosthetic appliance constitutes an immediate risk of bodily harm to any person in the facility, or threatens the security of the facility, such appliance may be removed. If such appliance is removed, a physician shall examine the minor within 24 hours after such removal.

Mental Health Services - Article 8 Health Services

983.1 PURPOSE

To establish procedures for utilizing Mental Health Services.

983.2 POLICY (TITLE 15 CCR, SECTION 1437)

Any mental health services provided to a youth, or requested by a youth, hall staff must have a documented response. Any youth who displays significant symptoms of severe depression, suicidal ideation, irrational, violent or self-destructive behaviors, or who is receiving psychotropic medication, shall be provided a mental status assessment by a licensed mental health clinician, psychologist, psychiatrist, or the Juvenile Hall Health Care Provider.

Mental health services provided to youth include but are not limited to:

- (a) Screening for mental health problems at intake screening.
- (b) Crisis intervention and management of acute psychiatric episodes.
- (c) Stabilization of the mentally ill and prevention of psychiatric deterioration in the facility setting.
- (d) Elective therapy services and preventive treatment, where resources permit.
- (e) Medication support services.
- (f) Provision for referral and admission to licensed mental health facilities for youth whose psychiatric needs exceed the treatment capability of the facility.
- (g) Transition planning for youth undergoing mental health treatment, including arrangements for continuation of medication and therapeutic services.

983.3 PROCEDURES

When Hall Staff or the youth wants to be evaluated by Behavioral Health, use the contact phone numbers listed below.

Trinity County Mental Health evaluates youth for mental health services. For the purpose of fulfilling Hall documentation, the youth's Medical History form will be completed and given to Hall staff to file as a record from Mental Health.

Suicide risk or possible mental health problems call, on weekdays, Behavioral Health and request that the youth be seen, and the reason(s) that you are requesting an evaluation. The main phone number during business hours is 623-1362, ask for the on-call crisis worker. During non-working hours, call the "on-call" Behavioral Health person by calling the Trinity County Sheriff's Office 623-8127 and have crisis worker evaluate the youth. Follow all phone requests to behavioral Health with a written fax request. Fax phone number is 623-1447. Confirm Behavioral Health or crisis worker received the faxed request.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Mental Health Services - Article 8 Health Services

A minimum standard for documenting a response to all requests for Mental Health Services is to indicate the reasons why the youth was not seen, or to document that the youth was seen and what Mental Health Services were provided.

Pharmaceutical Management - Article 8 Health Services

984.1 PURPOSE

Establishing guidelines for storing and use of medications by staff to youth.

984.2 POLICY (TITLE 15 CCR, SECTION 1438)

Medications will be administered according to the procedures that comply with all applicable state and pharmacy regulations. Trinity County Juvenile Hall and Youth Camp currently uses Contract Pharmacy Services for prescription medications. CVS is the emergency back-up pharmacy when medications are needed immediately.

Staff will monitor ingestion of medication given to youth.

The below listed over the counter medications have been authorized by the Health Authority, Dr. Donald Krouse. They can be administered to youth without a medical examination.

- TYLENOL, a maximum of two tablets every four hours not to exceed four times per day.
- ATHLETES FOOT POWDER OR SPRAY, as directed on label.
- LICE ALL, as directed on label

All other pain medication will not be given unless prescribed by the juvenile hall Health Care Provider.

984.3 PROCEDURES

Medications are provided to the hall in prescribed individual blister cards prescribed by a Health Care Provider, packaged and labeled by a pharmacist. Dispensing and administration, or repackaging, of medication can only be done by licensed Health Care Provider.

Medications will be stored in the locked medication cart in the Control Room or in the Medical Room. Access to the keys to the medication cabinet will be limited to medical staff and/or Senior Counselor or Shift Lead.

Medications will be controlled by the medical staff and/or trained counseling staff administering medications. Trained counseling staff pours individual prescription doses for those medications they will personally deliver.

Medications will be administered by Hall staff on duty and logged on the daily shift log in the Control Room. All administered medications will be annotated on the youth's individual thirty day Medication Administration Record. Over the counter medications will be documented by hall staff on the OTC tracking form, and reviewed by the Health Care Provider at sick call.

Youth must be properly identified before receiving medication.

No youth shall administer or deliver drugs.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Pharmaceutical Management - Article 8 Health Services

Youth will be examined orally to determine/insure ingestion of medication.

Counselors who provide medication to youth will be provided basic training regarding administration of medication. Training will include the importance of observing a youth taking medication.

All outdated, unused or controlled medications will be disposed of by returning them to the medical personnel. **Controlled medication will be destroyed by the pharmacist from Contract Pharmacy Services, and one of the Contract Health care Providers.**

If a minor is under the influence of drugs, the on-call Health Care Provider will be called first, or Dr. Krouse will be contacted prior to delivering Tylenol to the minor.

Psychotropic Medication - Article 8 Health Services

985.1 PURPOSE

Guidance to staff on the use of psychotropic medications by youth.

985.2 POLICY (TITLE 15 CCR, SECTION 1439)

Psychotropic medication is given as prescribed by psychiatrist, following an interview with the psychiatrist and completion of a JV-220 court order to administer psychotropic medication.

Psychotropic medications are not administered to a youth *except in an emergency*, unless informed consent has been given by parent/guardian or the court. *In the absence of an emergency*, youth may refuse treatment. Youth will be informed of the expected benefits, potential side effects and alternatives to psychotropic medications

Youth found by a physician to be a danger to themselves or others by reason of a mental disorder may be involuntarily given psychotropic medication immediately necessary for the preservation of life or the prevention of serious bodily harm, and when there is insufficient time to obtain consent from the parent/guardian or court before the threatened harm would occur. It is not necessary for harm to take place or become unavoidable prior to initiating treatment.

Administration of psychotropic medication is not allowed for disciplinary reasons.

985.3 PROCEDURES

Youth desiring mental health services sign up to see a mental health clinician.

Access to a psychiatrist is by referral from the Health Care Provider only.

Psychiatrist orders medication as clinically indicated, and obtains informed consent and completes a JV-220 for the courts.

Follow up appointments for evaluation of youth taking psychotropic medication will be ordered by the prescribing psychiatrist.

When a new youth is admitted to the hall on psychotropic medications, continuance of all medications will be authorized by *the Health Care Provider or Dr. Krouse*. *Youth received into the hall from other counties taking psychotropic medication will have a completed JV-220. If the youth is transported to the hall without a JV-220, a JV-220 will be requested from the county of origin as soon as possible.*

Any verbal orders for administering psychotropic medications will be entered in the youth's health record and signed by a physician within 7 days.

A copy of all medication orders prescribed through Trinity County Behavioral Health Telepsychiatry or Trinity Hospital Telemedicine, shall accompany the youth back to the hall. This shall include the stop date and verify the presence of informed consent prior to administration of the medication. Any follow up appointments will also be included with the psychiatrist's orders.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Psychotropic Medication - Article 8 Health Services

Prior to release from Juvenile Hall or Youth Camp, a medical summary will be prepared for forwarding to either the youth's family physician/Health Department or gaining facility, addressing the continuation of psychotropic medication.

Trinity Hospital Telemedicine is currently unavailable.

Collection of Forensic Evidence - Article 8 Health Services

986.1 PURPOSE

To provide guidance to the staff for the collection of forensic evidence.

986.2 POLICY (TITLE 15 CCR, SECTION 1452)

Forensic medical services, including drawing of blood alcohol samples, body cavity searches, and other functions for the purposes of prosecution are collected by appropriately trained medical personnel including ER personnel (if they are willing), who are not responsible for providing ongoing health care to the youth.

Sexual Assaults (See Article 12 - P.R.E.A.) - Article 8 Health Services

987.1 PURPOSE

To establish policies that the staff will follow when a sexual assault is reported by a youth in custody.

987.2 POLICY

knowledge of procedures that go beyond the normal capabilities of the Juvenile Hall staff. **When a sexual assault occurs in this facility the Prison Rape Elimination Act and Sexual Assault Response team protocols will be instigated.**

987.3 PROCEDURES

See Trinity County Sexual Assault Response Team Protocol attached. Revised 2013.

Urgent Care Transport - Article 8 Health Services

988.1 PURPOSE

To provide guidance and policy to staff when to requesting urgent care transport.

988.2 PROCEDURES

Whenever any youth is injured or in need of urgent care the Senior Counselor or Shift Lead shall:

- (a) Immediately discuss the injury with the youth and the staff that were directly supervising the youth at the time of the injury in order to assess the degree of injury. **Call the on-call Health Care Provider first, or Dr. Krouse if the Health Care Provider is not available, to determine if the youth should be taken to Trinity Hospital's emergency room for medical treatment.**
- (b) Immediately administer first aid, if required.
- (c) Secure the other youth, if necessary.
- (d) If the youth's injury is of a minor extent and can be transported without endangering his/her health, the Juvenile Hall staff should transport the youth to the hospital. If after normal working hours call the Superintendent and inform him that a secure transport is required so he can arrange for a transport team.
- (e) The Senior Corrections Counselor or Shift Lead will notify the hospital of the youth's arrival and have ready the necessary paperwork for hospital admission.
- (f) **Pull the youth's Medication administration record and "Medical Consent Form" from his/her folder, and give it to the transporting team.**
- (g) The Senior Corrections Counselor or Shift Lead will determine if use of restraints is needed other than handcuffs.
- (h) All youth are to be transported to and from the hospital in handcuffs and leg shackles unless a medical problem prohibits this.
- (i) The transporting team or counselor must remain with the youth at all times and keep the youth under direct supervision. Cuffs may only be removed at the request of the attending physician, and if so, the counselor is to remain in close proximity as feasible.
- (j) Complete a Special Incident Report.
- (k) Notify the youth's parent or guardian after informing the Superintendent and/or Chief Probation Officer.
- (l) Record the incident in the Daily Log.

In any case, determining the extent and seriousness of any injury is difficult and dangerous without the expertise of a medical professional. Therefore, caution should be prevalent in making decisions regarding injuries to youth.

Optical Services - Article 8 Health Services

989.1 PURPOSE

To establish policy for issuing eyeglasses to youth in custody.

989.2 POLICY

Eyeglasses will be provided to youth in the Hall only when a youth's vision is so poor activities of daily living cannot be performed or if the youth's glasses are broken or lost while in custody.

989.3 PROCEDURES

Youth requesting new glasses or repair of glasses are referred to sick call. The medical assessment includes:

- (a) Visual history - how long has the youth had the glasses.
- (b) Name and phone number of eyeglass provider.

If request for optical services is approved:

- (a) Appointment will be made with youth's own provider, if local.
- (b) If youth has no local provider, an appointment will be made with a local optical provider.
- (c) Recommendations of the optical provider will be followed.

Bio-Hazard Waste - Article 8 Health Services

990.1 PURPOSE

To establish procedure for disposing of Bio-Hazard waste.

990.2 POLICY

Bio-Hazard waste will be removed professionally from the facility by North State Waste Management.

990.3 PROCEDURES

There are bio-hazard garbage cans located in the medical room, Juvenile Facility hallway bathroom, and the lobby bathroom. These cans are to be lined with bio-hazard approved bags only. When these bags are full, they will be taken into the vehicle sally port and deposited in the large red bio-hazard can. Staff must wear gloves when handling bio-hazard waste. **Stericycle Waste Management** is our Bio-Hazard pick up company (**1-866-783-7422 acct# 6094357**).

We are on a six (6) week automatic pick-up cycle.

There is a sharps container located in the booking room on the medicine cart and one in the control room. Needles, razors, and any other disposable instruments are to be disposed of in these containers. When full they are to be placed in the large bio-hazard waste can in the vehicle sally port.

Anaphylaxis and Anaphylactic Shock Use of Epi-Pen Auto Injector - Article 8 Health Services

991.1 PURPOSE

To provide guidance and policy to Juvenile Hall staff when a severe allergic reaction occurs.

991.2 PROCEDURES

Whenever a minor has a severe allergic reaction, the Senior Counselor or Shift Lead shall:

- (a) Move all minors away from the area where the allergic reaction occurred.
- (b) Check to see if the minor has severe allergies. If the minor has severe allergies, get a history of the severity. If severe and minor has an Epi- Pen, get it from the medication cart and have it ready. If minor does not have an Epi-Pen, get the Emergency Epi-Pen from the locked medical cabinet in the Medical Room. Have it ready.
- (c) Call the Health Care Provider for further instructions and orders. **Michael Novak, P.A.-C.** Home phone 623-1632 (after hours) Cell phone 739-2417. Community Clinic 623-4186.
Dr. Krouse: Home phone 623-2440, Office phone 623-3735, Cell phone 623-7035, Hayfork Office 628-5517.
If both providers are unavailable, call Trinity Hospital Emergency Room and ask to speak to the Emergency room Physician, phone number 623-5541 ext 3240.
- (d) Give report to Health Care Provider including vital signs and finger oximeter readings.
- (e) Make the Epi-Pen available to the minor and assist if necessary in giving the injection.
If the Epi-Pen is used, the minor must be seen by the Trinity Hospital Emergency Room Physician.
- (f) **NOT ALL ALLERGIC REACTIONS REQUIRE THE USE OF THE EPI-PEN.**

991.3 DEFINITIONS

Anaphylaxis is a life-threatening type of allergic reaction.

Causes, incidence, and risk factors:

- Anaphylaxis is a severe, whole body allergic reaction. After being exposed to a substance like bee sting venom, the person's immune system becomes sensitized to that allergen. On a later exposure, an allergic reaction may occur. This reaction is sudden, severe, and involves the whole body.
- Tissues in different parts of the body release histamines and other substances. This causes the airways to tighten and leads to other symptoms.
- Some drugs may cause an anaphylactic-like reaction when first exposed to them. This is usually due to a toxic reaction, rather than the immune system response that occurs with "true" anaphylaxis.
- Anaphylaxis can occur in response to any allergen. Common causes include:
 - drug allergies

Trinity County Probation Department

New Probation Manual

New Probation Manual

Anaphylaxis and Anaphylactic Shock Use of Epi-Pen Auto Injector - Article 8 Health Services

- food allergies
- insect bites/stings
- Anaphylaxis rarely occurs. However, it is life threatening and can occur at any time. Risks include past history of any type of allergic reaction.

991.4 SYMPTOMS

Skin - Hives, itchiness, flushing and swelling of the lips, tongue or throat.

Respiratory - Respiratory symptoms may include shortness of breath, wheezes or stridor, and low oxygen.

Gastrointestinal - Gastrointestinal symptoms may include cramping, abdominal pain, diarrhea, and vomiting.

Cardiovascular - Coronary artery spasm, dysrhythmia and myocardial infarction may occur.

Nervous System - A drop in blood pressure may result in a feeling of lightheadedness and loss of consciousness. There may be loss of bladder control and muscle tone, and a feeling of anxiety and “impending doom.”

991.5 ANNUAL REVIEW

In accordance with the Minimum Standards for Juvenile Facilities (Title 15, California Code of Regulations (CCR)) Article 8, Section 1409, an annual review of each policy and procedure for the health care delivery system was conducted and revised as needed.

Frequency of Meals - Article 9 Food

992.1 PURPOSE

To establish guidelines for feeding meals to the youth.

992.2 POLICY (TITLE 15 CCR, SECTION 1460)

- (a) Meals shall be served at least three times in any 24 hour period. At least one meal shall include hot food.
- (b) Youth shall be offered food at the time of initial intake.
- (c) If more than 14 hours passes between meals, supplemental food shall be served.
- (d) A snack shall be provided to all youth between 2 to 4 hours after the dinner meal is served.
- (e) Youth on medical diets, requiring more than three meals shall be served supplemental food as prescribed by their diets.
- (f) A minimum of 20 minutes shall be allowed for the actual consumption of each meal, except for those youth on medical diets where the responsible physician has prescribed additional time.
- (g) Youth missing a scheduled meal or during admission shall be provided with substitute meal and beverage.
- (h) Supplemental food is served in less than the 14-hour period for youth on medical diets requiring more than three meals daily.

Diet - Article 9 Food

993.1 PURPOSE

To establish policies on a proper diet for youth.

993.2 POLICY (TITLE 15 CCR, SECTION 1461)

All meals and snacks are provided by Trinity County Adult Detention Facility Food Service. All meals are prepared under the supervision of trained staff.

Therapeutic Diet - Article 9 Food

994.1 PURPOSE

To provide guidance for administering therapeutic diets requirements.

994.2 POLICY (TITLE 15 CCR, SECTION 1462)

Special nutritional needs of individual youth in detention shall be accommodated. Prescription of therapeutic diets is the sole province of the attending physician.

994.3 PROCEDURE

The Trinity County Adult Detention Facility Food Service Supervisor shall be notified of any special dietary needs by the health care provider/assistant.

Food Handlers/Dish Washers - Article 9 Food

995.1 PURPOSE

To establish policies and procedures for the handling foodstuffs and cleaning of eating utensils.

995.2 POLICY (TITLE 15 CCR, SECTION 1465)

- (a) Prior to assignment to the kitchen or other food handling tasks, youth shall be screened for food-borne contagious diseases, skin lesions and jaundice.
- (b) Food handlers, under the supervision of staff, shall be made aware of acceptable sanitary practices covering proper food handling and personal hygiene. Food handlers, preparing or serving food, shall wear hairnets.
- (c) The importance of hand washing in particular will be emphasized:
 - 1. Prior to unpacking food.
 - 2. Before serving food.
 - 3. As often as necessary, during food preparation, to remove soil and contamination and to prevent cross contamination.
 - 4. When touching bare human body parts other than clean hands.
 - 5. After using the toilet.
 - 6. After coughing, sneezing, using a handkerchief or disposal tissue.
 - 7. After using soiled equipment or utensils.

995.3 PROCEDURE

- (a) A health assessment, including TB testing, shall be done prior to assignment to the kitchen.
- (b) Absence of exposure to and symptoms of food-borne contagious diseases, especially hepatitis and diarrheal disease by history.
- (c) Physical examination to exclude infected skin lesions and jaundice.
- (d) A PPD or CXR shall be completed and in the health record prior to food handling assignment.
- (e) Youth successfully screened for food handling shall be advised of acceptable sanitary practices covering proper food handling techniques and personal hygiene, and the importance of hand washing shall be emphasized.
- (f) There shall be a periodic reassessment of the health status of the food handler.

Kitchen Facilities, Sanitation and Food Storage - Article 9 Food

996.1 PURPOSE

Establishing guidelines for kitchen facilities, sanitation and food storage in Juvenile Hall.

996.2 POLICY (TITLE 15 CCR, SECTION 1466)

- (a) Kitchen facilities, sanitation, and food preparation, service, and storage shall comply with standards set forth in Health and Safety Code, Division 104, Part 7, Chapter 1-13, Sections 113700 et seq. California Retail Food Code (CalCode).
- (b) Prior to handling or preparing food, cleaning and storing dishes, all youth and staff will thoroughly wash their hands using the liquid soap.
- (c) All food trays, eating utensils, food storage containers shall be washed and rinsed in hot water prior to being placed in the Mt. Hood dishwasher for the final wash and rinse.
- (d) All storage cabinets will remain locked when immediate access is not required.

996.3 PROCEDURES

- (a) Two of the three metal sinks will be filled with hot water. One sink will contain hot soapy water and the other hot rinse water. Excess food will be disposed of into the garbage disposal. All dishes and utensils will be placed in the Mt. Hood dishwasher/sanitizer for a final wash and rinse. Upon completing of the rinse cycle of the dishwasher, all items will be removed and air-dried.
- (b) Staff will inventory all items to ensure completeness in the kitchen at the end of each meal clean up.
- (c) In case of a malfunction with the dishwasher, the following will be accomplished:
 - 1. The three kitchen sinks will be filled with hot water. One sink will also contain dish soap and another bleach, diluted to 100 PPM.
 - 2. Dishes/utensils will be thoroughly washed in the soapy, hot water ensuring that that all foodstuffs are removed.
 - 3. The dishes/utensils will be rinsed in hot water, ensuring that all soap residue is removed.
 - 4. Lastly, the dishes/utensils will be rinsed in the bleach solution. They will be submerged for a minimum of 30 second, and then placed on the rack to air dry.

Food Serving - Article 9 Food

997.1 PURPOSE

Establishing guidelines for serving and ordering of food in Juvenile Hall.

997.2 POLICY (TITLE 15 CCR, SECTION 1467)

- (a) Food shall be served under the immediate supervision of staff and as soon as possible after receiving the meal.
- (b) Meals will be transported in insulated containers/trays.

997.3 PROCEDURES

- (a) Meals are ordered from the Trinity County Adult Detention Facility, 623- 8125. Orders for meals are telephoned in no later than:
 - 1. Breakfast – 10:00am.
 - 2. Lunch – 10:00am.
 - 3. Dinner – 3:00pm.
- (b) When ordering meals remind ADF staff if we require milk and other condiments.
- (c) Meals are picked-up at the Adult Detention Facility kitchen by staff at:
 - 1. Breakfast & Lunch – 10:30 am. the day before
 - 2. Dinner – 4:15 pm.

Staff Meals - Article 9 Food

998.1 PURPOSE

To establish the entitlement and location of meals or food for staff members.

998.2 POLICY

- (a) All child supervision staff are entitled to meals at their place of work during their assigned shift at County expense.
- (b) Staff working day and cover shift (6am to 6pm) may have breakfast, lunch, and dinner provided by the department.
- (c) Any Hall staff who must remain on duty during a regular meal hour may be served at their place of work.
- (d) Unless special changes are necessary for smooth operation of the Hall, staff will be served meals at regularly scheduled times. Staff are not entitled to food or meals at the County's expense at any other time than designated nor are they served different foods than those on the planned menu.
- (e) The hall kitchen is not open for staff snacking on County purchased foods. If staff wants snacks, they may bring them from home and leave the snacks in their lockers. Staff may also bring in drinks and keep them in hall's refrigerator, however, staff must keep the number of drinks in the refrigerator down to what they intend to consume during a single shift. Staff's extra drinks must be kept in their personal lockers.
- (f) Any exceptions to the above are to be specifically authorized and approved by the Juvenile Hall Superintendent.

Clothing and Bedding - Article 10 Clothing and Personal Hygiene

999.1 PURPOSE

To establish a uniform method of distribution, laundry and care of County clothing and linen.

Youth's personal clothing, undergarments and footwear may be substituted for the institutional clothing and clothing specified in this regulation.

999.2 POLICY (TITLE 15 CCR, SECTION 1480, 1482, 1483)

- (a) The Senior Corrections Counselor is responsible for ensuring that appropriate clothing and linen procedures are followed at all times. The mechanics of this operation can be delegated to line staff. Youth may be utilized to complete appropriate portions of the mechanics of this operation IF proper supervision is provided. Clothing provisions shall ensure that:
 1. Clothing is clean, reasonable fitted, durable, easily laundered, in good repair, and free of holes and tears.
 2. The standard issue of climatically suitable clothing for youth shall consist of but not limited to:
 - (a) Socks and serviceable footwear,
 - (b) Outer garments,
 - (c) New non-disposable underwear which shall remain with the youth throughout their stay, and
 - (d) Undergarments that are freshly laundered and free of stains, including tee shirts and bras.
 3. Clothing is laundered at the temperature required by local ordinances for commercial laundries and dried completely in a mechanical dryer or other laundry method approved by the local health officer.
 4. Suitable clothing is issued to pregnant youth.
- (b) Distribute clothing and linen as follows (Section 1482):
 1. Staff will issue clothing and linen to each youth as follows:
 - (a) **DAILY** - T-shirts, underwear, socks, panties, bra. Youth shall receive their own underwear back at exchange.
 - (b) **EVERY OTHER DAY** - Coveralls or pants and sweatshirts.
 - (c) **WEEKLY** - Two sheets and one pillowcase - Sunday morning.
 - (d) **AT INTAKE** - Two-three blankets (depending on climatic conditions) and 2-flat sheets.
 - (e) **AS NEEDED** - Jackets if working outdoors

Trinity County Probation Department

New Probation Manual

New Probation Manual

Clothing and Bedding - Article 10 Clothing and Personal Hygiene

2. Work Detail youth (Section 1481). Youth assigned to work details may have additional laundry and clothing needs. These are to be provided by assigned staff as necessary.
- (c) Notify the Superintendent of shortages of sizes or items for youth. Youth deviations can be expected. If usable clothing is available, it should not be considered a shortage (i.e. pant lengths longer or shorter, unless drastic, than needed; or T-shirts that are a size larger than needed).
- (d) Make youth aware that they will be responsible for the condition of mattresses, pillow, and blanket(s) upon release. Check each item for damage when issued and note the condition in the youth's file. Consideration shall be given to mattress type for pregnant youth or youth with other medical related needs.
- (e) Malicious or accidental damage of clothing or linen by youth will necessitate the submission of a Special Incident Report.
- (f) Handle mattresses as follows: Mattresses are to remain in rooms when not in use. The mattress is to be cleaned and sterilized by a youth as part of the release process.
- (g) Blankets:
 1. Blankets are to be laundered, per policy, any time a youth is released or if it is soiled. Clean blankets are to be given at the end of every month.
- (h) Soiled laundry will be washed daily. Handle soiled laundry as follows:
 1. Sheets and pillowcases are to be placed in the laundry carts. Any contaminated linen is to be placed in a bio-hazard plastic bag and thrown away in the red bio-hazard container.
 2. Washcloths, dish towels, rags, miscellaneous items, and all clothing items are to be placed in laundry carts. Items should be sorted as to light and dark. Wet items can be placed in the carts provided for items that are going to be washed that night. Contaminated items are to be placed in a bio-hazard plastic bag and are to be thrown away in the bio-hazard container.
 3. Clothing items should be turned right side out before placing in laundry carts.
- (i) Contaminated Clothing and Linen:
 1. Contaminated Hall linen and clothing should be bundled immediately in a disposable bag, labeled with the youth's name. The bags are to be securely fastened and placed in the laundry room. If contaminated clothing is to be thrown away it will go in a bio-hazard bag and then placed in the bio-hazard container.
 2. Contaminated items are to be washed separately from clothing as noted above in Item A, unless they are thrown away. They are to be handled and washed by staff only.
- (j) Shoes:
 1. Shoes will be issued to youth when they are admitted.
 2. All shoes will be washed and set out to dry or dried on the shoe rack before re-issuance.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Clothing and Bedding - Article 10 Clothing and Personal Hygiene

3. Shoes that are no longer serviceable will be thrown away.

Control of Vermin - Article 10 Clothing and Personal Hygiene

1000.1 PURPOSE

Guidance for controlling vermin in Juvenile Hall.

1000.2 POLICY (TITLE 15 CCR, SECTION 1484)

Infested clothing shall be cleaned, disinfected, or stored in a closed container so as to eradicate or stop the spread of vermin.

1000.3 PROCEDURE

- (a) If at intake it is suspected by the counselor that head, body, or pubic lice are present, the child should be seen by the hall physician for diagnosis and treatment. It is the responsibility of the Senior Corrections Counselor or the Shift Lead to enter the child's name on the sick call list and contact the medical staff and request further instructions.
- (b) When lice are detected, the youth's personal clothing is to be placed in a plastic bag, sealed, and labeled "contaminated" and identified with the youth's name. The parents will be contacted to pick up the contaminated clothing. If there are not parents to contact, staff is to place the clothing in a plastic bag and tie it tightly. The clothing will then be placed in the youth's property bag until such a time that it can be washed in hot water by staff.
- (c) When lice are detected after the child has been assigned to a room, the child is to be supervised during treatment and all Juvenile Hall clothing and bedding shall be washed in hot water and the child will be issued clean clothing and bedding. If a child shares a room, the roommates will be treated in the same manner. The plastic mattress and the bedding are to be washed with an approved cleaning solution before the bed is made or reassigned.

Personal Hygiene and Care Items - Article 10

Clothing and Personal Hygiene

1001.1 PURPOSE

to establish standards ensuring hygiene and issuing of personal care items to youth in Juvenile Hall.

1001.2 POLICY (TITLE 15 CCR, SECTION 1485, 1486 AND 1487)

- (a) It is essential that youth be allowed to shower daily and upon admission (See Policy Statements 5-1 and 5-4). Youth whose jobs or work assignments cause them to require more frequent showers will be permitted to shower whenever necessary.
- (b) Personal hygiene for these developing individuals requires the opportunity to brush their teeth after each meal.
- (c) Each female youth shall be provided with sanitary napkins, panty liners and tampons as requested.
- (d) All youth held over 24 hours shall have access to the following items:
 - 1. Toothbrush.
 - 2. Toothpaste.
 - 3. Soap.
 - 4. Comb.
 - 5. Deodorant.
 - 6. Shaving implements. The facility administrator may suspend this requirement in relation to youth who are considered to be a danger to themselves or others.
 - 7. Lotion.
 - 8. Shampoo.
 - 9. Post-shower conditioning hair products.
- (e) Youth will not share personal care items (a) through (f) listed above. Liquid soap, shampoo and conditioner provided through a common dispenser is permitted.
- (f) Youth, except those who may not shave for reasons of identification in court, shall have access to a razor daily. Youth will be allowed to shave in their room before showers start. Youth will ask the staff member working on the day room floor to receive their razor from staff in the control room. Youth then must turn in the zip lock bag containing the razor to the staff member on the day room floor. Staff will monitor any youth that has been given a razor. When razors are turned back in staff will visually check for any tampering of that razor.
- (g) All youth shall have equal opportunity to shave face and body hair.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Personal Hygiene and Care Items - Article 10 Clothing and Personal Hygiene

- (h) Youth can receive hair care service monthly by hall staff, or parents/guardians can make arrangements, through the Superintendent, for a licensed professional barber/stylist to cut their youth's hair and they are responsible for any costs incurred.

1001.3 PROCEDURE

- (a) Upon admission to Juvenile Hall, the youth will be issued his/her personal care items in a hygiene box.
 - 1. The youth will receive a hygiene box to use in the morning, after meals, during showers, and before bed. The youth are to turn in their hygiene box to the cabinet located on the day room floor.
 - (a) Tooth brush.
 - (b) Soap.
 - (c) Comb.
 - (d) Dentifrice.
 - (e) Deodorant (with youth's name written on).
 - (f) Shaving implements (with youth's name written on). Will be kept in the control room and not in the youth's hygiene box. Youth may request to shave before showers start.
 - 2. Staff will keep the youth's personal care items in a bag labeled with the youth's name for those youth who have lost the privilege of having a hygiene box.
- (b) Youth shall be given the opportunity to clean their teeth upon rising in the morning, after each meal, during showers, and before retiring at night.
- (c) All youth must be allowed to shower daily, and more frequently as work assignment necessitates. When youth in the shower, youth of the opposite gender will be in their rooms with their windows covered. The facility has four (4) showers (A-D) located on the dayroom floor; only one (1) youth is allowed in a shower at a time. The showers are not designated for either males or females as the opposite gender youth will be in their rooms.
- (d) Hair care equipment will be disinfected before each use.
 - 1. Combs, scissors and depth combs will be soaked in a solution of hydrocide (one ounce per one quart of water) for ten minutes, rinsed and dried.
 - 2. Electric Clipper – Use clini-clip. Following directions on the applicator.

Cleaning and Maintenance - Article 10 Clothing and Personal Hygiene

1002.1 PURPOSE

To provide guidance for maintaining Juvenile Hall.

1002.2 POLICY

- (a) Staff will supervise the youth during cleaning and maintenance of this facility. Youth are not to be left alone in the kitchen or laundry room but will have a staff member with them at all times.
- (b) Staff will be responsible for cleaning when there are not sufficient numbers of youth available to clean or when the facility is on lockdown.

1002.3 PROCEDURES

- (a) Routine Cleaning:
 - 1. Each morning the youth will be provided with cleaning supplies and instructions from staff to thoroughly clean their rooms, including sinks, floors, counter tops and windows.
 - 2. The dining tabletop and the area under the table will be swept and mopped after each meal.
 - 3. Each morning, the youth will be utilized to thoroughly clean, under the staff supervision
 - (a) Bathrooms - Clean showers, sinks, toilets, windows, wipe down the walls, and mop floors.
 - (b) Kitchen – Clean sinks, dishes, counter tops, sweep floor and mop.
 - (c) Hallway –Sweep and mop including the sally ports, wipe down windows, clean bathroom and shower as needed.
 - (d) Booking Room – Empty the trash. Wipe the counter and clean the windows.
 - (e) Dayroom Floor – Empty trash. Sweep and mop floors, wipe off furniture, and wipe down the drinking fountain.
- (b) Weekend Cleaning:
 - (a) Saturday Cleaning (See Policy Statement 6-2). A more through cleaning that includes all of the above (paragraph A) and may include window washing, cleaning of walls, cleaning of vents and drains.
 - (b) The Senior Corrections Counselor will inspect the building for any maintenance problems. Problems not corrected will be on the Daily Shift Summary and the Superintendent will be notified.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Cleaning and Maintenance - Article 10 Clothing and Personal Hygiene

- (c) Areas Off-Limits to youth are the control room, medical room. Maintenance of these areas is the responsibility of hall staff (Also see Policy Statement 3-4).

Bedding and Linen Issue - Article 11 Bedding and Linens

1003.1 BEDDING AND LINEN ISSUE - ARTICLE 11 BEDDING AND LINENS

To ensure that policies are adhered to in issuing of bedding and linen.

1003.2 POLICY (TITLE 15 CCR, SECTION 1500)

Each youth entering Juvenile Hall, that are expected to remain overnight shall be issued:

- (a) A clean and serviceable mattress.
- (b) One pillow and one pillow case.
- (c) Two sheets.
- (d) One towel.
- (e) One blanket or more, upon request.

1003.3 PROCEDURES

- (a) Upon admission to Juvenile Hall, all youth will be issued linen upon which to sleep. Bed linen will be exchanged weekly.
- (b) Damaged and torn linen will be reported and an Incident Report initiated if damage is determined to be other than fair-wear and tear. If a youth ties knots in the sheets they are to completely untie all knots as they are put into the laundry basket. Staff is to supervise this to make sure the sheets get properly cleaned.

Bedding and Linen Exchange - Article 11

Bedding and Linens

1004.1 PURPOSE

To establish a uniform method for exchanging bedding and linen.

1004.2 POLICY (TITLE 15 CCR, SECTION 1501)

- (a) Senior Corrections Counselor are responsible for ensuring that youth's sheets and pillowcases are exchanged and cleaned weekly.
- (b) Youth's blankets shall be cleaned at least once a month.
- (c) Make youth aware that they will be responsible for the condition of mattresses, pillow, and blanket(s) upon release. Check each item for damage when issued and note the condition in the youth's file. If excessive damage is down an incident report is to be done and turned in to the youth's Probation Officer.

1004.3 PROCEDURES

- (a) Mattresses are to remain in rooms when not in use. The mattress is to be cleaned and sterilized by a youth as part of the release process.
- (b) Blankets:
 - 1. Blankets are to be laundered, per policy, any time a youth is released or if it is soiled.
- (c) Handle soiled laundry as follows:
 - 1. Sheets and pillowcases are to be placed in the laundry carts. Contaminated linen is to be placed in a labeled plastic bag and stored next to the linen bag.
 - 2. Washcloths, dish towels, rags, miscellaneous items, and all clothing items are to be placed in laundry carts. Items should be sorted as to light and dark. Wet items can be placed in the carts provided for items that are going to be washed that night. Contaminated items are to be placed in a labeled plastic bag and are to be stored in a separate basket.
- (d) Contaminated Linen:
 - 1. Contaminated Hall linen should be bundled immediately in a disposable bag and placed in the bio-hazard container to be picked up by North State Specialty Waste.
 - 2. Other Contaminated items are to be washed separately from all other items. They are to be handled and washed by staff only.

General Definitions - Article 12 Prison Rape Elimination Act (PREA) Prevention Planning

1005.1 GENERAL DEFINITIONS

Agency means the unit of State, local, corporate, or nonprofit authority, or of the Department of Justice, with direct responsibility for the operation of any facility that confines inmates, detainees, or residents, including the implementation of policy as set by the governing, corporate, or nonprofit authority.

Agency head means the principal official of an agency.

Contractor means a person who provides services on a recurring basis pursuant to a contractual agreement with the agency. (Behavioral Health, Human Response Network, etc)

Detainee means any person detained in a lockup, regardless of adjudication status.

Direct staff supervision means that security staff are in the same room with, and within reasonable hearing distance of, the resident or inmate.

Employee means a person who works directly for the department or facility.

Exigent circumstances means any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of the facility.

Facility means a place, institution, building (or part thereof), set of buildings, structure, or area that is used by the department for the confinement of individuals.

Facility Head means the principal official of a facility.

Full compliance means compliance with all material requirements of each standard except for de minimis violations, or discrete and temporary violations during otherwise sustained periods of compliance.

Gender nonconforming means a person whose appearance or manner does not conform to traditional societal gender expectations.

Inmate means any person incarcerated or detained in a prison, jail or juvenile hall.

Intersex means a person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

Juvenile means any person under the age of 18, unless under adult court supervision and confined or detained in a prison or jail.

Juvenile facility means a facility primarily used for the confinement of juveniles pursuant to the juvenile justice system or criminal justice system.

Law enforcement staff means employees responsible for the supervision and control of detainees in lockups.

Trinity County Probation Department

New Probation Manual

New Probation Manual

General Definitions - Article 12 Prison Rape Elimination Act (PREA) Prevention Planning

Lockup means a facility that contains holding cells, cell blocks, or other secure enclosures that are:

- (a) Under the control of a law enforcement, court, or custodial officer; and
- (b) Primarily used for the temporary confinement of individuals who have recently been arrested, detained, or are being transferred to or from a court, jail, prison, or other agency.

Medical practitioner means a health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A “qualified mental health practitioner” refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims.

Mental health practitioner means a mental health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A “qualified mental health practitioner” refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims.

Pat-down search means a running of the hands over the clothed body of an inmate, detainee, or resident by an employee to determine whether the individual possesses contraband.

Resident means any person confined or detained in a juvenile facility or in a community confinement facility.

Secure juvenile facility means a juvenile facility in which the movements and activities of individual residents may be restricted or subject to control through the use of physical barriers or intensive staff supervision. A facility that allows the residents access to the community to achieve treatment or correctional objectives, such as through educational or employment programs, typically will not be considered to be a secure juvenile facility.

Security staff means employees primarily responsible for the supervision and control of inmates, detainees, or residents in housing units, recreational areas, dining areas, and other program areas of the facility.

Staff means employees.

Strip search means a search that requires a person to remove or arrange some or all clothing so as to permit a visual inspection of the person’s breasts, buttocks, or genitalia.

Transgender means a person whose gender identity (i.e., internal sense of feeling male or female) is different from the person’s assigned sex at birth.

Substantiated allegation means an allegation that was investigated and determined to have occurred.

Unfounded allegation means an allegation that was investigated and determined not to have occurred.

Trinity County Probation Department

New Probation Manual

New Probation Manual

General Definitions - Article 12 Prison Rape Elimination Act (PREA) Prevention Planning

~~Unsubstantiated allegation~~ means an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

Volunteer means an individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency.

Youth means any person confined or detained in a juvenile facility or in a community confinement facility.

Youthful inmate means any person under the age of 18 who is under adult court supervision and incarcerated or detained in a jail or prison.

Youthful detainee means any person under the age of 18 who is under adult court supervision and detained in a lockup.

1005.2 DEFINITIONS RELATED TO SEXUAL ABUSE

1005.2.1 SEXUAL ABUSE INCLUDES

- (a) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- (b) Sexual abuse of an inmate, detainee, or resident by staff member, contractor, or volunteer.

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (b) Contact between the mouth and the penis, vulva, or anus;
- (c) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- (d) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- (a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (b) Contact between the mouth and the penis, vulva, or anus;
- (c) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;

Trinity County Probation Department

New Probation Manual

New Probation Manual

General Definitions - Article 12 Prison Rape Elimination Act (PREA) Prevention Planning

- ~~(d) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;~~
- (e) Any other intentional contact, either directly or through the clothing, of or with genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (f) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (A)-(E) of this section;
- (g) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of and inmate, detainee, or resident, and
- (h) Voyeurism by a staff member, contractor, or volunteer. Voyeurism by a staff member, contractor, or volunteer means and invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using the toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

1005.2.2 EXUAL HARASSMENT INCLUDES

- (a) Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and
- (b) Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Zero Tolerance of Sexual Abuse and Sexual Harassment - (PREA)

1006.1 POLICY

The Trinity County Probation Department has a **zero tolerance** toward all forms of sexual abuse, sexual assault and sexual harassment, as well as retaliation for reporting such conduct. The Trinity County Probation Department will immediately respond to allegations, fully investigate reported incidents, pursue disciplinary action, and refer for investigation and prosecution for those who perpetrate such conduct.

The Trinity County Probation Department maintains a designated PREA Coordinator who will oversee the policy updates and the staff notification and compliance training on PREA policies.
Lead Juvenile

The Senior (Lead) Corrections Counselor is the department's assigned PREA Coordinator.

The following policy is the outline of the Facilities prevention, detection, and response to such conduct:

1006.2 PREVENTION

- (a) a disciplinary lockdown or youth on a medical segregation.
- (b) Youth will be placed in rooms by themselves unless double occupancy is otherwise required. If youth are in their rooms, there will a minimum youth welfare check every 15 minutes. Youth that are double bunked shall be asked within the first 48 hours how everything is going with their roommate. If one youth has a legitimate complaint about their roommate then staff shall make every effort to remove that youth or the roommate into a different room.
- (c) Youth with a history of sexual assault/violence or sexual harassment will be roomed alone unless it is otherwise unsafe to do so.
- (d) During the classification process of a booking, staff will take into consideration the age and maturity of the youth when deciding on the room assignment.
- (e) When youth are out on the dayroom floor, all doors will be kept closed and locked (youth's rooms, laundry room, etc.). Staff in the control room will make sure the right youth(s) are entering their assigned room before electronically opening any door.
- (f) Youth are never allowed to be in any part of the facility that cannot be seen by the staff working on the dayroom floor or the control room staff. The youth are not allowed in the recreation yard unless facility staff is present.
- (g) The best prevention of sexual abuse and sexual harassment is for facility staff to be aware of what is going on around them at all times!

Trinity County Probation Department

New Probation Manual

New Probation Manual

Zero Tolerance of Sexual Abuse and Sexual Harassment - (PREA)

1006.3 DETECTION

- (a) If there are any suspicions by staff that a youth may be sexually abused or sexually harassed they are to immediately bring it to the attention of their supervisor/superintendent.
- (b) Youth may confidentially file a grievance at any time and place it in a locked box located on the dayroom floor.
- (c) If staff notices a change in a youth's behavior; then take the youth to an area where you can ask them in privacy from the other youth if they have anything they would like to talk about.

1006.4 RESPONSE

- (a) When responding to an allegation of sexual abuse or sexual harassment line staff is to immediately notify their supervisor and fill out an 11166 form for child abuse.
- (b) Staff will utilize the Institutional Sexual Assault Investigation Form to ensure that all proper measures are taken in responding to the assault allegation.
- (c) The supervisor will then make arrangements for the youth to immediately go to the emergency room and be attended by the SART or SANE nurse (if available) for collection of evidence.
- (d) The facility staff will make every effort to maintain the evidence for the responding Sheriff's Department's deputy. This will include not allowing the victim or abuser to shower, change clothing, brush their teeth, wash their hands, etc.
- (e) When appropriate staff will contact a victim advocate through the Human Response Network (HRN) and inform them that they are needed and instruct them as to where the victim is at that time.

Contracting with Other Entities for the Confinement of Youth - (PREA)

1007.1 POLICY

The Trinity County Probation Department/Juvenile Hall shall ensure that any public, private, or other government agencies contracting with our county will include in new or renewed contracts, that agencies obligations to adopt and comply with PREA standards.

The Trinity County Probation Department/Detention Facility will ensure that contractors/volunteers or others that work in the Facility are informed of the department's zero-tolerance policy regarding sexual abuse and sexual harassment.

Supervision and Monitoring - (PREA)

1008.1 POLICY

The Trinity County Probation Department shall ensure that the juvenile hall facility will develop, implement, and document a staffing plan that provides for adequate levels of staffing and video monitoring where it is available, to protect youth against sexual abuse and sexual harassment.

- (a) When determining adequate staffing levels and the need for video monitoring the facility shall take into consideration the following:
 - 1. Generally accepted juvenile detention and correctional residential practices;
 - 2. Any judicial findings of inadequacy;
 - 3. Any findings of inadequacy from Federal investigative agencies;
 - 4. Any findings of inadequacy from internal or external oversight bodies;
 - 5. All sections of the facility's physical establishment, including "blind spot" or areas where staff or youth may be isolated;
 - 6. The composition of the youth population;
 - 7. The number and placement of supervisory staff;
 - 8. Institution programs occurring on a particular shift;
 - 9. Any applicable State or local laws, regulations, or standards;
 - 10. The frequency of substantiated and unsubstantiated incidents of sexual abuse or sexual harassment;
 - 11. And any other relevant factors.
- (b) The juvenile detention facility shall comply with the staffing plan except during limited and discrete exigent circumstances, and shall fully document deviations from the plan during such circumstances.
- (c) The facility shall maintain a staff ratio of 1:8 during the juveniles waking hours and 1:16 during the juveniles sleeping hours, except during limited and discrete exigent circumstances, which shall be fully documented. Only correctional staff shall be included in these ratios.
- (d) Whenever necessary, but no less frequently than once a year, the facility will with the help of the PREA coordinator will assess, determine, and document whether adjustments are needed to:
 - 1. The staffing plan established pursuant to paragraph (A) of this section;
 - 2. Prevailing staffing patterns;
 - 3. The facility's deployment of video monitoring systems and other monitoring technologies; and
 - 4. The resources the facility has available to commit to ensure adherence to the staffing plan.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Supervision and Monitoring - (PREA)

- (e) The facility will have intermediate-level or higher level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. This policy shall be implemented for night shifts as well as day shifts. The facility prohibits staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility.

Limits to Cross-Gender Viewing and Searches - (PREA)

1009.1 POLICY

- (a) At intake, facility staff should be alert for any gender nonconforming indicators including appearance, manner, or identification as lesbian, gay, bisexual, transgender, or intersex. Absent exigent circumstances, the facility PREA Coordinator should be consulted regarding special circumstances related to searches.
- (b) The Juvenile Detention Facility shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners.
- (c) The facility staff shall not conduct cross-gender pat-down searches except in exigent circumstances.
- (d) The facility staff shall document and justify all cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches.
- (e) The youth(s) are to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Facility staff of the opposite gender is to announce their presence when entering an area where the youth(s) are likely to be showering, performing bodily functions, or changing clothing.
- (f) The facility staff shall not search or physically examine a transgender or intersex youth for the sole purpose of determining the youth's genital status. If the youth's genital status is unknown, it may be determined during conversations with the youth, by reviewing medical records, or if necessary, by learning that information as a broader medical examination conducted in private by a medical practitioner.
- (g) The Probation Department shall train the facility staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex youth, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

Youth with Disabilities and Youth Who are Limited English Proficient - (PREA)

1010.1 POLICY

- (a) The Juvenile Detention Facility shall take appropriate steps to ensure that youth with disabilities (including but not limited to youth who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.
Such steps shall include, when necessary to ensure effective communication with youth who are deaf or hard of hearing, provide access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, the facility will provide written material in formats or through methods that ensure effective communication with youth that have disabilities, including youth who have intellectual disabilities, limited reading skills, or who are blind or have low vision.
The facility is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or undue financial and administrative burdens, as those terms are used in regulations publicized under title II of the Americans With Disabilities Act, 28 CFR 35.164.
- (b) The facility shall take reasonable steps to ensure meaningful access to all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to youth who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.
- (c) The facility shall not rely on youth interpreters, youth readers, or other types of youth assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the youth's safety, the performance of first-response duties under policy 115.364, or the investigation of the youth's allegations.

Hiring and Promotion Decisions - (PREA)

1011.1 POLICY

- (a) The department will not hire or promote anyone who may have contact with the youth, and shall not enlist the services of any contractor, who may have contact with the youth, who:
 - 1. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or any other institution.
 - 2. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
 - 3. Has been civilly or administratively adjudicated to have engaged in the activity described in (A)(2) of this section.
- (b) The facility will consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with the youth.
- (c) Before hiring new employees who may have contact with the youth, the department shall:
 - 1. Perform a criminal background records check;
 - 2. Consult any child abuse registry maintained by the State or locality in which the employee would work; and
 - 3. Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.
- (d) The department will also perform a criminal background records check, and consult applicable child abuse registries, before enlisting the services of any contractor who may have contact with the youth.
- (e) The department shall either conduct criminal background records checks at least every five years of current employees and contractors/volunteers who may have contact with the youth or have in place a system for otherwise capturing such information for current employees.
- (f) The department shall also ask all applicants and employees who may have contact with the youth directly about previous misconduct described in paragraph of this section in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of reviews of current employees. The department shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.
- (g) Material omissions regarding such misconduct, or the provision of materially false information, shall be ground for termination.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Hiring and Promotion Decisions - (PREA)

- (h) Unless prohibited by law, the department will provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

Upgrades to Facilities and Technologies - (PREA)

1012.1 POLICY

- (a) If the Probation Department plans any substantial expansion or modification of existing facilities, the department will have to consider the effect of the design, acquisition, expansion, or modification upon the facility's ability to protect the youth from sexual abuse.
- (b) When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the department will consider how such technology may enhance the facility's ability to protect the youth from sexual abuse.

Evidence Protocol and Forensic Medical Examinations - (PREA)

1013.1 POLICY

- (a) Following an allegation of sexual assault, the department shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for both administrative proceedings and criminal prosecutions.
- (b) The protocol shall be developmentally appropriate for youth and, as appropriate, shall be adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.
- (c) The Probation Department offers all youth who experience sexual abuse to forensic medical examinations whether on-site or at an outside facility, without financial cost, where evidentiary or medical appropriate. The examinations are to be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If a SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The department shall document all efforts to provide SAFEs or SANEs.
- (d) The department will attempt to make available to the victim, a victim advocate from a rape crisis center (Trinity County Behavior Health or Human Response Network). If a rape crisis center is not available to provide victims advocate services, the department will make available to provide these services from a qualified staff member from a community-based organization or a qualified department staff member. The department will document all efforts to secure services from a rape crisis center. A rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault of all ages. The department may utilize a rape crisis center that is part of a government unit as long as the center is not part of the criminal justice system (such as a law enforcement agency) and offers a comparable level of confidentiality as a nongovernmental entity that provides similar victim services.
- (e) If requested by the victim, the victim advocate, qualified facility staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals.
- (f) The Sheriff's Department is responsible for investigating allegations of sexual abuse and sexual harassment. The Probation Department shall ensure the Sheriff's Department follows the requirements of paragraphs (A) through (E) of this section.

Ensuring Referrals of Allegations for Investigations - (PREA)

1014.1 POLICY

- (a) The Trinity County Probation Department shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.
- (b) The Juvenile Detention Facility shall ensure that allegations of sexual abuse or sexual harassment are referred for investigation to the Sheriff's Department to conduct a criminal investigation, unless the allegation does not involve potentially criminal behavior. Additionally, the facility's website is to have this information posted for public viewing. The facility shall document all such referrals.
- (c) If an agency other than the Sheriff's Department conducts the criminal investigation; such publication shall describe the responsibilities of both the facility and the investigating agency.

Employee Training - (PREA)

1015.1 POLICY

- (a) The Trinity County Juvenile Detention Facility will train all employees who may have contact with the youth on the following:
 - 1. The Probation Department/Detention Facility's zero-tolerance policy for sexual abuse and sexual harassment;
 - 2. How to fulfill staff responsibilities under the facility's sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
 - 3. Youth's rights to be free from sexual abuse and sexual harassment;
 - 4. Youth and staff's right to be free from retaliation for reporting sexual abuse and sexual harassment;
 - 5. The dynamics of sexual abuse and sexual harassment in juvenile facilities;
 - 6. The common reactions of juvenile victims of sexual abuse and sexual harassment;
 - 7. How to detect and respond to signs of threatened and actual sexual abuse and how to distinguish between consensual sexual contact and sexual abuse between the youth;
 - 8. How to avoid inappropriate relationships with the youth;
 - 9. How to communicate effectively and professionally with the youth, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming youth; and
 - 10. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities;
 - 11. Relevant laws regarding the applicable age of consent.
- (b) The trainings shall be tailored to the unique needs and attributes of the juvenile facility youth and to the gender of the youth at the employee's facility.
- (c) All current employees who have not received such training shall be trained within one year of the effective date of the PREA standards, and facility shall provide each employee with a refresher training every two (2) years to ensure that all employees know the facility's current sexual abuse and sexual harassment policies and procedures. In years in which an employee does not receive refresher training, the agency shall provide refresher information on current sexual abuse and sexual harassment policies.
- (d) The facility will document, through employee signature after each training, that employees have understood the training they have received.

Volunteer and Contractor Training - (PREA)

1016.1 POLICY

- (a) The facility will ensure that all volunteers and contract staff who have contact with the youth have been trained on their responsibilities under the facility's sexual abuse and sexual harassment prevention, detection, and response policies and procedures.
- (b) The level and type of training provided to volunteers and contract staff shall be based on the services they provide and the level of contact they have with the youth, but all volunteers and contract staff who have contact with the youth shall be notified of the facility's zero-tolerance policy regarding sexual abuse and sexual harassment and informed of how to report such incidents. This information is included in the volunteer/contract staff orientation and is to be read and signed by all volunteers and contract staff before having contact with the youth.
- (c) The facility shall maintain documentation confirming that volunteers and contract staff understand the training they have received.

Youth Education - (PREA)

1017.1 POLICY

- (a) During the intake process, all youth shall receive an orientation explaining, in an age appropriate fashion, the facility's zero-tolerance policy regarding sexual abuse, sexual assault and sexual harassment and how to report incidents or suspicions of sexual abuse, sexual assault or sexual harassment.
- (b) Within 2 days of intake, the youth's primary counselor will meet with them in person to provide additional comprehensive age-appropriate education regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding facility policies and procedures for responding to such incidents. Additionally, the primary counselor providing this education will ensure that materials and formats are used to accommodate youth who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to the youth who have limited reading skills.
- (c) The primary counselor will document that this education meeting has occurred by having the youth sign the PREA Youth Education Form and placing this document in the youth's file.
- (d) In addition to providing such education, the primary counselor will ensure that key information is continuously and readily available or visible to the youth by both reminding the youth of the information discussed also being contained in their orientation booklet and pointing out the posters hanging in the living unit.

Specialized Training Investigations - (PREA)

1018.1 POLICY

- (a) In addition to the general training provided to all employees pursuant to PREA standards #115.331, the Probation Department will ensure that, to the extent the agency itself conducts sexual abuse investigations, the investigators have received training in conducting such investigation in a confinement setting.
- (b) Specialized training shall include techniques for interviewing juvenile sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement setting, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.
- (c) The Probation Department shall maintain documentation that the designated investigator(s) have completed the required specialized training in conducting sexual abuse investigations.

Specialized Training: Medical and Mental Health Care - (PREA)

1019.1 POLICY

- (a) The facility shall ensure that all full and part-time medical and mental health care practitioners who work regularly in the Trinity County Juvenile Detention Facility have been trained in the following:
 - 1. How to detect and assess signs of sexual abuse and sexual harassment;
 - 2. How to preserve physical evidence of sexual abuse;
 - 3. How to respond effectively and professionally to juvenile victims of sexual abuse and sexual harassment; and
 - 4. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.
- (b) Should our medical staff conduct forensic examinations, they shall receive the appropriate training to conduct such examinations.
- (c) The facility will maintain documentation that medical and mental health practitioners have received the training referenced in the federal PREA standards or elsewhere.
- (d) Medical and mental health practitioners shall also receive the training mandated for employees under PREA policy #115.331 or for contract staff and volunteers under PREA policy #115.332, depending upon the practitioner's status at the facility.

Screening for Risk of Sexual Abuse - (PREA)

1020.1 POLICY (TITLE 15 CCR, SECTION 1350.5)

- (a) Within 72 hours of the youth's arrival at the facility and periodically throughout a youth's confinement, the facility shall obtain and use information about each youth's personal history and behavior to reduce the risk of sexual abuse by or upon another youth.
- (b) Assessments shall be conducted using the Medical Intake/PREA Screen/Sexual Abuse Risk Screen Form. Any "Yes" response to a red box question on this form requires follow-up by the lead officer or supervisor.
- (c) At a minimum, the facility shall attempt to ascertain information about:
 - 1. Prior sexual victimization or abusiveness;
 - 2. Any gender nonconforming appearance or manner or identification as lesbian, gay, bisexual, transgender, or intersex, and whether the youth may therefore be vulnerable to sexual abuse;
 - 3. Current charges and offense history;
 - 4. Age;
 - 5. Level of emotional and cognitive development;
 - 6. Physical size and stature;
 - 7. Mental illness or mental disabilities;
 - 8. Intellectual or developmental disabilities;
 - 9. Physical disabilities;
 - 10. The youth's own perception of vulnerability; and
 - 11. Any other specific information about individual youth that may indicate heightened needs for supervision, additional safety precautions, or separation from certain other youth.
- (d) Other information used in screening shall be obtained through conversation with the youth during the intake process and medical and mental health screenings; during classification assessments; and by reviewing court records, case files, facility behavioral records, and other relevant documentation from the youth's files.
- (e) All information and documentation obtained from the youth regarding risk of sexual victimization or abuse shall be passed along to the shift lead officer for classification, coding, and dissemination to appropriate persons. Absent exigent circumstances, this information is not to be disseminated other than by a lead officer or facility superintendent.

Placement of Youth in Housing, Bed, Program, Education and Work Assignments - (PREA)

1021.1 POLICY

- (a) The facility shall use all information obtained pursuant to Policy 12-5A (PREA policy #115.341) in making housing, bed, program, education, and work assignments for the youth with the goal of keeping all the youth safe and free from sexual abuse.
- (b) The youth may be isolated from others only as a last resort when less restrictive measures are inadequate to keep them and other youth safe, and then only until an alternative means of keeping all youth safe can be arranged.
- (c) During any period of isolation, the facility shall not deny the youth daily large muscle exercise and any legally required educational programming or special education services. Youth in isolation shall receive daily visits from a medical or mental health care clinician. Youth shall also have access to other programs and work opportunities to the extent possible.
- (d) Lesbian, gay, bisexual, transgender, or intersex youth shall not be placed in particular housing, bed, or other assignments solely on the basis of such identification or status, nor shall the facility consider lesbian, gay, bisexual, transgender, or intersex identification or status as an indicator of likelihood of being sexually abusive.
- (e) When deciding where to assign a transgender or intersex youth to a facility for a male or female, and in making other housing and programming assignments, the facility shall consider on a case-by-case basis whether a placement would ensure the youth's health and safety, and whether the placement would present management or security problems.
- (f) Placement and programming assignments for each transgender or intersex youth shall be reassessed at least twice each year to review any threats to safety experienced by the youth.
- (g) A transgender or intersex youth's own views with respect to his or her own safety shall be given serious consideration.
- (h) Transgender and intersex youth shall be given the opportunity to shower separately from the other youth.
- (i) If a youth is isolated pursuant to paragraph (B) of this section, the facility shall clearly document:
 - 1. The basis for the facility's concern for the youth's safety; and
 - 2. The reason why no alternative means of separation can be arranged.
- (j) Every 30 days, the facility shall afford each youth described in paragraph (H) of this section a review to determine whether there is a continuing need for separation from the general population.

Youth Reporting - (PREA)

1022.1 POLICY

- (a) Multiple internal ways for youth to privately report sexual abuse and sexual harassment, in order to minimize or eliminate retaliation by other youth or staff for reporting sexual abuse and sexual harassment, will be utilized. These reporting methods will also allow for the ability for a youth to report abuse or harassment to a public or private entity or office that is not part of the agency and that is able to receive and immediately forward youth reports of sexual abuse and sexual harassment to agency officials, allowing the youth to remain anonymous upon request. The methods used to accomplish this standard include the following:
 - 1. Assignment of a Primary Counselor to every youth,
 - 2. Grievance lockbox located on the dayroom floor,
 - 3. The ability to talk privately to non-juvenile hall counseling staff,
 - 4. Private phone conversations with non-juvenile hall staff,
- (b) Youth detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security.
- (c) Staff shall accept reports made verbally, in writing, anonymously, and from third parties and will promptly document any verbal reports.
- (d) The juvenile detention facility shall provide the youth with access to the tools necessary to make a written report. This could include help with writing the report.
- (e) Juvenile Hall staff shall comply with California Penal Code, Article 2.5, Sections 11164 – 11174.3, in terms of the reporting of suspected child sexual abuse. Additionally, staff should immediately report any suspected sexual abuse or harassment of a youth by a staff member, vendor, contractor, or volunteer to their supervisor and/or manager unless they have reason to believe that in doing so would place the youth at further risk.

Exhaustion of Administrative Remedies - (PREA)

1023.1 POLICY

- (a) The department shall not impose a time limit on when a youth may submit a grievance regarding an allegation of sexual abuse or sexual harassment. The department may apply otherwise-applicable time limits on any portion of a grievance that does not allege an incident of sexual abuse or sexual harassment.
- (b) The department shall not require a youth to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse or sexual harassment.
- (c) No part in this section shall restrict the department's ability to defend against a lawsuit filed by a youth on the grounds that the applicable statute of limitations has expired.
- (d) The department shall ensure that:
 - 1. A youth who alleges sexual abuse or sexual harassment may submit a grievance without submitting it to a staff member who is the subject of the complaint, and
 - 2. Such grievance is not referred to a staff member who is the subject of the complaint.
- (e) The department shall issue a final department decision on the merits of any portion of a grievance alleging sexual abuse or sexual harassment within 90 days of the initial filing of the grievance. Computation of the 90-day time period shall not include time consumed by the youth in preparing any administrative appeal.
- (f) The department may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The department shall notify the youth in writing of any such extension and provide a date by which a decision will be made.
- (g) Any level of the administrative process, including the final level, if the youth does not receive a response within the time allotted for reply, including any properly noticed extension; the youth may consider the absence of a response to be a denial at this level.
- (h) Third parties, including fellow youth, staff members, family members, attorneys, and outside advocates, shall be permitted to assist the youth in filing requests for administrative remedies relating to allegations of sexual abuse or sexual harassment, and shall also be permitted to file such requests on behalf of the youth.
- (i) If a third party, other than a parent or legal guardian, files such a request on behalf of a youth, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process. If the youth declines to have the request processed on his or her behalf, the department shall document the youth's decision.
- (j) A parent or legal guardian of a juvenile shall be allowed to file a grievance regarding allegations of sexual abuse or sexual harassment, including appeals, on behalf of the

Trinity County Probation Department

New Probation Manual

New Probation Manual

Exhaustion of Administrative Remedies - (PREA)

youth. Such a grievance shall not be conditioned upon the juvenile agreeing to have the request filed on his or her behalf.

- (k) In the event that a grievance is received through any reporting method and indicates an allegation that a youth is subject to a substantial risk of imminent sexual abuse, notifications of the grievance shall be made to both the lead officer(s) on shift as well as the facility superintendent.
- (l) After receiving an emergency grievance alleging a youth is subject to a substantial risk of imminent sexual abuse, staff shall provide an initial response within 48 hours, and shall issue a final agency decision regarding the grievance within five (5) calendar days. The initial response and final department decision shall document the department's determination whether the youth is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.
- (m) The department may discipline a youth for filing a grievance related to alleged sexual abuse only where the department demonstrated the youth had filed the grievance in bad faith.

Youth Access to Outside Support Services and Legal Representation - (PREA)

1024.1 POLICY

- (a) The Juvenile Hall shall provide youth with access to outside victim advocates for emotional support services related to sexual abuse, by providing, posting, or otherwise making accessible mailing addresses and telephone numbers, including toll free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations, and for persons detained solely for civil immigration purposes, immigrant services agencies. The facility shall enable reasonable communication between the youth and these organizations and agencies, in as confidential a manner as possible.
- (b) The facility shall inform youth, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.
- (c) The department shall maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide the youth with confidential emotional support services related to sexual abuse. The department shall maintain copies of agreements or documentation showing attempts to enter into such agreements.
- (d) The facility shall also provide the youth with reasonable and confidential access to their attorneys or other legal representation and reasonable access to parents or legal guardians.

Third-Party Reporting - (PREA)

1025.1 POLICY

- (a) Third-party reports of sexual abuse and sexual harassment received by the department will be documented and processed on behalf of the youth named in the report as a grievance, and will follow normal grievance procedures.
- (b) Third-party reports will be deemed to have been submitted on behalf of the child on the date and time received by the department.
- (c) Third-party reports containing information which might constitute a crime will be immediately investigated and/or referred to the Sheriff's Department for investigation.
- (d) The department shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of a youth.

Staff and Department Reporting Duties - (PREA)

1026.1 POLICY

- (a) The department shall require all staff to report immediately and according to department policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the Trinity County Probation Department/Detention Facility; retaliation against a youth or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.
- (b) The department requires all staff to comply with any applicable mandatory child abuse reporting laws.
- (c) Apart from reporting to designated supervisors or officials and designated State or local service agencies, staff shall be prohibited from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions.
- (d) Medical and mental health practitioners shall be required to report sexual abuse to designated supervisors and officials pursuant to paragraph A) in this section, as well as to the designated State or local services agency where required by mandatory reporting laws. Such practitioners will be required to inform the youth at the initiation of services of their duty to report and the limitations of confidentiality.
- (e) Upon receiving any allegation of sexual abuse of a youth by a staff, contractor, vendor, or volunteer, the Superintendent or his/her designee shall promptly report the allegations to the Trinity County Sheriff's Department and to the alleged victim's parents or legal guardians, unless the facility has official documentation showing the parents or legal guardians should not be notified.
- (f) Upon receiving any allegation of sexual abuse of a youth by another youth, the Superintendent or his/her designee shall promptly report the allegations to the alleged victim's parents or legal guardians, unless the facility has official documentation showing the parents or legal guardians should not be notified.
- (g) If the alleged victim is under the guardianship of the child welfare system, the report shall be made to the alleged victim's caseworker instead of the parents or legal guardians.
- (h) If a juvenile court retains jurisdiction of the alleged victim, the Superintendent or his/her designee shall also report the allegation to the juvenile's attorney or other legal representative of record within 14 days of receiving the allegation.

Department Protection Duties - (PREA)

1027.1 POLICY

When the department learns that a youth is subject to substantial risk of imminent sexual abuse, immediate action will be undertaken to protect the youth including but not limited to housing changes, transfers to another facility of the victim or abuser, and removal of alleged staff or resident abusers from further contact with victims.

Reporting to Other Confinement Facilities - (PREA)

1028.1 POLICY

- (a) Upon receiving an allegation that a youth was sexually abused while confined at another facility; the juvenile hall superintendent shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred and shall also notify the Trinity County Sheriff's Department for investigation.
- (b) Such notification will be provided as soon as possible, but no later than 72 hours after receiving the allegation.
- (c) The department will then document that notification has been provided.
- (d) The facility head or agency office that receives such notification shall ensure that the allegation is investigated in accordance with PREA standards.

Staff First Responder Duties - (PREA)

1029.1 POLICY

- (a) Upon learning of an allegation that a youth was sexually abused, the first staff member to respond to the allegation shall be required to:
 - 1. Separate the alleged victim and abuser;
 - 2. Preserve and protect any crime scene until the appropriate steps can be taken to collect any evidence;
 - 3. If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and
 - 4. If the abuse occurred within a time period that still allows for collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.
- (b) If the first responder is not a juvenile hall/security staff member, the responder will be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.

Coordinated Response - (PREA)

1030.1 POLICY

- (a) In the event that a report of sexual misconduct is received by staff, an investigation will immediately commence, and will follow the format contained in the PREA Institutional Abuse form.
- (b) Completion of the PREA Institutional Abuse form will be the responsibility of the superintendent or his/her designee.
- (c) All documentation captured on the PREA Institutional Abuse form will be disseminated to the Trinity County Sheriff's Department's designated investigator in the event of a criminal investigation of the matter.

Preservation of Ability to Protect Youth from Contact with Abusers - (PREA)

1031.1 POLICY

- (a) Neither the department nor any other government entity responsible for collective bargaining on the department's behalf shall enter into or renew any collective bargaining agreement or other agreement that limits the department's ability to remove alleged staff sexual abusers from contact with the youth pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.
- (b) Nothing in PREA standards shall restrict the entering into or renewal of agreements that govern:
 - 1. The conduct of the disciplinary process, as long as such agreements are not inconsistent with the policies of 115.372 and 115.376; or
 - 2. Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated.

Department Protection Against Retaliation - (PREA)

1032.1 POLICY

- (a) The department shall take all steps reasonably necessary to protect all youth and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other youth or staff and shall designate which staff members or departments are charged with monitoring retaliation.
- (b) The department shall employ multiple protection measures, such as housing changes or transfers for youth victims or abusers, removal of alleged staff or youth abusers from contact with victims, and emotional support services for youth or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.
- (c) For at least 90 days following a report of sexual abuse, the department shall monitor the conduct or treatment of the youth or staff who reported the sexual abuse and of the youth who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by youth or staff, and shall act promptly to remedy any such retaliation. Items the department should monitor include any youth disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The department shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.
- (d) In the case of youth, such monitoring shall also include periodic status checks.
- (e) If any other individual who cooperates with an investigation expresses a fear of retaliation, the department shall take appropriate measures to protect that individual against retaliation.
- (f) The department's obligation to monitor shall terminate if the department determines that the allegation is unfounded.

Post-Allegation Protective Custody - (PREA)

1033.1 POLICY

Any use of segregated housing to protect a youth who is alleged to have suffered sexual abuse shall be subject to the requirements of Policy #12-5B (PREA Standard 115.342).

Criminal and Administrative Agency Investigations - (PREA)

1034.1 POLICY

- (a) When the department conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.
- (b) Where sexual abuse is alleged, the department shall contact the Trinity County Sheriff's Department and request an investigator who has received special training in sexual abuse investigations involving juvenile victims pursuant to section 115.334.
- (c) The investigator(s) shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator.
- (d) The department shall not terminate an investigation solely because the source of the allegation recants the allegation.
- (e) When the quality of evidence appears to support criminal prosecution, the department shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- (f) The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as a youth or staff. The department shall not require a youth who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.
- (g) Administrative investigations:
 - 1. Will include an effort to determine whether staff actions or failures to act contributed to the abuse; and
 - 2. Will be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.
- (h) Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.
- (i) Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.
- (j) The department shall retain all written reports referenced in paragraphs (G) and (H) of this section for as long as the alleged abuser is incarcerated or employed by the agency, plus five years, unless the abuse was committed by a juvenile resident and applicable law requires a shorter period of retention.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Criminal and Administrative Agency Investigations - (PREA)

- (k) The departure of the alleged abuser or victim from the employment or control of the facility or department shall not provide a basis for terminating an investigation.
- (l) Any State entity or Department of Justice component that conducts such investigation shall do so pursuant to the above requirements.
- (m) When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.

Evidentiary Standard for Administrative Investigations - (PREA)

1035.1 POLICY

The Trinity County Probation Department/Juvenile Detention Facility will not use any standard requiring more than the greater weight of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

Reporting to Youth - (PREA)

1036.1 POLICY

- (a) Following an investigation into a youth's allegation of sexual abuse suffered in the juvenile hall, the superintendent or his/her designee shall inform the youth as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.
- (b) If the facility did not conduct the investigation, the superintendent or his/her designee shall request the relevant information from the investigative agency in order to inform the youth.
- (c) Following a youth's allegation that a staff member has committed sexual abuse against them, the superintendent or his/her designee shall subsequently inform the youth (unless the department has determined that the allegation is unfounded) whenever:
 - 1. The staff member is no longer posted within the youth's housing unit;
 - 2. The staff member is no longer employed at the facility;
 - 3. The department learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
 - 4. The department learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
- (d) Following a youth's allegation that he or she has been sexually abused by another youth, the superintendent or his/her designee shall subsequently inform the alleged victim whenever:
 - 1. The department learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
 - 2. The department learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.
- (e) All such notifications or attempted notifications shall be documented.
- (f) The department's obligation to report under this standard shall be terminated if the youth is released from the department/facility's custody.

Disciplinary Sanctions for Staff - (PREA)

1037.1 POLICY

- (a) Staff shall be subject to disciplinary sanctions up to and including termination for violating the Trinity County Probation Department's and/or the County of Trinity's sexual abuse or sexual harassment policies.
- (b) Termination shall be the presumptive disciplinary sanction for staff who has engaged in sexual abuse.
- (c) Disciplinary sanctions for violations of department's policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.
- (d) All terminations for violations of department or county sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

Corrective Action for Contractors and Volunteers - (PREA)

1038.1 POLICY

- (a) Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with the youth in the juvenile hall and shall be reported to both the Trinity County Sheriff's Department as well as to relevant licensing bodies, unless the activity was clearly not criminal; and
- (b) The facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with the youth, in the case of any other violation of department sexual abuse or sexual harassment policies by a contractor or volunteer.

Interventions and Disciplinary Sanctions for Youth - (PREA)

1039.1 POLICY

- (a) A youth may be subject to disciplinary sanctions only pursuant to a formal disciplinary process following an administrative finding that the youth engaged in youth-on-youth sexual abuse or following a criminal finding of guilt for youth-on- youth sexual abuse.
- (b) Any disciplinary sanctions shall be commensurate with the nature and circumstances of the abuse committed, the youth's disciplinary history, and the sanctions imposed for comparable offenses by other youth with similar histories. In the event a disciplinary sanction results in the isolation of a youth, the facility shall not deny the youth their daily large-muscle exercise or access to any legally required educational programming or special education services. Youth in isolation shall receive daily visits from a medical or mental health care clinician. Youth shall also have access to other programs and work opportunities to the extent possible.
- (c) The disciplinary process shall consider whether a youth's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.
- (d) If possible, offending youth meeting the above-stated criteria will be offered therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse.
- (e) The facility may discipline a youth for sexual contact with staff only upon a finding that the staff member did not consent to such contact.
- (f) For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.
- (g) The department prohibits all sexual activity between the youth and may discipline the youth for such activities. The department may not deem such activity to constitute sexual abuse if it determines that the activity is not coerced.

Medical and Mental Health Screenings; History of Sexual Abuse - (PREA)

1040.1 POLICY

- (a) If the screening pursuant to POLICY #12-5A (PREA Standard 115.341) indicates that a youth has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the youth is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.
- (b) If the screening pursuant to POLICY #12-5A (PREA Standard 115.341) indicates that a youth has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the youth is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.
- (c) Any prior information, allegations, or disclosures by a youth related to sexual victimization or abusiveness, shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.
- (d) Medical and mental health practitioners shall obtain informed consent from the youth before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the youth is under the age of 18.

Access to Emergency Medical and Mental Health Services - (PREA)

1041.1 POLICY

- (a) Youth victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.
- (b) If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim pursuant to POLICY #12-7B (PREA Standard 115.362) and shall immediately notify the appropriate medical and mental health practitioners.
- (c) Youth victims of sexual abuse while incarcerated shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.
- (d) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers - (PREA)

1042.1 POLICY

- (a) The Trinity County Juvenile Hall offers medical and mental health evaluation as necessary and appropriate, and treatment to all youth who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.
- (b) The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.
- (c) All services provided to such victims will be consistent with the existing community level of care.
- (d) Youth victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.
- (e) If pregnancy results from conduct related to institutional sexual abuse, the victim shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.
- (f) Youth victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.
- (g) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
- (h) The facility shall attempt to conduct a mental health evaluation of all known youth-on-youth abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

Sexual Abuse Incident Reviews - (PREA)

1043.1 POLICY

- (a) The superintendent of the juvenile hall or his/her designee shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded.
- (b) Such review will ordinarily occur within 30 days of the conclusion of the investigation.
- (c) The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.
- (d) The review team shall:
 - 1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
 - 2. Consider whether the incident or allegation was motivated by race, ethnicity, gender identity (lesbian, gay, bisexual, transgender, or intersex identification, status or perceived status), gang affiliation, or was motivated or otherwise caused by other group dynamics at the facility;
 - 3. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.

Data Collection - (PREA)

1044.1 POLICY

- (a) Trinity County Juvenile Hall shall collect accurate, uniform data for every allegation of sexual abuse using the Institutional Abuse Investigation template which includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.
- (b) The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. This information will be aggregated into incident-based sexual abuse data at least annually, and upon request, provided to the Department of Justice.

Data Review for Corrective Action - (PREA)

1045.1 POLICY

- (a) Trinity County Juvenile Hall shall review data collected and aggregated pursuant to POLICY STATEMENT NO. 12-11C (§115.387) in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including:
 - 1. Identifying problems areas;
 - 2. Taking corrective action on an ongoing basis; and
 - 3. Preparing an annual report of its findings and corrective actions.
- (b) The report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.
- (c) The agency's report shall be approved by the Chief Probation Officer and made posted on the county web site for availability to the public.
- (d) Specific material from the reports may be redacted when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

Data Storage, Publication, and Destruction - (PREA)

1046.1 POLICY

- (a) Trinity County Juvenile Hall shall ensure that data collected pursuant to POLICY STATEMENT NO. 12-11C (§115.387) are securely retained.
- (b) Before making aggregated sexual abuse data publicly available, the facility shall remove all personal identifiers.
- (c) Data collected pursuant to POLICY STATEMENT NO. 12-11B (§115.387) shall be maintained for at least ten (10) years after the date of its initial collection unless Federal, State, or local law requires otherwise.

Audits of Standards - (PREA)

1047.1 POLICY

The agency shall conduct audits pursuant to §§ 115.401–405.

Frequency and Scope of Audits - (PREA)

1048.1 POLICY

- (a) During the three-year period starting on August 20, 2013, and during each three-year period thereafter, the Trinity County Juvenile Hall, at its expense and burden, shall ensure that it is audited at least once by a person certified to do such under § 115.402.
- (b) The auditor shall have access to, and be allowed to observe, all areas of the facility. Additionally, the auditor shall be permitted to request and receive copies of any relevant documents (including electronically stored information).
- (c) The auditor shall have access to, and be allowed to interview, a representative sample of residents, staff, supervisors, and administrators.
- (d) The auditor shall be allowed to review a sampling of any available videotapes and other electronically available data that may be relevant to the provisions being audited.
- (e) The auditor shall be permitted to conduct private interviews with residents.
- (f) Residents shall be permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel.

Audit Corrective Action Plan - (PREA)

1049.1 POLICY

If, during audit, the Trinity County Juvenile Hall is deemed to be out of compliance with regards to any federal standards, the facility will make necessary changes to policy and practice within 180 days of said finding, unless otherwise appealed pursuant to §115.405.

Ambulance Transport - Emergency Procedures

1050.1 PURPOSE

Guidance to staff on the use and the request for ambulance transport.

1050.2 POLICY

The decision to transport a minor to Trinity Community Hospital by ambulance rests with the Senior Corrections Counselor.

1050.3 PROCEDURE

- (a) When emergency ambulance transportation for life threatening situations is necessary the Senior Corrections Counselor will call 9-911 and give the following information:
 - (a) Corrections Counselor's name.
 - (b) The hall's location.
 - (c) Type of emergency.
 - (d) Request the ambulance.
- (b) All notification and security procedures listed above in URGENT CARE TRANSPORT Policy Manual (Health Services) must be followed.
 - (a) The Senior Corrections Counselor will direct staff in lending assistance until the ambulance arrives.
 - (b) The Senior Corrections Counselor will arrange for a Corrections Counselor to accompany the minor to the hospital and see that the Corrections Counselor has the necessary admission papers and, if necessary, explain the admission process to the Corrections Counselor.
 - (c) The Corrections Counselor accompanying the minor will remain with the minor until the minor is either returned to the Juvenile Hall, or another Corrections Counselor relieves them at the hospital.
 - (d) The use of handcuffs or other restraints during transportation shall be determined by the Senior Corrections Counselor, with input from the ambulance attendants. Unless the minor is a danger to himself or others.

Bomb Threat - Emergency Procedures

1051.1 PURPOSE

To establish guidelines for handling a bomb threat in order to provide protection for minors in custody, staff, public, and property (Title 15 CCR, Article 3, Section 1324 (h)).

1051.2 POLICY

- (a) When a bomb threat call is received from any source during business hours, notify the Chief Probation Officer immediately. If unavailable, notify the Assistant Chief Probation Officer.
- (b) If available, the Chief Probation Officer or his designee, along with the Trinity County Sheriff's Dept. will decide jointly regarding further action and notification. If the Chief Probation Officer is not available, his designee will:
 - (a) Direct and coordinate the following procedures as it is deemed necessary depending upon the individual situation:
 - (a) Notify all staff in the building, the Chief Probation Officer, Assistant Chief Probation Officer, Juvenile Hall Supervisor and contact the Trinity County Sheriff's Department.
 - (b) When it is deemed necessary to free staff to search the building or perimeter, all minors in the hall are to be put in their rooms locked down.
 - (a) A cursory search of the Minors room's shall be conducted for strange objects before placing minors in their rooms...
 - (b) During sleeping hours, do not awaken and alarm minors unless a real danger is located and evacuation of an area must be initiated.
 - (c) Circumstances of the bomb threat and information received will be a determining factor regarding the discontinuation of visiting should the threat occur during visiting hours. The Senior Corrections Counselor will be responsible for the decision to discontinue visiting. If visiting is to be discontinued, request all visitors to leave the premises.
 - (c) Direct staff to search immediately inside and outside areas. Supervision should not be sacrificed in order to complete this. Assistance may be requested in the outside areas from the Trinity County Sheriff's Department if necessary.
 - (d) Evacuate minors from any area where an unidentified object is located. A bomb may be any shape, size, or form and may be concealed in any type of container (i.e. paper bag, cardboard box, briefcase, can, etc.). The staff is not to touch or in any way disturb any object thought to be a bomb. In this event, the Trinity County Sheriff's Department is to be notified.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Bomb Threat - Emergency Procedures

- (e) Direct assistance to specific areas as needed. Authorize the retention of off-going staff for emergencies when necessary for security and safety purposes.
 - (f) Do not relate to the minors, parents, or public the nature of the problem. Ask the public, parents, etc. to vacate the buildings and grounds immediately; explaining only that an emergency has arisen.
 - (g) Assure that the person receiving the bomb threat message submits a Special Incident Report and personally speaks with the highest staff member in charge and that addendum or shift summaries include all follow-up action.
- (b) The above is presented as a guideline. Each individual situation will require the Senior Corrections Counselor coordinate the effort to make decisions appropriate to the circumstances.
- (c) Penal Code 148.1 states in part "(b) any person who maliciously informs any other person that a bomb or other explosive has been or will be placed or secreted in any public or private place, knowing that such information is false, is guilty of a crime punishable by imprisonment in state prison, or imprisonment in County jail not to exceed one year." All bomb threats are to be reported to the Trinity County Sheriff's Department.

Earthquake - Emergency Procedures

1052.1 PURPOSE

To outline procedure to follow in case of an earthquake (Title 15 CCR, Article 3, Section 1324 (h)).

1052.2 POLICY

- (a) Remain calm - do not run or panic.
- (b) Remain where you are - indoors or outdoors.
- (c) If indoors, stay indoors, take cover under something and stay away from glass.
- (d) If outdoors, get away from buildings.
- (e) Do not run through or outside buildings.
- (f) Turn on the radio and/or TV for information/disaster instructions.
- (g) The Senior Corrections Counselor will be responsible for coordinating efforts to resolve any problems associated with the damage of an earthquake, such as injuries, damage, broken gas lines, removing people from unsafe areas, notifying the Chief Probation Officer and the Assistant Chief Probation Officer, and other proper authorities as needed.

Emergency Services - Emergency Procedures

1053.1 PURPOSE

To establish procedures that the staff is to utilize in cases where emergency services are required.

1053.2 POLICY

Emergency medical, dental and psychiatric care is available for minors on a 24-hour per day, 7-day per week basis. The need for emergency care will be based on the judgment of the medical personnel (when available) or by the Senior Corrections Counselor.

1053.3 DEFINITIONS

- (a) Emergency medical care is for an acute illness or an unexpected health need that cannot be deferred until the next scheduled sick call.
- (b) An emergency exists when there is a sudden change in a minor's condition, so that action is immediately necessary for the preservation of the life or the prevention of serious bodily harm to the minor or to others. Examples of an emergency include but are not limited to:
 - 1. The minor is unable to hold conversation.
 - 2. The minor is unable to care for self.
 - 3. The minor is unable to be aroused.
 - 4. The minor has convulsions.

1053.4 PROCEDURE

- (a) Minors needing emergency care shall be transported by ambulance or custody car to the emergency room at Trinity Community Hospital. The Senior Corrections Counselor will evaluate the severity of the emergency and determine the need and method to transport to the ER. A Corrections Counselor will always accompany the minor no matter the mode of transportation.
- (b) The hall staff will provide first-aid/CPR while awaiting transportation.
 - 1. For non-life threatening situation, may transport via custody car.
 - 2. For life threatening situation, an ambulance must be called.

Escape Procedures - Emergency Procedures

1054.1 PURPOSE

To establish guidelines for managing juvenile plots, attempts or escapes from custody (Title 15 CCR, Article 3, Section 1324 (h)).

1054.2 POLICY

- (a) Emergency conditions may require immediate control measures when a minor(s) plots an escape, attempts an escape, or escapes. Emergency control measures are to be implemented immediately to ensure control of the Juvenile Hall and its population.
- (b) In the event of an escape plot, attempted escape or an escape, the Corrections Counselor will notify their co-workers and the Senior Corrections Counselor immediately. While maintaining supervision of the other minors, the Corrections Counselor should give loud verbal instructions for all minors to “line up” or “get on the ground”. Upon his arrival, the Senior Corrections Counselor shall assume responsibility and give instructions to other Corrections Counselors.
- (c) All rights and privileges of the minors are suspended until the situation is under control. The Chief Probation Officer and the Assistant Chief Probation Officer will be notified as soon as practical.
- (d) Minors involved in plotting or attempting escape will be reclassified as a **maximum security risk (MSR)**.
- (e) A Special Incident Report will be submitted as soon as practical, but before leaving the shift, explaining the incident to the oncoming personal.

1054.3 PROCEDURE

- (a) Minor(s) discussing an escape with other minors:
 - (a) The minor(s) will immediately be segregated from one another. If possible, they should be placed in separate rooms.
 - (b) A log entry will be made in **RED** ink.
- (b) Minor(s) attempts an escape but fails:
 - (a) If deemed necessary, use of force is authorized to prevent an escape or injury to staff and minors.
 - (b) The minor(s) will be placed, individually, in separate rooms, if possible or as a minimum separated from conspirator(s).
 - (c) A log entry will be made in **RED**ink with a brief explanation.
- (c) Minor(s) escapes:
 - (a) **Staff will not endanger their lives in pursuing an escapee outside the fenced area of Juvenile Hall but will ensure the safety and control of the minors still in custody.**

Trinity County Probation Department

New Probation Manual

New Probation Manual

Escape Procedures - Emergency Procedures

- (b) The Trinity County Sheriff's Department will be notified immediately of the escape and given the following information on the minor(s):
 - (a) Full name, sex, race, physical description and clothing.
 - (b) Minor's home address.
 - (c) Last seen direction traveling and mode of travel.
- (c) A log entry will be made in **REDink**.

Evacuation - Emergency Procedures

1055.1 PURPOSE

To establish policies and procedures to ensure that life safety needs are met in the event of a situation that requires emergency evacuation (Title 15 CCR, Article 3, Section 1324 (h)).

1055.2 POLICY

- (a) Staff must be able to implement an emergency evacuation plan at any time. Because of the potential for panic and the possibility for continued or increased danger, staff must be able to implement evacuation procedures in a calm, controlled, and well-planned manner.
- (b) IN ANY EVACUATION EMERGENCY, YOUR PRIMARY CONCERN IS THE SAVING AND PRESERVATION OF HUMAN LIFE. Security and other concerns are secondary to this.
- (c) It is vital that you know the whereabouts of all minors in your care at all times. If evacuation is necessary, you must be able to account for the minors you are responsible for.
- (d) There are two types of evacuation situations. The first is area relocation; this involves moving the minors to another location within the building. This occurs in an emergency that only affects a part of the institution. The second involves evacuation that involves moving the minors out of and away from the building. This occurs as a result of widespread damage that has or is likely to occur.
- (e) Any time the Juvenile Hall must be evacuated, the Chief Probation Officer and Assistant Chief Probation Officer are to be notified as soon as possible, and when safe to do so. As soon as practical after the incident, the staff is to submit a Special Incident Report.

1055.3 PROCEDURE

- (a) General
 1. Give directions calmly and clearly. Remember that everyone involved will be frightened, and you will have to take charge.
 2. Use the evacuation plan posted in the Control Room.
- (b) Area Relocation:
 - (a) Direct minors to proceed to the designated location in an adjacent area of the hall (depending on the nature and location of the emergency).
 - (b) If the danger is still threatening, move the minors further away. Try to stay within the building if safe to do so.
 - (c) Once away from danger, take roll and report any minors missing to the Senior Corrections Counselor.
 - (d) If it is not possible to safely remain in the building follow the evacuation procedures below.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Evacuation - Emergency Procedures

- (c) Evacuation:
 - (a) The Senior Corrections Counselor is responsible for ordering and directing evacuation procedures.
 - (b) Minors should be taken out of the building into the fenced field. Once safely away from the building, seat the minors in a group. (Note: any exit may be used if necessary to protect life).
 - (c) Once out of danger, take roll and ascertain if anyone is missing. Notify the Senior Corrections Counselor immediately of anyone not accounted for.
 - (d) It is the responsibility of the Senior Corrections Counselor to notify emergency personnel of anyone missing. In the event emergency personnel are unavailable, the Senior Corrections Counselor will decide what action is to be taken and whether to return or allow return to the building to locate missing people.
 - (e) No one is to return to the building without being first cleared to do so by the Senior Corrections Counselor. The Senior Corrections Counselor is responsible for coordinating and communicating evacuation measures with appropriate emergency service personnel. The Senior Corrections Counselor will consult with emergency services personnel, and will authorize return to the building only if it is safe to do so. If return to the building is not possible for a long period of time, or if the minors must be moved to another area, the Senior Corrections Counselor will contact departmental administrative staff for assistance in relocating minors. Such assistance may include relocation to other juvenile facilities (Siskiyou, Shasta, Tehama, etc.), and other alternatives including temporary release of minors that are not extreme dangers to the community.
 - (f) Any time the hall is evacuated, all outside doors along the evacuation route are to be propped open to prevent anyone being trapped inside. All inside room doors should be left unlocked for the same reason. This may be accomplished by using the electric locks.
 - (g) Staff should take the hand-held radio, the portable phone, Juvenile Hall roster and bag with keys and cuffs (with them if safety allows).

Fire - Emergency Procedures

1056.1 PURPOSE

To outline methods of notification and procedures for safe handling situations in case of fire.

1056.2 POLICY (TITLE 15, SECTION 1325)

- (a) In the case of a fire actually occurring in the building, the person first noticing it will be expected to activate the Fire Alarm by pulling the handle. **All staff must be aware of where the Fire Alarm Pull Stations are in Juvenile Hall (Control Room, Lobby, and Booking Room). Also, you must know where the fire extinguishers (Control Room, Day Room, Kitchen, Laundry Room, and Classroom) are located and the proper operation of an extinguisher.**
- (b) The Chief Probation Officer and Assistant Chief Probation Officer are to be notified as soon as possible of any fire in the hall.

1056.3 PROCEDURE

- (a) (a) Call 911 for fire rescue and Sheriff's assistance.
- (b) If a fire exists, pull Fire Alarm and evacuate the area or the institution per the Evacuation Policy (see evacuation plan). DO NOT attempt to put the fire out. In the event of a very small fire, staff may use an extinguisher once all the minors are safe and secure and in an appropriate area. In all other instances, staff are never to attempt to put out a fire.
- (c) Even though the area of the fire involvement may be relatively small, staff will stage the minors in an appropriate area for evacuating the building. The primary staging area is at the rear of the dayroom floor by the exit into the outdoor (east-side) recreation yard. A secondary staging area is in the rear of the classroom by the door leading to the west-side outdoor recreation yard. All should be in readiness to evacuate in the event that it becomes necessary.
- (b) Remember when evacuating to check each area and to leave room doors open.
- (c) When evacuating the area, Juvenile Hall Roster clipboard, logbook, brown bag from the top drawer under the safe (containing building and vehicle keys, electrical box keys), shackles, and the hand-held radio with you.
- (d) As soon as you are certain that all minors are safe, one staff member should meet the fire truck in order to provide additional information. The Senior Corrections Counselor will designate this person.
- (e) Remember that there will be a potential for panic. You must remain calm and take charge. Give specific, easy-to-follow instructions.
- (f) Should it become necessary to house the minors in a different facility, the Lead Corrections Counselor will delegate a staff member to call the nearest facility with available beds (Shasta, Tehama, and Del Norte juvenile hall)

Trinity County Probation Department

New Probation Manual

New Probation Manual

Fire - Emergency Procedures

- (g) Quarterly in-service and/or trainings will be provided to staff to ensure proper knowledge of the proper use of a fire extinguisher, entrance and exits to the building, water valves, and electrical shut off switches.

1056.3.1 VANDALIZED SPRINKLER HEAD PROCEDURE

If a minor vandalizes a sprinkler head or it gets broken follow the steps below:

- (a) The staff in the control room is to call the sheriff's Department and have them page out the fire department. Have the sheriff's Department ask the fire department for permission to shut the sprinkler system off. The Chief and Assistant Chief Probation Officers have to be notified as well. If assistance is needed the person in the control room is responsible for calling other staff to come in.
- (b) The staff on the floor needs to make arrangements for the removal of the minor(s) into an area not affected by the broken sprinkle system. Let your partner know what is going on so they can log each incident in the log book. If you have to remove an out of control minor from their room(s) wait for backup to come in.
- (c) If you receive permission from the fire department to shut the water off:
 1. Outside near the propane tanks there is a red pole that is about 3 feet tall. There is a breakable lock on it, to get the lock off all you need is a hammer, screwdriver, a large rock, etc.
 2. When the lock breaks it releases a handle, take the handle and turn it upside down and place the open end over the bolt on top of the pole. To close, turn towards the right until it is tight, the front of the pole will say closed.
 3. If the fire department has come and gone and they did not turn the water back on, use the same lever you used to turn it off to turn it back on. When you turn the water back on you must turn the lever very slow, you will hear the water start to come through. If you turn it on to quickly you will cause the water to come through to fast and cause some of the sprinkler heads to break from the pressure.
 4. The fire department will replace the sprinkler head for you. There are extras located in the counseling room behind the locked screen in a red box. The fire marshal needs to come in and inspect the new fire head replacement. If it has not been replaced fax a work order to General Services. The room cannot be used until it has been repaired.
- (d) The company for our alarm system will need to be called and notified of what happened, might need to repair or reset the fire alarm system.

Flood - Emergency Procedures

1057.1 PURPOSE

To provide guidelines in the event of serious flooding and provide for a general evacuation plan in the event that minors and staff must be evacuated from Juvenile Hall (Title 15 CCR, Article 3, Section 1324 (h)).

1057.2 POLICY

- (a) Because the hall is not in a flood plain, flooding in the hall is unlikely; however, should serious flooding occur staff would need to take immediate action. Staff will have to use good judgement, react calmly, and rely largely on their own resources and abilities to handle the situation.
- (b) Normally, if there is any serious danger of flooding in the area, there will be some forewarning. All staff are to be kept advised.
- (c) If emergency evacuation is necessary or imminent, the Senior Corrections Counselor will contact the Chief Probation Officer or Assistant Chief Probation Officer for assistance and direction. The Chief Probation Officer will determine which minor(s) may be released and minors that may not be released will be transported to other county halls (i.e.; Tehama, Shasta, Humboldt, etc.) if weather permits. If they are unavailable the Senior Corrections Counselor will:
 - (a) If during business hours, contact the Probation Department's Deputy Probation Officers for additional staff and vehicles to help in the event of evacuation. If at times during non- business hours, the Senior Corrections Counselor will make the decision whether to retain off-going staff, contact off-duty staff, and/or off-duty Probation staff to assist as necessary.
 - (b) Direct staff to prepare minors to evacuate the building:
 - (a) Insure minors are dressed.
 - (b) Obtain a supply of blankets, clothing, and jackets as available.
 - (c) Obtain first aid supplies.
 - (d) Assemble minors in the day room and take roll. Insure all minors are accounted for.
 - (e) Inform the minors calmly and clearly that we are preparing to evacuate, how the evacuation will proceed, and why.
 - (f) Keep the minors calm and wait until further direction from the shift lead.
 - (c) Contact the Sheriff's Department to let them know we are preparing to evacuate. DO NOT request assistance unless an emergency besides the evacuation exists (i.e. serious injury). Law enforcement and emergency personnel will be needed elsewhere. Ask for the location of evacuation centers. There should already be locations identified as evacuation centers prior to any critical incident happening.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Flood - Emergency Procedures

- (d) The Senior Corrections Counselor will assign specific staff to be responsible for transporting specific evacuation supplies. In the event that more than one vehicle is necessary, the Senior Corrections Counselor will assign specific minors to specific staff members and vehicles.
- (e) Just prior to evacuating turn off all utilities. Keep the radio tuned to emergency channels for updates and instructions.
- (f) The Senior Corrections Counselor will be responsible for giving the order to evacuate the hall in a calm, orderly manner when necessary. The Senior Corrections Counselor's evacuation instructions will include an evacuation procedure, destination of the transfer and the route to follow.
- (g) Once the order to evacuate is given, staff will:
 - (a) Take roll and account for all minors in their care.
 - (b) Instruct the minors to stay together and to move calmly.
 - (c) Proceed to vehicle(s).
 - (d) Once in vehicles, stay together if at all possible on route to the evacuation destination.
 - (e) Once at the evacuation destination site, assemble all minors and staff and take roll. If anyone is unaccounted for, the staff member will notify the Senior Corrections Counselor immediately. The Senior Corrections Counselor will then notify emergency authorities of anyone missing.
 - (f) Keep everyone together in one place if at all possible. The Senior Corrections Counselor will be responsible for notifying evacuation site authorities of the presence of Juvenile Hall minors and staff at the evacuation site.
- (d) The Senior Corrections Counselor will be responsible for coordination of all emergency efforts, notifying proper people and authorities, etc.

Power Outage - Emergency Procedures

1058.1 PURPOSE

To outline procedures to follow in case of an electrical power outage (Title 15 CCR, Article 3, Section 1324 (h)).

1058.2 POLICY

- (a) The juvenile hall utilizes a back-up generator that provides power to the entire building in the event of a power outage.
- (b) The generator is set to automatically test itself weekly early on Wednesday mornings to ensure proper functioning.
- (c) Diesel fuel for the tank that serves the generator is located next to the unit outside by the vehicle sally port entrance, and is refilled on a regular schedule.
- (d) Any alarms such as low fuel, overfill, leak, etc., should be immediately referred to county general services.

1058.3 PROCEDURE

When the power goes out the generator is set to come on after a 5- 10 second hesitation. If it does not come on, take the following steps:

- (a) During a power outage staff's responsibility is to secure all minors and to line up the minors immediately and escort them to their rooms in an orderly fashion.
- (b) After the minors are secure, immediately notify the Sheriff's Department, stating that our power is out and that we are turning on our radios and setting them for their frequency. If any problems arise, staff will contact them with the radio.
- (c) At the time of the outage the Superintendent and the Chief Probation Officer should be notified.
- (d) The red fire alarm box located on the west wall will need to be opened and the 'silence' button pressed (upper left section of the box).
- (e) If the generator stops functioning, or is not able to adequately heat the building, youth are to be given extra blankets until other arrangements can be made to keep the building warm.

Riots and Civil Disturbance - Emergency Procedures

1059.1 PURPOSE

The purpose of this policy to establish guidelines for obtaining emergency back up in the event of a riot, civil disturbance, or other dangerous or threatening event.

1059.2 POLICY

- (a) Senior Corrections Counselors (or in their absence the most senior staff member on shift) are responsible for making decisions regarding when to call the Sheriff's Department. Absent exigent circumstances, if there is a question regarding individual cases, the Chief Probation Officer or Assistant Chief Probation Officer is to be consulted first.
- (b) The Trinity County Sheriff's Department Dispatch monitors the radio traffic calls from the 2-way radio in the control room.
- (c) **The Sheriff's Department maintains a "No Hostage" policy. The freedom of a minor will not be granted in exchange for a hostage. Negotiations for other exchanges will be conducted by the Sheriff's Department.**

1059.3 PROCEDURES

- (a) When physical backup is needed to regain control of the institution dial 9-911, or transmit on the mobile radio, and request back-up from the Trinity County Sheriff's Department.
 - (a) If possible and permitting, contact the Chief Probation Officer or the Assistant Chief Probation Officer in his absence, and advise them of the situation and intentions of requesting back up. Attempt to call Deputy Probation Officers to assist.
 - (b) Explain the situation as completely and briefly as possible. Remind the operator that weapons are not allowed in the hall. ADF has a door key to Juvenile Hall in the lock box in Center Control.
 - (c) Officers will attempt to contact staff via radio prior to entering the hall to ascertain if a hostage situation exists. Once the situation in the hall is resolved and control is regained, the Sheriff's Department will depart, relinquishing control of the facility back to the Chief Probation Officer.
- (b) To investigate and take a report when a minor is assaulted by staff, contact the Trinity County Sheriff's Department.
- (c) To take into evidence drugs, controlled substances, or presumed weapons found in the institution call the Trinity County Sheriff's Department.
- (d) To investigate and take a report of completed escapes from this institution call the Trinity County Sheriff's Department.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Riots and Civil Disturbance - Emergency Procedures

- (e) To investigate and take a report of injury/non-injury assaults and other physical altercations between minors and minors, and minor and staff.

Suicide/Serious Suicide Attempts - Emergency Procedures

1060.1 PURPOSE

To set forth guidelines for treating and reporting suicides and serious suicide attempts (Title 15 CCR, Article 3, Section 1324 (I)(j)).

Procedure:

- (a) **Immediate Treatment:**
Upon discovering what appears to be a suicide or serious suicide attempt (requiring hospitalization), determine the necessity for immediate aid (CPR, pressure or arterial bleeding, rescue breathing), call for staff assistance and initiate the necessary treatment. Staff not involved in immediate treatment will call the emergency number 9-1-1; explain the emergency and the location. When medical staff arrive (nurse, emergency medical personnel, doctor, etc.) they will assume the responsibility and Center staff will follow their directions.
- (b) **Notification:**
The Lead Probation Assistant will be informed of all available details as soon as possible. The On Call Probation Officer will in turn notify the following people (in absence of the On-Call Probation Officer, the Lead Probation will make the notifications):
 1. Chief Probation Officer
 2. The minor's Probation Officer or his/her Supervisor.
 3. The Coroner IN CASES OF ACTUAL SUICIDE ONLY (Pursuant to Section 10250 and 10251 of the Health and Safety Code) #623-4154
 4. At the discretion of the Chief Probation Officer, the On Call Probation Officer will also notify as follows:
 - (a) The Judge of the Superior Court
 - (b) Risk Management, Trindel.

ALL REQUESTS FOR INFORMATION SURROUNDING THE INCIDENT FROM PERSONS OR AGENCIES OTHER THAN THOSE MENTIONED ABOVE ARE TO BE REFERRED TO THE CHIEF PROBATION OFFICER.

1060.2 DEBRIEFING

ALL EMPLOYEES INVOLVED IN A CRITICAL INCIDENT SHALL BE DEBRIEFED AND OFFERED THE SERVICES OF A PROFESSIONAL COUNSELOR.

Automated External Defibrillator - Emergency Procedures

1061.1 PURPOSE AND SCOPE

An automated External Defibrillator (AED) is used to treat victims who experience sudden cardiac arrest. It must only be applied to victims who are unconscious, without a pulse and not breathing. The AED will analyze the heart rhythm and advise the operator if a shockable rhythm is detected. If a shockable rhythm is detected, the AED will change to the appropriate energy level, and advise the operator to deliver a shock.

1061.2 POLICY

1061.2.1 STANDARD

The AED will be brought to all facility emergencies. The AED may be used on any person who is at least 8 years of age. The AED should only be placed on a person after the following symptoms have been confirmed.

- (a) Victim is unconscious.
- (b) Victim is not breathing.
- (c) Victim has no pulse and/or shows no signs of circulation such as normal breathing, cough or movement.

The AED will have one set of defibrillation electrodes with the device and one spare set of electrodes in the AED side pouch. The AED will be kept and maintained in the Control Room lower cabinets.

1061.2.2 LOCATION

Per manufacturer's recommendation, the AED device should be placed in an area where it is easily accessible, and where the announcement of an emergency will be heard. **THE AED IS LOCATED NEXT TO THE HAND CUFFS AND WAIST CHAINS IN THE LOWER CONTROL ROOM CABINET.**

Medical personnel will inspect the AED monthly.

1061.2.3 SYSTEM VERIFICATION AND REVIEW

The emergency health care protocol is ultimately successful if medical assistance is provided to victims in a timely and safe manner. Since actual use of the emergency health care protocol is expected to be infrequent, other measures of effectiveness are required.

The health care protocol assessment will be done immediately after the AED has been used or quarterly at the Jail / Juvenile Health Meeting. This review will include assessment of the following elements:

- (a) Training records.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Automated External Defibrillator - Emergency Procedures

- (b) Equipment operation and maintenance records.

1061.2.4 AUTHORIZED USERS

Any employee who has successfully completed the American Heart Association Basic Life Support training which includes training with the AED device. This training must be within the last two years. Any trained employee can assist in an emergency, but must only participate to the extent allowed by their training and experience.

1061.2.5 RESPONSIBILITIES

The Jail Health Authority, Chief of Probation, and Hall Superintendent are responsible for reviewing and approving the guidelines for emergency procedures related to the use of the AED and CPR.

1061.2.6 HALL STAFF DEVELOPMENT

The Hall Superintendent is responsible for the following:

- (a) Organizing the AED training for all employees of the Juvenile Hall.
- (b) Monitoring the effectiveness of emergency health care responses.
- (c) Communicating directly with medical staff and through quarterly Jail / Juvenile Health meetings, and post event reviews when the AED has been used.

1061.2.7 EQUIPMENT AND ACCESSORY MAINTENANCE

The AED and accessory maintenance will be done by medical personnel. All equipment and accessories are maintained in a state of readiness and per manufacturer's guidelines.

STAFF MEMBERS are responsible for:

- (a) Activating the appropriate emergency health care response.
- (b) Providing prompt basic life support including the AED and first aid according to training and experience.
- (c) Maintain current CPR and AED training.
- (d) Understanding and complying with the requirements of this procedure.
- (e) Following detailed procedures and guidelines as set by Trinity County Probation, and Juvenile Hall and Youth Camp standards.
- (f) Following the use of emergency response equipment, cleaning and decontaminating all equipment as required. Most emergency equipment is of the disposable type and shall be disposed of accordingly.

1061.2.8 TRAINING

Trinity County Probation and Juvenile Hall employees:

- (a) Must complete the American Heart Association basic life support-AED course and maintain current status.
- (b) Must complete training in universal precautions against blood borne pathogens.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Automated External Defibrillator - Emergency Procedures

- (c) Will refresh AED skills biennially (every other year) with dates to be set by the Hall Superintendent and medical personnel.

1061.2.9 EMERGENCY RESPONSE DOCUMENTATION

- (a) An incident report will be completed anytime the AED is used. This report will be completed prior to the end of shift the incident occurred.
- (b) Event data will be recorded on an approved record document.
- (c) Any and all of the youth's information generated during AED use must be collected and placed in the youth's confidential medical file. At a minimum, event information supplied shall include any recorded data and electronic files captured by the AED.
- (d) An incident debriefing form will be completed for each responder within 72 hours by the Hall Superintendent or designee.

1061.2.10 AUTOMATED EXTERNAL DEFIBRILLATOR PROCEDURE

- (a) Assess scene for safety. Lock down youth if necessary to secure the scene.
- (b) Determine unresponsiveness of the patient.
- (c) Activate 911.
- (d) (A) Open the airway.
- (e) (B) Check for breathing. If not breathing give two breaths.
- (f) (C) Check for a pulse or signs of circulation such as normal breathing, cough or movement.
- (g) If no pulse and or signs of circulation, apply the AED immediately.
- (h) Turn on AED.
- (i) Apply electrodes to victim's chest. Shave chest hair if it is so excessive it prevents good seal between electrodes and skin.
- (j) Stand clear of victim while machine analyzes heart rhythm.
- (k) Follow AED voice prompts.

1061.2.11 TREATMENT ADVISED

- (a) Clear area and make sure no one is touching victim.
- (b) Push treatment button when instructed. Device will analyze and shock up to 3 times.
- (c) After 3 shocks the device will prompt to check pulse (or for breathing and movement), and if absent perform CPR.
- (d) If pulse and/or circulation such as normal breathing and movement are absent, perform CPR for one minute.
- (e) Device will count down one minute of CPR and will analyze when CPR time is over.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Automated External Defibrillator - Emergency Procedures

1061.2.12 NO TREATMENT ADVISED

- (a) Device will prompt to check pulse (or for breathing and movement) and if absent, start CPR.
- (b) If pulse and/or signs of circulation such as breathing and movement are absent, perform CPR for one minute.
- (c) If no pulse and/or signs of circulation such as breathing or movement are present, check for normal breathing.
- (d) If victim is not breathing normally, give rescue breathing. AED will reanalyze after one minute.
- (e) Continue cycles of analysis, shocks (if viable) and CPR until advanced help arrives.
- (f) Promptly advise Hall Superintendent, Probation chief, or probation officer on-call.
- (g) AED data will download within 24 hours (weekdays).
- (h) After use: The AED will be wiped clean according to policy. Electrodes will be replaced and ready with the device.

1061.3 REFERENCES

American Heart Association AED guidelines.

Infection Control procedure for Occupational Exposure to Blood borne Pathogens.

OSHA Health and Safety Compliance Manual for Health Care Facilities, Blood borne Pathogens Policy and Control Plan.

Storage, Issue, and Use of Defensive Weapons

1062.1 PURPOSE

The purpose of this policy to establish guidelines for the allowance, storage, access, and use of various defensive tools possessed or used by law enforcement and juvenile hall staff within the juvenile hall facility.

1062.2 POLICY

- (a) Staff are prohibited from bringing into the facility any unauthorized items whose purpose could be construed as being defensive in nature. Examples would include but is not limited to any type of firearm, electrical device, chemical agent, stick, club, or sharped- edge device or item.
- (b) Staff shall ensure that arresting officers have secured their weapons in one of the locked boxes outside of the facility, or otherwise in their vehicles, prior to entering with a youth.
- (c) Juvenile Hall staff, upon being trained and certified, are authorized to carry department approved and issued food grade pepper spray for the purpose of self-defense and in the defense of others.
- (d) Pepper spray is to remain secured to the duty belt at all times by means of a snug carrier (holster), and officers should only remove their duty belt in a secure area where youth do not have access.
- (e) When not on shift, staff are to leave their duty belt and other gear in the control room for accountability purposes.
- (f) The use of pepper spray by staff shall be in full compliance with Policy 5-11 – Use of Force, and Policy 3-16 – Institutional Control.

Transgender and Intersex Youth

1063.1 PURPOSE

To establish standards for ensuring respectful and equitable treatment of transgender and intersex youth.

1063.2 POLICY (TITLE 15 CCR, SECTION 1352.5)

- (a) Staff shall respect every youth's gender identity, and shall refer to the youth by the youth's preferred name and gender pronoun, regardless of the youth's legal name. Staff may prohibit the use of gang or slang names or names that otherwise compromise facility operations, as determined by the facility manager or designee. Decisions made on this basis shall be documented.
- (b) Staff shall permit youth to dress and present themselves in a manner consistent with their gender identity, and shall provide youth with the institution's clothing and undergarments consistent with their gender identity.
- (c) Staff shall house youth in the unit or room that best meets their individual needs and promotes their safety and well-being. Staff may not automatically house youth according to their external anatomy, and shall document the reason for any decision to house youth in a unit that does not match their gender identity. In making a housing decision, staff shall consider the youth's preferences, as well as any recommendations from the youth's health or behavioral health provider.
- (d) Transgender and intersex youth shall have access to medical and behavioral health providers qualified to provide care and treatment to transgender and intersex youth.
- (e) Staff shall make every effort to ensure the safety and privacy of transgender and intersex youth when the youth are using the bathroom or shower, or dressing or undressing, consistent with the facility's reasonable and necessary security considerations and physical plant.
- (f) Staff shall not conduct physical searches of any youth for the purpose of determining the youth's anatomical sex. Whenever feasible, staff shall respect the youth's preference regarding the gender of the staff member who conducts any search of the youth.

Room Confinement

1064.1 PURPOSE

To establish policies and procedures consistent with Welfare and Institutions Code Section 208.3 addressing the confinement of youth in their room.

1064.2 DEFINITIONS

Room Confinement - Means the placement of a youth in a locked sleeping room or cell with minimal or no contact with persons other than correctional facility staff and attorneys. Room confinement does not include confinement of a youth in a single-person room or cell for brief periods of locked room confinement necessary for required institutional operations. (WIC 208.3)

1064.3 POLICY (TITLE 15 CCR, SECTION 1354.5)

- (a) The placement of a youth in room confinement shall be accomplished in accordance with the following guidelines:
 1. Room confinement shall not be used before other, less restrictive, options have been attempted and exhausted, unless attempting those options poses a threat to the safety or security of any youth or staff.
 2. Room confinement shall not be used for the purpose of punishment, coercion, convenience, or retaliation by staff.
 3. Room confinement shall not be used to the extent that it compromises the mental and physical health of the youth.
- (b) A youth may be held up to four hours in room confinement. After the youth has been held in room confinement for four hours, staff shall do one or more of the following:
 1. Return the youth to general population.
 2. Consult with mental health or medical staff.
 3. Develop an individualized plan that includes the goals and objectives to be met in order to reintegrate the youth to general population.
- (c) If room confinement must be extended beyond four hours, staff shall do each of the following:
 1. Document the reasons for room confinement and the basis for the extension, the date and time the youth was first placed in room confinement, and when he or she is eventually released from room confinement.
 2. Develop an individualized plan that includes the goals and objectives to be met in order to reintegrate the youth to general population.
 3. Obtain documented authorization by the facility superintendent or his or her designee every four hours thereafter.
- (d) This policy is not intended to limit the use of single-person rooms or cells for the housing of youth in juvenile facilities and does not apply to normal sleeping hours.
- (e) This policy does not apply to youth in court holding facilities or adult facilities.

Trinity County Probation Department

New Probation Manual

New Probation Manual

Room Confinement

- (f) Nothing in this policy shall be construed to conflict with any policy or law providing greater or additional protections to youth.
- (g) This policy does not apply during an extraordinary emergency circumstance that requires a significant departure from normal institutional operations, including a natural disaster or facility-wide threat that poses an imminent and substantial risk of harm to multiple staff or youth. This exception shall apply for the shortest amount of time needed to address this imminent and substantial risk of harm.
- (h) This policy does not apply when a youth is placed in a locked cell or sleeping room to treat and protect against the spread of a communicable disease for the shortest amount of time required to reduce the risk of infection, with the written approval of a licensed physician or nurse practitioner, when the youth is not required to be in an infirmary for an illness. Additionally, this policy does not apply when a youth is placed in a locked cell or sleeping room for required extended care after medical treatment with the written approval of a licensed physician or nurse practitioner, when the youth is not required to be in an infirmary for illness.

Active Shooter or Terrorist Attack

1065.1 POLICY

It is the policy of the Trinity County Juvenile Hall to provide procedures to ensure the safety of residents, staff and visitors in the event of an active shooter or terrorist attack here at the facility.

1065.2 PROCEDURES

- A. After receiving information that an armed suspect or terrorist is on the facility grounds, or near the facility, the Control Room Officer shall be notified and start a lockdown for the facility.
- B. The Control Room Officer shall
 1. Dial 9-911 and notify dispatch of the situation and remain on the line to provide updated information throughout the incident.
 2. Remain in central control so long as that room is secure, and use surveillance cameras to locate and ascertain the number of suspects and document their description, location and type of weapon(s) with which they are armed.
- C. Officers are responsible for securing the youth, non-probation staff, and any visitors prior to seeking shelter for themselves.
- D. Upon arrival, law enforcement shall take command of the incident and staff shall follow their instructions.
- E. The supervisor on duty shall be responsible for helping move youth and staff throughout the facility.
- F. Officers supervising youth shall:
 1. If supervising youth in the rec yard, or out doing vocational program, the officer shall immediately evacuate the youth into the facility and back to their rooms unless its unsafe to do so.
 - (a) If staff are unable to return to the youths rooms the staff shall take steps to secure youth in any room or secure area to conceal them.
 2. Volunteers shall be concealed in the classroom office if possible.
 3. Once all youth and non-probation staff are secured, the officers shall secure themselves in a secure location such as the laundry room on the day room floor.
 4. Staff shall remain in this status until given the "all-clear" by central control or officers present and on scene.

Use of Restraint Devices Within the Facility

1066.1 PURPOSE (TITLE 15 CCR, SECTION 1358.5)

To establish policies and procedures for the use of restraint devices when the purpose is for movement or transportation within the facility. Such policies and procedures are developed in cooperation with the responsible physician and the behavioral health director.

1066.2 POLICY

1. All staff specifically trained in the use of mechanical restraints may apply restraints for the purposes of this policy.
2. The only restraint device authorized for the purposes of this policy is handcuffs.
3. The circumstances leading to the application of restraints must be documented.
4. An individual assessment of the need to apply restraints for movement or transportation shall be conducted, except in exigent circumstances, such as during fights or other incidents when residents present an immediate danger if left unrestrained. Such individual assessment shall include consideration of less restrictive alternatives, consideration of a youth's known medical or mental health conditions, trauma informed approaches, and a process for documentation and supervisor review and approval.
5. Restraint device use shall take into consideration the safety and security of the facility, and shall not be used for the purposes of discipline or retaliation.
6. The use of restraints on pregnant youth is limited in accordance with Penal Code Section 6030(f) and Welfare and Institutions Code Section 222.

1066.3 PROCEDURES

1. Resident movement is a high risk activity. Staff shall maintain a heightened awareness whenever they are moving residents within the facility.
2. An individual assessment as described above in 1066.2.4 shall be documented on an Incident Report Form and reviewed and approved by the supervisor or lead officer prior to the application of restraint devices for movement within the facility.
3. In exigent circumstances when restraint devices may need to be applied immediately, such as during fights or other incidents when residents present an immediate danger if left unrestrained, the application of restraint devices shall be documented after the fact on an Incident Report Form and reviewed by the supervisor.

NEW Trinity County Probation
Department Manual
New Probation Manual

Attachments

Respirator Medical Clearance form (002).pdf

TRINITY COUNTY RESPIRATOR MEDICAL CLEARANCE FORM

Part C: Respirator Medical Evaluation Authorization and Approval	
Employee Authorization	
I authorize the Medical Provider to review my respirator medical evaluation questionnaire for approval to wear respirators in the performance of my work duties.	
Employee Name (print):	
Employee Signature:	Date:
Medical Provider Approval	
I have reviewed the respirator medical evaluation questionnaire for the above employee and approve the following types of respirators:	
<input type="checkbox"/> Disposable respirator N,R, or P (filter-mask, non-cartridge type only) <input type="checkbox"/> Half-facepiece type powered-air purifying respirator (PAPR) <input type="checkbox"/> Full-facepiece type powered-air purifying respirator (PAPR)	
Medical Provider Name:	
Medical Provider Signature:	Date:
Instructions:	
<p>Employee: Complete the respirator medical evaluation questionnaire. Sign and date the questionnaire. Provide the questionnaire to Human Resources or if directed, to the Medical Provider at the designated Medical Facility.</p> <p>Medical Provider: Review the respirator medical evaluation questionnaire and determine whether or not the employee is able to wear the identified respirators. If the employee is not medically able to wear a respirator, draw a line through the type(s) of respirators the employee cannot wear. Return Part C to Human Resources via fax (530) 623-4222 for the employee's record. Either maintain Part A and B in your office or return to the employee.</p> <p>Human Resources/Risk Management: Provide the Office of Emergency Services with Part C: Medical Clearance form for official clearance for the employee to obtain proper fit testing from the Office of Emergency Services Manager and/or Emergency Preparedness Coordinator.</p>	

**Respiratory Medical Evaluation
Form - fillable (002).pdf**

Trinity County Respiratory Protection Medical Evaluation Form

OSHA Respirator Medical Evaluation Questionnaire (Mandatory)			
To the employee: Answers to questions in Section 1 and to question 9 in section 2 of part A, do not require a medical examination.			
To the employee: Can you read (circle one):		YES	NO
Your employer must allow you to answer this questionnaire during normal working hours, or at a time and place that is convenient to you. To maintain your confidentiality, your employer or supervisor must not look at or review your answers, and your employer must tell you how to deliver or send this questionnaire to the health care professional who will review it.			
Part A. Section 1. (Mandatory) The following information must be provided by every employee who has been selected to use any type of respirator (please print)			
1. Today's Date:		2. Your Name:	
3. Your age:		4. Sex (circle one):	Male Female
5. Your height:		Ft. In.	6. Your weight: Lbs.
7. Your job title:			
8. A phone number where you can be reached by the health care professional who reviews this questionnaire (include Area Code):			
9. The best time to phone you at this number:			
10. Has your employer told you how to contact the health care professional who will review this questionnaire (circle one):		YES	NO
11. Check the type of respirator you will use (you can check more than one category):			
a. ____ N, R, or P disposable respiratory (filter-mask, non-cartridge type only).			
b. ____ Other type (for example, half- or full-facepiece type, powered-air purifying, supplied-air, self-contained breathing apparatus).			
12. Have you worn a respirator (circle one):		YES	NO
If "yes," what type(s):			
Part A Section 2. (Mandatory) Questions 1 through 9 below must be answered by every employee who has been selected to use any type of respiratory (please circle "yes" or "no").			
1. Do you <i>currently</i> smoke tobacco, or have you smoked tobacco in the last month?		YES	NO
2. Have you <i>ever had</i> any of the following conditions:			
a. Seizures		YES	NO
b. Diabetes (sugar disease)		YES	NO
c. Allergic reactions that interfere with your breathing		YES	NO
d. Claustrophobia (fear of closed-in places)		YES	NO
e. Trouble smelling odors		YES	NO
3. Have you <i>ever had</i> any of the following pulmonary or lung problems?			

a. Asbestosis	YES	NO
b. Asthma	YES	NO
c. Chronic bronchitis	YES	NO
d. Emphysema	YES	NO
e. Pneumonia	YES	NO
f. Tuberculosis	YES	NO
g. Silicosis	YES	NO
h. Pneumothorax (collapsed lung)	YES	NO
i. Lung cancer	YES	NO
j. Broken ribs	YES	NO
k. Any chest injuries or surgeries	YES	NO
l. Any other lung problem that you've been told about	YES	NO
4. Do you <i>currently</i> have any of the following symptoms of pulmonary or lung illness?		
a. Shortness of breath	YES	NO
b. Shortness of breath when walking fast on level ground or walking up a slight hill or incline	YES	NO
c. Shortness of breath when walking with other people at an ordinary pace on level ground	YES	NO
d. Have to stop for breath when walking at your own pace on level ground	YES	NO
e. Shortness of breath when washing or dressing yourself	YES	NO
f. Shortness of breath that interferes with your job	YES	NO
g. Coughing that produces phlegm (thick sputum)	YES	NO
h. Coughing that wakes you early in the morning	YES	NO
i. Coughing that occurs mostly when you are lying down	YES	NO
j. Coughing up blood in the last month	YES	NO
k. Wheezing	YES	NO
l. Wheezing that interferes with your job	YES	NO
m. Chest pain when you breathe deeply	YES	NO
n. Any other symptoms that you think may be related to lung problems	YES	NO
5. Have you <i>ever had</i> any of the following cardiovascular or heart problems?		
a. Heart attack	YES	NO
b. Stroke	YES	NO

c. Angina	YES	NO
d. Heart failure	YES	NO
e. Swelling in your legs or feet (not caused by walking)	YES	NO
f. Heart arrhythmia (heart beating irregularly)	YES	NO
g. High blood pressure	YES	NO
h. Any other heart problem that you've been told about	YES	NO
6. Have you <i>ever had</i> any of the following cardiovascular or heart symptoms?		
a. Frequent pain or tightness in your chest	YES	NO
b. Pain or tightness in your chest during physical activity	YES	NO
c. Pain or tightness in your chest that interferes with your job	YES	NO
d. In the past two years, have you noticed your heart skipping or missing a beat	YES	NO
e. Heartburn or indigestion that is not related to eating	YES	NO
f. Any other symptoms that you think may be related to heart or circulation problems	YES	NO
7. Do you <i>currently</i> take medication for any of the following problems?		
a. Breathing or lung problems	YES	NO
b. Heart trouble	YES	NO
c. Blood pressure	YES	NO
d. Seizures	YES	NO
8. If you've used a respirator, have you <i>ever had</i> any of the following problems? (If you've never used a respirator, check the following space and go to question 9)		
a. Eye irritation	YES	NO
b. Skin allergies or rashes	YES	NO
c. Anxiety	YES	NO
d. General weakness or fatigue	YES	NO
e. Any other problem that interferes with your use of a respirator	YES	NO
9. Would you like to talk to the health care professional who will review this questionnaire about your answers to this questionnaire?	YES	NO
Questions 10 to 15 below must be answered by every employee who has been selected to use either a full-facepiece respirator or a self-contained breathing apparatus (SCBA). For employees who have been selected to use other types of respirators, answering these questions is voluntary.		
10. Have you <i>ever lost</i> vision in either eye (temporarily or permanently)?	YES	NO
11. Do you currently have any of the following vision problems?		

a. Wear contact lenses	YES	NO
b. Wear glasses	YES	NO
c. Color blind	YES	NO
d. Any other eye or vision problem	YES	NO
12. Have you <i>ever had</i> an injury to your ears, including a broken ear drum?	YES	NO
13. Do you <i>currently</i> have any of the following hearing problems?		
a. Difficulty hearing	YES	NO
b. Wear a hearing aid	YES	NO
c. Any other hearing or ear problem	YES	NO
14. Have you <i>ever had</i> a back injury?	YES	NO
15. Do you currently have any of the following musculoskeletal problems?		
a. Weakness in any of your arms, hands, legs, or feet	YES	NO
b. Back pain	YES	NO
c. Difficulty fully moving your arms and legs	YES	NO
d. Pain or stiffness when you lean forward or backward at the waist	YES	NO
e. Difficulty fully moving your head up or down	YES	NO
f. Difficulty fully moving your head side to side	YES	NO
g. Difficulty bending at your knees	YES	NO
h. Difficulty squatting to the ground	YES	NO
i. Difficulty climbing a flight of stairs or a ladder carrying more than 25 lbs.	YES	NO
j. Any other muscle or skeletal problem that interferes with using a respirator	YES	NO
Part B. Respirator Use Additional Information		
1. How often are you expected to use the respirator(s)? Respirator use will be during disasters when hazardous materials and/or infectious agents are present. During such incidents, the respirator may be worn on a daily basis for over 4 hours per day.		
2. During the period you are using the respirator(s), what is your work effort? The work effort will be light to moderate. This includes standing, walking on primarily level surfaces, and patient/equipment movement using assistive devices.		
3. Will you be wearing protective clothing and/or equipment (other than the respirator) when you're using your respirator? Depending on the incident and the hazardous material/infectious agent, the employee could possibly wear lightweight protective clothing (gown, shoe covers, gloves, etc.) up to and including a full-facepiece respirator with chemical resistant protective clothing (coveralls, boots, gloves, etc.) of a heavier, encapsulated material.		

4. Will you be working under hot conditions (temperature exceeding 77 deg. F)? The employee will typically be working in a temperature-controlled building, but there may be instances where the employee will work outside or the A/C is not working properly. Under these circumstances, employees will be encouraged to take frequent breaks in contaminant free zones.

5. Will you be working under humid conditions? Work will be performed inside or outside.

6. Describe the work you'll be doing while you're using your respirator(s):

7. Describe any special conditions you might encounter when you're using your respirator(s):

Medical Provider Contact Information:

Employee Signature

Date

Field Training Checklist - JCO.pdf

**TRINITY COUNTY JUVENILE HALL
ORIENTATION AND FTO PROGRAM**

Trainee: _____ Date of Hire: _____

Trainer: _____

THESE ITEMS ARE REQUIRED DURING 40 HOUR ORIENTATION – TITLE 15, SECTION XX

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer demonstrate basic understanding of de-escalation techniques and the use of pepper spray.						
The officer will review and understand trauma-informed policies and procedures.						
The officer will understand basic security measures include facility perimeter and grounds.						

THESE ITEMS MUST BE COMPLETED FOR COMPLETION OF FTO PERIOD

Probation Department Philosophy

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will understand the importance of the Department’s Mission Statement						
The officer will understand the importance of the Department’s Values and Ethics						

Organizational Structure

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will understand the dual governance system relative to the Chief Probation Officer including appointment and funding						
The officer will demonstrate knowledge of the Probation Department’s Functional Organizational Chart						
The officer will demonstrate knowledge of his/her chain of command (i.e. Lead JCO, POIII, Probation Unit Supervisor, Assistant Chief and Chief Probation Officer)						
The officer will know the major functions of the Probation Department						
The officer will demonstrate knowledge of the primary job functions of Administration						
The officer will demonstrate knowledge of the						

primary job functions of the Adult Division						
The officer will demonstrate knowledge of the primary job functions of the Juvenile Division						
The officer will demonstrate knowledge of the primary job function of Juvenile Detention.						

Work Preparedness

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will know the procedure of how, where, and when to report to work						
The officer will know the procedures for reporting of work hours and rest periods						
The officer will obtain his/her keys, badge, Probation Department Identification Card, and necessary office supplies to perform his/her job duties						
The officer will meet support staff and probation officers in their assigned division						
The officer will meet the Administrative team						
The officer will be provided with and/or given access to Juvenile Hall Specific Policies and Procedures, and acknowledge that they have read and understand.						
The officer will be provided with and/or given access to the department's Lexipol policies and Procedures, and acknowledge that they have read and understand.						
The officer will know how to access the County Network						
The officer will know the policy regarding protecting County equipment from loss, theft or damage						
The officer will know the procedure for checking out a County vehicle						
The officer will know the procedure and location for fueling a County vehicle						
The officer will know the procedure for requesting a tow for a County vehicle						
The officer will know the procedure for reporting accidents or injuries						

Communication

Task	FTO Explains or Demonstrates	Trainee Successfully Articulates, Practices,	Trainee Demonstrates	FTO Initials	Trainee Initials	Notes
------	------------------------------	--	----------------------	--------------	------------------	-------

	Concept/Task	or Performs Concept/Task	Proficiency in Concept/Task			
The officer will know the policy regarding use of telephones, cellular phones, pagers, and information systems						
The officer will know the procedure for accessing voicemail, setting up a password, and retrieving messages						
The officer will know the procedure for accessing e-mail, and sending and retrieving messages						
The officer will be familiar with the County policy for using the Internet						
The officer will know the procedures for sending interoffice, inter-departmental, and U.S. mail						
Required Training						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
STC certified JCO Core Course*						*Optional as long as the facility is designated as Special Purpose
County New Employee Orientation						
First Aid/CPR						
Weaponless Defense						
OC Spray						
24 hours annual STC training						
Completion of a total of 40 hours training prior to being counted into the staffing ratio						
Legal Authority						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will demonstrate a knowledge and understanding of his/her Peace Officer powers under Section 830.5 of the Penal Code						
The officer will demonstrate a knowledge and understanding of laws pertaining to juveniles under the California Welfare and Institution Code and Penal Code including, but not limited to:						
	300 WIC – Dependent Children					
	601 WIC – Minors habitually disobedient or truant					

	602 WIC – Minors violating laws defining crime						
	625 WIC – Temporary custody						
	654 WIC – Dispositions in lieu of filing petitions						
	737 WIC – Replacement						
	777 WIC – Supplemental Petition						
	26 PC – Persons capable of committing a crime						
The officer will demonstrate an understanding of the Miranda decision (Miranda v. Arizona)							
The officer will demonstrate knowledge of the legal amount of force, which may be utilized when making an arrest. (835a PC, Use of Reasonable Force to Effect an Arrest and 843 PC, Overcoming Resistance or Preventing an Escape)							
Mandated Reporting							
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes	
The officer will understand the child abuse reporting law (11166 PC) and the probation officer’s reporting responsibilities as outlined in Administrative Manual Bulletin #222, Reporting Responsibility – Child Abuse							
Confidentiality							
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes	
The officer will know the Department’s policy regarding confidentiality of records							
The officer will know the Department’s policy regarding the proper storage of confidential case files							
The officer will understand the importance of maintaining confidentiality of employee’s and other staff’s personal information							
Court Processes and Procedures							
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes	

The officer will be knowledgeable of the specific procedures regarding transporting juveniles to and from the court						
The officer will be knowledgeable of the procedures regarding court appearances and subpoenas						

Information Management

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will demonstrate the ability to use the CSS Case Management System.						
The officer will demonstrate the ability to use the Nobel System for Offender Assessments.						
The officer will be trained in and demonstrate the ability to use the LiveScan machine to take fingerprints.						
The officer will be trained in and demonstrate the ability to use the LiveScan machine to submit DNA samples.						

Urinalysis Procedures

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will demonstrate the ability to collect a urinalysis sample from a client.						
The officer will demonstrate the ability to correctly document and process a urinalysis test from a client.						
The officer will demonstrate the ability to correctly interpret both the presumptive as well as the laboratory results of a urinalysis test.						
The officer will demonstrate the ability to apply a drug monitoring sweat patch.						
The officer will demonstrate the ability to remove, document, and submit for testing a drug monitoring sweat patch.						

Reporting and Documentation

Task	FTO Explains or Demonstrates	Trainee Successfully Articulates, Practices,	Trainee Demonstrates	FTO Initials	Trainee Initials	Notes
------	------------------------------	--	----------------------	--------------	------------------	-------

	Concept/Task	or Performs Concept/Task	Proficiency in Concept/Task			
The officer will understand the importance of developing and implementing a correctional case plan for the youth						
The officer will demonstrate the proper procedure for completing the following documentation tasks relevant to their specific assignment:						
	Chrono (electronic)					
	Incident Reports					
	Drug Testing					
	Program Attendance					
Support Agencies and Departments						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will know the location and/or how to contact the following support agencies/departments and how they can assist the officer:						
	Trinity County Sheriff's Department					
	California Highway Patrol					
	Behavioral Health					
	AODS					
	Child Protective Services					
	Eligibility					
	Marshall's Office					
	District Attorney Investigator					
	Human Response Network					
	Office of Education					
	Animal Control					
Equipment Inventory						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will possess the proper equipment and supplies. The officer shall inspect their equipment for completeness and serviceability:						

	Department issued identification card						
	Writing instrument						
	Equipment belt						
	OC Spray						
	Handcuffs and key						
	Flashlight						
	Handheld Radio						

Radio Procedures

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Local and Multi-agency radio frequencies and basic operation of a two-way radio						
Knowledge of 10 codes and phonetic alphabet						
Understanding and listening radio traffic-importance during field work						
Perform radio transmission to dispatch; include Registration and Warrant / probation checks.						
Scan for open doors or windows to the residence						

Officer Safety Principles

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Command presence and voice command						
Safeguarding equipment during subject contacts						
Controlling subject movement during contacts						
Maintaining position of advantage during subject contacts						
Recognizing/identifying potential hazards and weapons						
Identifying common signs and symptoms of intoxication of subjects.						
Controlling subject(s) movement; maintaining position of advantage						
Steps when discovering weapon on subject(s) during contact						
Awareness of potential hazards (i.e.-needles, pipe bombs, chemicals, etc.)						

Personal Skills: Interaction with Offenders

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs	Trainee Demonstrates Proficiency in	FTO Initials	Trainee Initials	Notes

		Concept/Task	Concept/Task			
Understands and applies effective physical supervision skills over in-custody youth						
Understands the Core Components of Supervision (Observation, Interaction, Intervention)						
Identifies possible signals of manipulation and deception by youth.						
Identifies methods used by residents to deceive and manipulate staff						
Identifies "Protector Steps" that help staff avoid deception and manipulation						
Communicates in a professional and unbiased manner. Establishes rapport						
Demonstrates an understanding of the differences between rewards and sanctions and how each plays a part in successfully motivating youth						
Understands cultural differences and customs of ethnic groups						
Is objective in all contacts and circumstances						
Maintains appropriate professional boundaries						
Demonstrates effective listening skills						
Uses proper questioning techniques to gather relevant information						
Competently resolves problems and issues						
Ability to assess and effectively diffuse potentially volatile situations with communication skills, tone, and presence						

Prisoner Transport

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Vehicle Inspection – exterior for damage						
Vehicle Inspection – interior for contraband / trash / under seats, console, visors, ..., maps						
Proper seating of probationer in vehicle for transportation						
Proper subject observation techniques while driving						
Specific transportation issues (i.e. gender, juveniles, problem behavior)						
Proper weapon storage procedure during booking						

Proper booking procedure for the jail and juvenile hall						
When medical clearances of probationers are required						
Use of Force						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Demonstrates an understanding of the difference between planner vs. spontaneous use of force						
Demonstrates knowledge of the amount of force that may be used to affect an arrest or overcome resistance						
Demonstrates mental alertness and preparation to use physical force when required						
Maintains composure and reacts appropriately in use of force/conflict situations						
Use effective verbal skills to de-escalate volatile situations						
Handcuffing						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will demonstrate proper handcuffing principals to be met in order to reasonably guarantee the restraint of the suspect						
The officer will demonstrate proper shackling principals to be met in order to reasonably guarantee the restraint of the suspect during transport						
Evidence Collection and Handling						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Discovering evidence of a new crime; when to contact law enforcement						
The officer will understand the importance of seizing physical evidence that may be used in a new criminal prosecution and/or a probation revocation proceeding						

Proper handling of evidence (i.e.-drugs, paraphernalia, weapons/firearms, etc.)						
The officer will explain the common errors made by officers in handling or collecting evidence at the crime scene						
The officer will demonstrate the proper packaging and labeling of evidence						
The officer will be knowledgeable of the procedures for booking evidence into the Property Room						

FIELD TRAINING COMPLETION STATEMENT

I, _____(print name) certify that I have completed the
Field Training Phase of the Probation Officer Training Manual.

Trainee signature: _____

Date: _____

Training Officer signature: _____

Date: _____

Field Training Checklist - Support Staff.pdf

**TRINITY COUNTY PROBATION DEPARTMENT
FIELD TRAINING PROGRAM – ADMIN/FISCAL CLASS**

Trainee: _____ Date of Hire: _____

Field Trainer: _____

General Personnel						
Task	Date Completed/Issued	FTO/Supervisor Initials	Trainee Initials	Notes		
Staff Keys issued						
Key Card issued						
Badge issued (Sworn Staff Only)						
Policies in Lexipol have been acknowledged (with applicability to position)						
Staff understand how to complete a Time Card						
Staff understand how to complete a Time Study (if Applicable to the position)						
CORI confidentiality statement signed						
Cal-Card Issued						
Hepatitis Vaccination Offered (or written declination received)						
Acknowledgement form signed for policy on Emergency Vehicle Operation (Sworn Staff Only)						
Probation Department Philosophy						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The staff will understand the importance of the Department's Mission Statement						
The staff will understand the importance of the Department's Values and Ethics						
Organizational Structure						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The staff will understand the dual governance system relative to the Chief Probation Staff including appointment and funding						
The staff will demonstrate knowledge of the Probation Department's Functional Organizational Chart						
The staff will demonstrate knowledge of his/her chain of command (i.e. POIII, Probation Unit Supervisor, Assistant Chief and Chief Probation Staff)						

The staff will know the major functions of the Probation Department						
The staff will demonstrate knowledge of the primary job functions of Administration						
The staff will demonstrate knowledge of the primary job functions of the Adult Division						
The staff will demonstrate knowledge of the primary job functions of the Juvenile Division						
The staff will demonstrate knowledge of the primary job function of Juvenile Detention.						

Work Preparedness

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The staff will know the procedure of how, where, and when to report to work						
The staff will obtain necessary staff supplies to perform his/her job duties						
The staff will meet support staff and other probation staff in their assigned division						
The staff will meet the Administrative team						
The staff will know how to access the County Network						
The staff will know the policy regarding protecting County equipment from loss, theft or damage						
The staff will know the procedures for reporting to work, work hours, and rest periods						
The staff will know the procedure for checking out a County vehicle						
The staff will know the procedure and location for fueling a County vehicle						
The staff will know the procedure for requesting a tow for a County vehicle						
The staff will know the procedure for reporting accidents or injuries						

Communication

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes

The staff will know the policy regarding use of telephones, cellular phones, pagers, and information systems						
The staff will know the procedure for accessing voicemail, setting up a password, and retrieving messages						
The staff will know the procedure for accessing e-mail, and sending and retrieving messages						
The staff will be familiar with the County policy for using the Internet						
The staff will know the procedures for sending interoffice, inter-departmental, and U.S. mail						
Required Training						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
County New Employee Orientation						
Confidentiality						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The staff will know the Department's policy regarding confidentiality of records						
The staff will know the Department's policy regarding the proper storage of confidential case files						
The staff will understand the importance of maintaining confidentiality of employee's and other staff's personal information						
Information Management						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The staff will demonstrate the ability to use the CSS Case Management System.						
Media Relations						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The staff will know the policy on release of information to the news media						

Support Agencies and Departments						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The staff will know the location and/or how to contact the following support agencies/departments and how they can assist the staff:						
Trinity County Sheriff's Department						
California Highway Patrol						
Behavioral Health						
AODS						
Child Protective Services						
Eligibility						
Marshall's Staff						
District Attorney Investigator						
Human Response Network						
Staff of Education						
Animal Control						

FIELD TRAINING COMPLETION STATEMENT

I, _____ (print name) certify that I have completed the Field Training Phase of the Probation Staff Training Manual.

Trainee signature: _____

Date: _____

Training Staff signature: _____

Date: _____

**Check List New Employee
Worksheet - All Employees.pdf**

CHECK LIST NEW EMPLOYEE T.C.P.D. REVISION WORKSHEET	Currently Covered by Field Training Program	Currently Covered by New Employee Checklist-Personnel File	Field Training Prog - FTP or Personnel File - PF/Admin
1 Acceptance Letter Mailed	N	Y	PF/Admin
2 Denial Letter Mailed	N	Y	PF/Admin
CHECK LIST NEW EMPLOYEE TCPD AND JUVENILE HALL			
3 Confidentiality Statement Signed	N	Y	PF/Admin
4 Holiday Leave Options Form	N	Y	PF/Admin
Department Keys:			
5 Court House	Y	Y	Supervising DPO
6 Probation Office	Y	Y	Supervising DPO
7 Other: Name _____			Supervising DPO
8 Dept ID Card	Y	Y	PF/Admin
9 Badge (If Applicable)	Y	Y	PF/Admin
10 Read and Acknowledge Dept Firearms Policy	Addressed	Y	FTP
11 Firearm Issued Make, Model, Serial NO	N	Y	PF/Admin/Both
12 Read department policy on O.C. (O.C. supplied)	Addressed	Y	FTP
13 Read and acknowledge Dept Procedure/Policy Manual	Y	Y	FTP
14 Read rank, structure and organization of dept.	Y	Y	FTP
15 Radio Procedures	Y	Y	FTP
16 Call number Given	?	Y WHEN APPLICABLE	FTP
17 Pager - Inventory Number Given	?	Y WHEN APPLICABLE	FTP
18 Time Cards	N	Y	PF/Admin
19 Time Studies	N	Y	FTP
20 Time Off Request (TOR)	N	Y	FTP
21 Dept dress (court) personal hygiene	N	Y	PF/ Admin
22 Credit Card-Cal Card	N	Y	PF/ Admin
23 County Fuel Card	N	Y	PF/ Admin
24 832 P.C.	?	Y	FTP
25 Read Juvenile Assessment Center Manual	?	y	FTP
26 Understand Urine & Chemical Testing Procedure and Log	Y	Y	FTP
27 Read Transportation Policy	Addressed	Y	FTP
28 Booking Procedures	?	Y	FTP
Jackets/Shirts Issued:			
29 Shirt	N	Y	FTP
30 Jacket	N	Y	FTP
Hepatitis B Shots:			
31 Date Completed	N	Y	PF/Admin/Both
32 Date Read/Titer Good	N	Y	PF/Admin/Both
T.B. Test			
33 Date Completed	N	Y	PF/Admin/Both

Field Training Checklist - DPO.pdf

**TRINITY COUNTY PROBATION DEPARTMENT
FIELD TRAINING PROGRAM – DPO CLASS**

Trainee: _____ Date of Hire: _____

Field Trainer: _____

General Personnel						
Task	Date Completed/Issued	FTO/Supervisor Initials	Trainee Initials	Notes		
Office Keys issued						
Key Card issued						
Badge issued (Sworn Staff Only)						
Policies in Lexipol have been acknowledged (with applicability to position)						
Staff understand how to complete a Time Card						
Staff understand how to complete a Time Study (if Applicable to the position)						
CORI confidentiality statement signed						
Cal-Card Issued						
County Fuel Card Issued						
Hepatitis Vaccination Offered (or written declination received)						
T.B. Test Completed (JCO Staff Only)						
Acknowledgement form signed for policy on Emergency Vehicle Operation (Sworn Staff Only)						
Radio Call Sign Assigned (Sworn Staff Only)						
Probation Department Philosophy						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will understand the importance of the Department's Mission Statement						
The officer will understand the importance of the Department's Values and Ethics						
Organizational Structure						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will understand the dual governance system relative to the Chief Probation Officer including appointment and funding						
The officer will demonstrate knowledge of the Probation Department's Functional Organizational Chart						

The officer will demonstrate knowledge of his/her chain of command (i.e. POIII, Probation Unit Supervisor, Assistant Chief and Chief Probation Officer)						
The officer will know the major functions of the Probation Department						
The officer will demonstrate knowledge of the primary job functions of Administration						
The officer will demonstrate knowledge of the primary job functions of the Adult Division						
The officer will demonstrate knowledge of the primary job functions of the Juvenile Division						
The officer will demonstrate knowledge of the primary job function of Juvenile Detention.						

Work Preparedness

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will know the procedure of how, where, and when to report to work						
The officer will obtain necessary office supplies to perform his/her job duties						
The officer will meet support staff and probation officers in their assigned division						
The officer will meet the Administrative team						
The officer will know how to access the County Network						
The officer will know the policy regarding protecting County equipment from loss, theft or damage						
The officer will know the procedures for reporting to work, work hours, and rest periods						
The officer will know the procedure for checking out a County vehicle						
The officer will know the procedure and location for fueling a County vehicle						
The officer will know the procedure for requesting a tow for a County vehicle						
The officer will know the procedure for reporting accidents or injuries						

Communication

Task	FTO Explains or Demonstrates	Trainee Successfully Articulates, Practices,	Trainee Demonstrates	FTO Initials	Trainee Initials	Notes
------	------------------------------	--	----------------------	--------------	------------------	-------

	Concept/Task	or Performs Concept/Task	Proficiency in Concept/Task			
The officer will know the policy regarding use of telephones, cellular phones, pagers, and information systems						
The officer will know the procedure for accessing voicemail, setting up a password, and retrieving messages						
The officer will know the procedure for accessing e-mail, and sending and retrieving messages						
The officer will be familiar with the County policy for using the Internet						
The officer will know the procedures for sending interoffice, inter-departmental, and U.S. mail						

Required Training

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
STC certified Probation Officers Core Course						
STC certified Basic Force and Weaponry (832 PC)						
County New Employee Orientation						
First Aid/CPR						
Weaponless Defense						
OC Spray						
40 hours annual STC training						
STC certified Arrest, Search, and Seizure (832 PC)*						

Legal Authority

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will demonstrate a knowledge and understanding of his/her Peace Officer powers under Section 830.5 of the Penal Code						
The officer will demonstrate a knowledge and understanding of the Probation Officer's role as defined in the California Penal Code including, but not limited to: , , and						
	1203 PC					
	1203.1 PC					

	1203.2 PC						
The officer will demonstrate a knowledge and understanding of laws pertaining to juveniles under the California Welfare and Institutions Code including, but not limited to:							
	300 WIC – Dependent Children						
	601 WIC – Minors habitually disobedient or truant						
	602 WIC – Minors violating laws defining crime						
	625 WIC – Temporary custody						
	654 WIC – Dispositions in lieu of filing petitions						
	737 WIC – Replacement						
	777 WIC – Supplemental Petition						
	26 PC – Persons capable of committing a crime						
The officer will demonstrate an understanding of the Miranda decision (Miranda v. Arizona)							
The officer will demonstrate an understanding of the “exclusionary rule” (Mapp v. Ohio) and explain its effects on police actions and searches							
The officer will demonstrate an understanding of the People v. Ramey decision regarding warrants/arrests							
The officer will demonstrate an understanding of the peace officer’s right to search a person for weapons when they have reasonable cause to arrest the person. (833 PC)							
The officer will demonstrate knowledge of the elements of an arrest (834 PC) and peace officers authority to arrest (836 PC)							
The officer will demonstrate knowledge of the legal amount of force, which may be utilized when making an arrest. (835a PC, Use of Reasonable Force to Effect an Arrest and 843 PC, Overcoming Resistance or Preventing an Escape)							
The officer will demonstrate an understanding of the Fourth Amendment of the Constitution							

of the United States with regard to freedom from unreasonable search and seizure						
The officer will demonstrate an understanding of the People v. Reyes decision						
The officer will demonstrate an understanding of the Moreno v. Baca decision regarding the necessity of reasonable suspicion prior to conducting probation searches						

Mandated Reporting

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will understand the child abuse reporting law (11166 PC) and the probation officer's reporting responsibilities as outlined in Administrative Manual Bulletin #222, Reporting Responsibility – Child Abuse						
The officer will understand the elderly and dependent adults suspected abuse reporting law (15630 WIC) and the probation officer's reporting responsibilities						

Confidentiality

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will know the Department's policy regarding confidentiality of records						
The officer will be familiar with the current TNG Order (Release of Juvenile Court Records)						
The officer will know the Department's policy regarding the proper storage of confidential case files						
The officer will understand the importance of maintaining confidentiality of employee's and other staff's personal information						

Court Processes and Procedures

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes

The officer will be knowledgeable of the procedures regarding court appearances and subpoenas						
The officer will know how to contact the Superior Court Clerk's Office and be familiar with filing deadlines for Court documents within their specific assignment						
The officer will be knowledgeable of the procedures regarding subpoena duces tecum						
The officer will know how to contact the District Attorney's Office and obtain files from their office when necessary						
The officer will be knowledgeable on how to access, interpret, and use information contained in a District Attorney case file:						
Information/Complaint						
Law Enforcement Report						
Booking Information/Rap Sheet						
JUS Arrest Form						
Court Minutes						
OR/Bail Bonds						
The officer will be knowledgeable on how to determine custody credits and credit limitations (4019 PC, 2900.5 PC, 2933 PC, SB3X18 (01/25/10 – 09/28/10), SB 76 (09/29/10 - 09/30/11) AB109						
The officer will be knowledgeable of and be able to apply legal concepts of probation eligibility/ineligibility to a case.						
The officer will be knowledgeable of and be able to apply legal concepts of circumstances in aggravation/mitigation in a case.						
The officer will be knowledgeable of and be able to apply legal concepts related to different sentencing terms (formal probation, information probation, execution sentence suspended, full 1170(h) sentence, split sentence/mandatory supervision.						
Unusual circumstances – 4.413 RC						
Facts to be addressed when implementing full 1170(h) sentence – 4.415(b) RC						
The officer will be knowledgeable of and be able to complete and update an SRA and ONG						

The officer will be knowledgeable of and be able to correctly read and interpret the following:						
Penal Code						
Vehicle Code						
Health and Safety Code						
The officer will be knowledgeable of and be able to apply sentencing concepts regarding serious/violent felonies.						
The officer will be knowledgeable of and be able to apply legal concepts regarding the following waivers:						
Arbuckle Waiver						
Harvey Waiver						
Johnson Waiver						
The officer will spend a minimum of four hours observing Court proceedings						

Information Management

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will demonstrate the ability to use the CSS Case Management System.						
The officer will demonstrate the ability to use the Nobel System for Offender Assessments.						
The officer will demonstrate the ability to use the Eagle Custodial Management System used by the Sheriff's Department.						
The officer will be formally trained in and demonstrate the ability to use the CLETS criminal record terminal.						
The officer will be trained in and demonstrate the ability to use the LiveScan machine to take fingerprints.						
The officer will be trained in and demonstrate the ability to use the LiveScan machine to submit DNA samples.						

Urinalysis Procedures

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes

The officer will demonstrate the ability to collect a urinalysis sample from a client.						
The officer will demonstrate the ability to correctly document and process a urinalysis test from a client.						
The officer will demonstrate the ability to correctly interpret both the presumptive as well as the laboratory results of a urinalysis test.						
Caseload Management						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will be knowledgeable of the Caseload Expectations for their specific job assignment						
The officer will understand the importance of reviewing and becoming familiar with assigned cases utilizing the case file and information systems						
The officer will understand the importance of developing and utilizing Motivation Interviewing skills						
The officer will understand the importance of developing and implementing a case plan for the probationer						
The officer will understand the importance of providing ongoing case management						
The officer will demonstrate the ability to:						
Interpret Court orders						
Conduct initial client interview						
Establish rapport with probationers						
Communicate effectively with staff, clients, victims, courts, and other agencies						
Develop and maintain professional relationships						
Organize and manage their caseload						
Complete a Risk/Needs Assessment						
Develop a Case Plan						
The officer will demonstrate the proper procedure for completing the following tasks relevant to their specific assignment:						

	Chrono (electronic)						
	Incident Reports						
	Progress Reports/Adjustment Summaries						
	Violations/Modifications of Probation						
	Terminations/Dismissals						
	Bench Warrants						
	Victim Letters/Claim Forms						
	DNA Testing						
	Program Referrals						
The officer will demonstrate the ability to provide ongoing case management:							
	Monitor client compliance						
	Maintain client contact based on level of supervision						
	Provide victim and client support						
	Submit court documents with appropriate recommendations (e.g. VOP's, Modifications, Supplemental, etc.)						
	Consistently document case activity in CSS						
	Periodic re-assessment						
The officer will demonstrate knowledge and ability to collect and record caseload statistics appropriate to their assignment							
The officer will demonstrate the ability to determine/justify an appropriate level of supervision and be knowledgeable of the transfer protocol							
The officer will demonstrate the ability to exercise sound judgment and exhibit general safety practices in an office setting:							
	Reporting unsafe working conditions						
	Office space arrangements						
	Escorting clients						
	The officer will know how to						

	respond to the juvenile hall in a crisis situation						
	The proper location for making an arrest in the office						
	The officer will have the skills necessary to deescalate a potentially volatile situation						

Motivational Interviewing

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will understand the general principles underlying Motivational Interviewing						

Media Relations

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will know the policy on release of information to the news media						

Support Agencies and Departments

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will know the location and/or how to contact the following support agencies/departments and how they can assist the officer:						

	Trinity County Sheriff's Department					
	California Highway Patrol					
	Behavioral Health					
	AODS					
	Child Protective Services					
	Eligibility					
	Marshall's Office					
	District Attorney Investigator					

	Human Response Network						
	Office of Education						
	Animal Control						

Field Equipment Inventory

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
------	---	---	--	--------------	------------------	-------

The officer will possess the proper equipment and supplies. The officer shall inspect their equipment for completeness and serviceability:

Department issued identification card						
Driver's license						
Field badge or wallet badge						
Business card						
Miranda warning card						
Writing instrument						
Equipment belt						
OC Spray						
Handcuffs and key						
Body armor						
Flashlight						
Firearm (if applicable)						
Two spare magazines (if applicable)						
Handheld Radio						
Cellular telephone						
Raid vest and/or jacket						
First Aid kit						
Search kit						
Map						
Instant Drug Tests						

The officer has the necessary paperwork and forms to work in the field

Pre-Field Procedures

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
------	---	---	--	--------------	------------------	-------

Vehicle Inspection – exterior for damage / foul play

--	--	--	--	--	--	--

Vehicle Inspection – interior for contraband / trash / under seats, console, visors, ..., maps						
Briefing with partner officer						
Know who resides in / frequents the probationer's home; anyone with warrants; weapons in home; layout; neighbors						
Planned field contacts vs. surprise contacts						
Purpose of contacts; arrest; probation search; drug testing; discussion						

Field Procedures: Geographical Area Familiarization

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will identify the following as criteria an officer should consider when knowing the geographical area of their contacts:						
Physical make-up, boundaries, and locations of geographical areas within the county						
Roads, routes, and other travel considerations						
Population and crime distribution						
Locations of areas known to be frequented by probationers						
Locations of community offices and programs						

Radio Procedures

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Local and Multi-agency radio frequencies and basic operation of a two-way radio						
Knowledge of 10 codes and phonetic alphabet						
Understanding and listening radio traffic-importance during field work						
Perform radio transmission to dispatch; include Registration and Warrant / probation checks.						

Field Procedures: Approaching Residences

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
------	---	---	--	--------------	------------------	-------

	Demonstrates Concept/Task	Articulates, Practices, or Performs Concept/Task	Demonstrates Proficiency in Concept/Task		Initials	
Approaching the “blind” side when possible						
Check parked vehicles for subjects/persons inside						
Identify areas for cover and concealment						
Identify escape routes						
Avoid crossing large windows when possible						
Awareness of individuals loitering at or near residence						
Awareness of loud music, unusual smells, potential hazards, signs of alcohol use						
Look for signs of dogs; i.e. water bowls, chains; dog houses, barking						
Scan for open doors or windows to the residence						

Field Procedures: Officer Safety Principles

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Contact and cover principles						
Not “silhouetting” self or partner during field tasks						
Avoiding unnecessary noises from keys, radio, and vehicle						
Command presence and voice command						
Safeguarding equipment during subject contacts						
Controlling subject movement during contacts						
Maintaining position advantage during subject contacts						
Awareness of physical location (address, street, alley, etc.)						
Awareness of surrounding environment during field contacts						
Appropriate use of flashlight during night field work						
Recognizing/identifying potential hazards and weapons						
Vehicle positioning when parking during residential checks						

Field Procedures: Non-Residential Contact with Probationer

Task	FTO Explains or	Trainee Successfully	Trainee	FTO Initials	Trainee	Notes
------	-----------------	----------------------	---------	--------------	---------	-------

	Demonstrates Concept/Task	Articulates, Practices, or Performs Concept/Task	Demonstrates Proficiency in Concept/Task		Initials	
Safest and most practical positions to place subject(s) during field interviews						
Controlling subject(s) movement; maintaining position of advantage						
Approaching subject(s) while in vehicle; positioning vehicle						
Steps when discovering weapon on subject(s) during contact						

Field Procedures: Entry to Residence

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Listen before you knock						
Do not stand directly in front of door or windows when possible						
Make occupants come to the door. Do not walk blindly into a residence when possible						
Scan the interior of the residence as the door opens						
Enter only when safe. If necessary, have probationer/occupant step out of residence						
Ask: "Is anyone else in the residence and where?"						
Visually scan occupants and immediate area for weapons						
Position self near exits or locate exits within the residence						
Do not allow occupants to create distractions/turn off TV and radios						
When to call for back-up during residential contacts						
When to conduct protective sweep of residence						

Field Procedures: Residential Searches

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Clearing common areas of weapons or contraband						
Conducting proper room search utilizing a systematic approach						
Identifying contraband and signs of drug use						

Equipment and personnel needed for safely conducting a probation search						
Proper handling of evidence (i.e.-drugs, paraphernalia, weapons/firearms, etc.)						
Awareness of potential hazards (i.e.-needles, pipe bombs, chemicals, etc.)						
Maintaining control of occupants during probation searches						
When to and complete property/evidence receipt form						
Discovering evidence of a new crime; when to contact law enforcement						
Identifying common signs and symptoms of intoxication of subjects.						
Chain of evidence-collection, documentation and storage						

Field Procedures: Vehicle Searches

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Proper systematic method of searching a vehicle						
Common areas and places where contraband is hidden						
Common areas and place where weapons are stored						
Proper removal and control of occupants during vehicle search						
Officer is able to conduct a safe and effective search of a vehicle						

Field Procedures: Interaction with Offenders

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Communicates in a professional and unbiased manner. Establishes rapport						
Understands cultural differences and customs of ethnic groups						
Is objective in all contacts and circumstances						
Maintains appropriate professional boundaries						

Demonstrates effective listening skills						
Uses proper questioning techniques to gather relevant information						
Competently resolves problems and issues						
Ability to assess and effectively diffuse potentially volatile situations with communication skills, tone, and presence						

Field Procedures: Arrest Tactics

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Proper planning of an arrest; identify any officer safety issues						
Most safe tactics for effecting an arrest						
Understands role of contact and cover officer during an arrest						
Dealing with collateral subjects during an arrest						
Properly securing a residence following an arrest						
Disposition of underage children following an arrest						

Field Procedures: Prisoner Transport

Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Proper seating of probationer in vehicle for transportation						
Proper subject observation techniques while driving						
Specific transportation issues (i.e. gender, juveniles, problem behavior)						
Conducts search of vehicle before and after transport						
Proper weapon storage procedure during booking						
Proper booking procedure for the jail and juvenile hall						
When medical clearances of probationers are						

required						
Field Procedures: Use of Force						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
Demonstrates knowledge of the amount of force that may be used to affect an arrest						
Demonstrates mental alertness and preparation to use physical force when required						
Maintains composure and reacts appropriately in use of force/conflict situations						
Use effective verbal skills to de-escalate volatile situations						
Firearms						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will be knowledgeable of the different procedures for securing their firearm in the workplace						
The officer will be knowledgeable of the procedures for transporting their firearm to and from work						
The officer will be knowledgeable of the policy for cleaning and inspecting their firearm on a regular basis and every time after qualifying or practice						
The officer will be knowledgeable of the department procedures for mandatory quarterly firearms qualifications						
The officer will be knowledgeable of all rules of the department approved firearms range						
Handcuffing						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will identify the purposes for handcuffing a suspect when conducting a search or making an arrest						

The officer will demonstrate proper handcuffing principals to be met in order to reasonably guarantee the restraint of the suspect						
Evidence Collection and Handling						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will understand the importance of seizing physical evidence that may be used in a new criminal prosecution and/or a probation revocation proceeding						
The officer will demonstrate the proper handling of evidence						
The officer will demonstrate the proper procedures for completing the Search Receipt						
The officer will demonstrate the proper packaging and labeling of evidence						
The officer will explain the common errors made by officers in handling or collecting evidence at the crime scene						
The officer will be knowledgeable of the procedures for booking evidence into the Property Room						
Operations with Other Law Enforcement Agencies						
Task	FTO Explains or Demonstrates Concept/Task	Trainee Successfully Articulates, Practices, or Performs Concept/Task	Trainee Demonstrates Proficiency in Concept/Task	FTO Initials	Trainee Initials	Notes
The officer will be knowledgeable of the procedure for obtaining prior authorization when requests are made for probation participation in joint missions/operations						
The officer will understand that probation is the lead agency during probation searches with other law enforcement agencies						

FIELD TRAINING COMPLETION STATEMENT

I, _____(print name) certify that I have completed the
Field Training Phase of the Probation Officer Training Manual.

Trainee signature: _____

Date: _____

Training Officer signature: _____

Date: _____

**Respiratory Protection Plan
policy no 2020-01 (002).pdf**



TRINITY COUNTY PERSONNEL POLICY

SUBJECT:	RESPIRATORY PROTECTION PLAN FOR TRINITY COUNTY EMPLOYEES AND EMPLOYEES WORKING AS DISASTER SERVICE WORKERS
POLICY NO.:	2020-01
INITIAL DATE PREPARED:	March 25, 2020
LAST DATE REVISED:	
RESOLUTION NO.:	N/A

I. PURPOSE

It is Trinity County's policy to institute and enforce a Respiratory Protection Plan as set forth in this Policy Statement. This Policy does not supersede any department policies which may be stricter than said forth below.

IMPACTED EMPLOYEES: Specific positions have been designated to respond as Disaster Service Workers to non-routine or emergency operations such as working outside in hazardous wildfire smoke conditions or a spill of a hazardous substance. The impacted departments include; Behavioral Health, Building and Development Services, Cannabis, Department of Transportation, Environmental Health, General Services, Health & Human Services, Probation, The Office of Emergency Services, Risk Management, Sheriff's Office, Solid Waste, Transit and the Veterans Service Office. Please see Appendix D for specific positions within the listed departments that will be impacted.

SUBSEQUENT EMPLOYEES: Any and all employees sworn in as Disaster Service Workers.

II. DEFINITIONS

Cal/OSHA – California Occupational Safety and Health Administration

CDC – Centers for Disease Control

PPE – Personal Protective Equipment

NIOSH – National Institute for Occupational Safety and Health

OESM – Office of Emergency Services Manager

RPP – Respiratory Protection Plan

III. APPLICATION

1. This program applies to all employees who are required to wear respirators during normal work operations. It also applies to employees who have been designated to respond to non-routine or emergency operations such as a spill of a hazardous substance or work outside in hazardous wildfire smoke conditions.
2. The department shall conduct a survey of the work and work processes to determine if the atmospheric conditions exist or may reasonably be expected to exist that would create "harmful exposure" to employees.
3. This program does not apply if the survey results indicate that no conditions exist or may reasonably be expected to exist that create "harmful exposure" to employees.
4. This program does apply if the survey results indicate that conditions do exist or may reasonably be expected to exist that create "harmful exposure" to employees.

IV. TYPES OF RESPIRATORS

The atmosphere and the air contaminant level that a person may encounter dictate the type of respirator that must be worn. Respirator Types are listed below:

- Air-purifying respirator (APR)
- Filter Facepiece (dust mask)
- Half Mask or Full Filtering Facepieces

If the hazard is mild you may be given a particulate filter. Particulate filters are listed below:

- HEPA Filter
- N-100
- P-100
- N-95

Please refer to Appendix C for more details on the Respirators and Filters listed above.

V. GENERAL POLICY

1. This program applies to work operations in which there are "harmful exposure" of employees to dust, fog, fumes, mists, gases, smokes, sprays and vapors. For purposes of this program, "harmful exposure" is defined as exposure in excess of any permissible limit prescribed by General Industry Safety Order 5155 (chemical airborne contaminants) or of such a nature by inhalation as to result in, or have a probability to result in, injury, illness, disease, impairment or loss of function.
2. Respirators shall be provided to employees when such equipment is necessary to protect the health of the employee. However, in the control of those occupational diseases caused by breathing contaminated air, the primary objective shall be to prevent atmospheric contamination. This shall be accomplished as far as feasible by

accepted engineering controls (e.g. enclosure or confinement, general or local ventilation, substitution of less toxic materials). When effective engineering controls are not feasible, or while they are being instituted, appropriate respirators shall be used pursuant to this program.

3. Respirators shall only be used when required to protect an employee from "harmful exposure." Voluntary use of respirators by employees is prohibited, with the exception of voluntary use of filtering facepieces (dust masks), unless approval has been obtained from Risk Management, the Department Head or Designee, and/or the Health Officer.

VI. RESPONSIBILITIES

Human Resources/ Risk Management

- Shall be responsible for oversight and enforcement of this policy
- Facilitating and/or coordinating all training associated with this policy
- Ensuring maintenance of records are being maintained as required by Title 8, California Code of Regulations (CCR)
- Reviewing and updating training as needed, ensuring compliance with occupational safety requirements and recommendations
- Coordinating initial and annual fit-testing for County personnel

Department Heads/Designees/Managers/Supervisors

All department heads their designees, managers and supervisors shall be responsible for overseeing the Respiratory Protection Plan (RPP) and protecting the health of their employees.

Managers/Supervisors shall:

- Participate in the selection of appropriate respiratory protective equipment for each task or potential exposure
- Request assistance when evaluating new operations that may present hazards
- Identify employees who may need respirators
- Ensure employees are cleared, properly fit-tested and equipped with respirators
- Participate in providing updates to the RPP
- Conducting hazard assessments, and ensuring that the designated County Personnel listed on Appendix D, complete initial medical clearance to wear a respirator
- Designate mandatory respirator usage areas and/or field assignments
- Ensure their employees are properly trained initially before an event occurs and annually thereafter.
- Selecting respirators for purchase
- Purchasing necessary equipment
- Ensuring the repair or replacement of equipment
- Ensuring respirator maintenance

- In consultation with the OES Manager, recommending the type and level of respiratory protection for each task or work location

Office of Emergency Services Manager (OESM)

The OESM will be responsible for:

- Providing annual fit-testing for all designated employees listed in Appendix D.

Employees

Employees have the responsibility to comply with all respiratory protection policies, and also to be fit-tested and equipped with appropriate respirators before entering any work location that involves hazardous situations requiring respiratory protection.

Employees shall:

- Use respirators when required
- Attend annual respirator protection training as required
- Ensure that facial hair (to include sideburns) does not cross the respirator sealing surface
- Promptly notify their immediate supervisor for any of the following:
 - Suspicion that respirator no longer fits properly
 - Suspicion that a respiratory hazard is not adequately addressed in the workplace
 - Changes in personal medical status that may impact ability to safely wear a respirator
 - Any other concerns regarding this program
- Obtain medical clearance as required. If medical clearance is not obtained from the Medical Provider an employee shall not work in any hazardous condition.

VII. RESPIRATOR SELECTION

The Supervisor, in consultation with the OES Manager, will select respirators to be used by staff based on the hazards to which employees may be exposed and in accordance with all Cal/OSHA regulations. The hazard evaluation will include the following:

- Identifying the hazardous substances or pathogens
- Reviewing work processes to determine where potential exposures may occur
- Quantifying potential exposure levels, if possible
- Selecting the appropriate respirator based on degree of exposure and the assigned protection factors found in the Cal/OSHA Respiratory Standard. The NIOSH Respirator Decision Logic and other guidelines issued by CDC will also be considered.
- Identifying and communicating the limitations of the selected respirator to the employee(s)

The hazard assessment will be updated any time a new exposure is anticipated.

Respirators shall be NIOSH-approved. A label or statement of certification should appear on the respirator or packaging. It will list what the respirator is designed for and how much protection it will provide. N95 respirators with exhalation should be considered for non-sterile environments to reduce heat and moisture buildup during long wearing periods.

VIII. MEDICAL EVALUATIONS

Respirator use may place a physiological burden on employees based on type of respirator worn, the conditions under which the respirator is used, and the medical status of the employee. Employees whose work activities require the use of respiratory PPE shall receive medical clearance prior to initial fit-testing and use, and annually thereafter. Medical evaluations will be performed at no cost to the employee by a physician or licensed health care professional.

The employee shall complete the Respiratory Protection Medical Evaluation Questionnaire (Appendix A) and bring this to the medical appointment. This form is confidential and shall be shared only with health care professionals.

The health care professional will determine whether the employee can wear a respirator based on a review of the questionnaire, medical tests and/or pulmonary function tests. They will provide a copy of the Respirator Medical Clearance Form (Appendix A) to the employee, who will submit it to their supervisor.

Additional or subsequent medical evaluations will be performed under any of the following circumstances:

- An employee reports medical signs or symptoms related to the ability to use a respirator
- A physician or other licensed health care professional informs the employee that they need to be re-evaluated
- Observations made during fit-testing indicate a need for re-evaluation
- A change occurs in workplace conditions (e.g. physical exertion required or temperature change) that may result in a substantial increase in the physiological burden placed on an employee

IX. FIT TESTING

Before an employee is required to use any respirator with a negative or positive pressure tight fitting facepiece (e.g. an N95), the employee must be fit-tested with the same make, model and style to determine which size is to be used.

Fit testing procedures shall be in accordance with Title 8, CCR, Section 5144.

Fit-testing shall be provided at the time of initial assignment or anticipation of field deployment, annually, and whenever there are changes in the employee's physical condition (e.g. facial scarring, dental changes, cosmetic surgery, and obvious change in body weight) that could affect respirator fit.

Employees who wear corrective glasses or other PPE must ensure that such equipment is worn in a manner that does not interfere with the facepiece seal. The glasses or PPE should be worn during fit-testing.

Respirators used in fit-testing and training shall be cleaned and disinfected before being used by another person.

X. USE OF RESPIRATORS

Respiratory protection should be used when other measures are not able to reduce exposures to acceptable levels. Employees shall use their respirators under conditions specified by this program, in accordance with the training they have received, and when working in field conditions that dictate respiratory protection. Respirators will be selected that are approved for the contaminants that are believed to be present and employees shall not work in atmospheres in which concentrations exceed the maximum use concentration of the respirator. Employees will not remove respirators in hazardous environments, and the respirator shall be used according to NIOSH and the manufacturer's guidelines. Employees must stop working and exit the environment if a change in breathing resistance is noticed or a leak around the facepiece is detected. Employees will leave the work area to wash their face if respirator is causing discomfort or rash, to change filters, cartridges or other parts, or to inspect and replace respirator if it stops functioning properly.

Employees will wear an N95 respirator and follow manufacturer's instructions during any of the following situations:

- When wild smoke conditions are deemed hazardous.
- When responding to a spill of a hazardous substance.

XI. MAINTENANCE AND CARE OF RESPIRATORS

Employees are responsible for cleaning, disinfecting, storing, inspecting and repairing all reusable respirators wherever possible. Employees will request assistance with these tasks as needed.

Reusable respirators maintained for emergency use and issued to more than one employee shall be cleaned and disinfected after each use.

Respirator cleaning procedures recommended by NIOSH are available at <http://www.ccc.gov/niosh/npptl/cleaning/html> or in the Cal/OSHA Respirator Standard.

N95s shall be maintained in their original wrapping and boxes until used. After a single use, N95 respirators will be disposed of in an appropriate manner. N95s are maintenance-free. No repairs shall be attempted. If damaged, soiled, or wet the N95 will be discarded and replaced.

All respirators shall be stored according to the manufacturer's recommendations to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture and damaging chemicals. They shall be packed or stored to prevent deformation of the facepiece and exhalation valve. Respirators should be stored in the plastic bag provided by the manufacturer.

Bulk storage locations shall be inspected annually for moisture, mold, rodent infestation, or any other situation that puts the integrity of the respirators at risk. All respirators shall be inspected prior to each use. Inspection should include the following:

- Respirator function, tightness of connections, condition of the various parts including, but not limited to, the facepiece, head straps, valves, and cartridges, canisters or filters.
- All rubber or plastic parts for pliability and signs of deterioration. N95 respirator inspection shall include a check of the facepiece and headbands for pliability and signs of deterioration.
- Inspection of N95 respirators that have exhalation valves shall include the exhalation valve. The septum covering the valve inside the respirator shall be inspected to ensure that it covers the valve opening during exhalation. If the septum is self-contained within the valve and unable to be accessed, no attempt should be made to access the septum and no inspection is needed – the face seal positive check will identify any damage with the septum if self-contained.

Each inspection shall include donning the respirator and performing positive and negative pressure seal checks. An inspection log shall be kept with each reusable respirator.

Any defective respirators shall be removed from service, and shall be adjusted, repaired or discarded as appropriate. Only persons who have been trained to perform such operations shall make repairs or adjustments to respirators. All repairs shall be made according to the manufacturer's recommendations and specifications for the type and extent of repairs to be performed, using only the manufacturer's NIOSH-approved parts.

When cartridges are used, the Office of Emergency Services Manager shall determine a cartridge change schedule based on information provided by the employee.

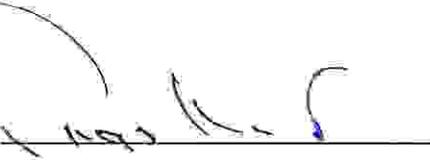
Respirators used in a non-contaminated environment can be disposed of with regular trash. Respirators used in a contaminated environment shall be disposed of in a pre-designated red biohazard container.

XII. TRAINING

A Certified Trainer with oversight from Human Resources or Risk Management shall provide annual training in the content of the Cal/OSHA respiratory protection standard and in the proper use of respirators and their limitations. Training is provided to all affected employees and will include information in the Respirator Training Checklist in [Appendix A](#). Group Training

Records will be maintained on the Form included in Appendix A. Individual Training Records will be maintained using the Respirator Fit Testing Individual Training Record Form.

Remedial training will be provided to any employee when problems with respirator use occur.

By 

Richard Kuhns, Psy.D

County Administrative Officer

Date: 3.25.20

RATIFIED this _____ day of _____, 2020 by the Board of Supervisors of the County of Trinity by the following vote:

AYES:	Supervisors
NOES:	None
ABSENT:	None
ABSTAIN:	None
RECUSE:	None

BOBBI CHADWICK, CHAIRMAN
Board of Supervisors
County of Trinity
State of California

ATTEST:

RICHARD KUHNS, Psy.D,
Clerk of the Board of Supervisors

By: _____

Deputy

Appendix A: Forms

Respiratory Protection Medical Evaluation Form
Respirator Medical Clearance Form
Respirator Fit Testing and Individual Training Record
Respirator Training Checklist
Respiratory Protection Training Record (Group)

Respiratory Protection Medical Evaluation Form

OSHA Respirator Medical Evaluation Questionnaire (Mandatory)			
To the employee: Answers to questions in Section 1 and to question 9 in section 2 of part A, do not require a medical examination.			
To the employee: Can you read (circle one):		YES	NO
Your employer must allow you to answer this questionnaire during normal working hours, or at a time and place that is convenient to you. To maintain your confidentiality, your employer or supervisor must not look at or review your answers, and your employer must tell you how to deliver or send this questionnaire to the health care professional who will review it.			
Part A. Section 1. (Mandatory) The following information must be provided by every employee who has been selected to use any type of respirator (please print)			
1. Today's Date:		2. Your Name:	
3. Your age:		4. Sex (circle one):	Male Female
5. Your height:	Ft.	In.	6. Your weight: Lbs.
7. Your job title:			
8. A phone number where you can be reached by the health care professional who reviews this questionnaire (include Area Code):			
9. The best time to phone you at this number:			
10. Has your employer told you how to contact the health care professional who will review this questionnaire (circle one):		YES	NO
11. Check the type of respirator you will use (you can check more than one category):			
a. ____ N, R, or P disposable respirator (filter-mask, non-cartridge type only).			
b. ____ Other type (for example, half- or full-facepiece type, powered-air purifying, supplied-air, self-contained breathing apparatus).			
12. Have you worn a respirator (circle one):		YES	NO
If "yes," what type(s):			
Part A Section 2. (Mandatory) Questions 1 through 9 below must be answered by every employee who has been selected to use any type of respiratory (please circle "yes" or "no").			
1. Do you <i>currently</i> smoke tobacco, or have you smoked tobacco in the last month?		YES	NO
2. Have you <i>ever had</i> any of the following conditions:			
a. Seizures		YES	NO
b. Diabetes (sugar disease)		YES	NO
c. Allergic reactions that interfere with your breathing		YES	NO
d. Claustrophobia (fear of closed-in places)		YES	NO
e. Trouble smelling odors		YES	NO
3. Have you <i>ever had</i> any of the following pulmonary or lung problems?			

a. Asbestosis	YES	NO
b. Asthma	YES	NO
c. Chronic bronchitis	YES	NO
d. Emphysema	YES	NO
e. Pneumonia	YES	NO
f. Tuberculosis	YES	NO
g. Silicosis	YES	NO
h. Pneumothorax (collapsed lung)	YES	NO
i. Lung cancer	YES	NO
j. Broken ribs	YES	NO
k. Any chest injuries or surgeries	YES	NO
l. Any other lung problem that you've been told about	YES	NO
4. Do you <i>currently</i> have any of the following symptoms of pulmonary or lung illness?		
a. Shortness of breath	YES	NO
b. Shortness of breath when walking fast on level ground or walking up a slight hill or incline	YES	NO
c. Shortness of breath when walking with other people at an ordinary pace on level ground	YES	NO
d. Have to stop for breath when walking at your own pace on level ground	YES	NO
e. Shortness of breath when washing or dressing yourself	YES	NO
f. Shortness of breath that interferes with your job	YES	NO
g. Coughing that produces phlegm (thick sputum)	YES	NO
h. Coughing that wakes you early in the morning	YES	NO
i. Coughing that occurs mostly when you are lying down	YES	NO
j. Coughing up blood in the last month	YES	NO
k. Wheezing	YES	NO
l. Wheezing that interferes with your job	YES	NO
m. Chest pain when you breathe deeply	YES	NO
n. Any other symptoms that you think may be related to lung problems	YES	NO
5. Have you <i>ever had</i> any of the following cardiovascular or heart problems?		
a. Heart attack	YES	NO
b. Stroke	YES	NO

c. Angina	YES	NO
d. Heart failure	YES	NO
e. Swelling in your legs or feet (not caused by walking)	YES	NO
f. Heart arrhythmia (heart beating irregularly)	YES	NO
g. High blood pressure	YES	NO
h. Any other heart problem that you've been told about	YES	NO
6. Have you <i>ever had</i> any of the following cardiovascular or heart symptoms?		
a. Frequent pain or tightness in your chest	YES	NO
b. Pain or tightness in your chest during physical activity	YES	NO
c. Pain or tightness in your chest that interferes with your job	YES	NO
d. In the past two years, have you noticed your heart skipping or missing a beat	YES	NO
e. Heartburn or indigestion that is not related to eating	YES	NO
f. Any other symptoms that you think may be related to heart or circulation problems	YES	NO
7. Do you <i>currently</i> take medication for any of the following problems?		
a. Breathing or lung problems	YES	NO
b. Heart trouble	YES	NO
c. Blood pressure	YES	NO
d. Seizures	YES	NO
8. If you've used a respirator, have you <i>ever had</i> any of the following problems? (If you've never used a respirator, check the following space and go to question 9)		
a. Eye irritation	YES	NO
b. Skin allergies or rashes	YES	NO
c. Anxiety	YES	NO
d. General weakness or fatigue	YES	NO
e. Any other problem that interferes with your use of a respirator	YES	NO
9. Would you like to talk to the health care professional who will review this questionnaire about your answers to this questionnaire?	YES	NO
Questions 10 to 15 below must be answered by every employee who has been selected to use either a full-facepiece respirator or a self-contained breathing apparatus (SCBA). For employees who have been selected to use other types of respirators, answering these questions is voluntary.		
10. Have you <i>ever lost</i> vision in either eye (temporarily or permanently)?	YES	NO
11. Do you currently have any of the following vision problems?		

a. Wear contact lenses	YES	NO
b. Wear glasses	YES	NO
c. Color blind	YES	NO
d. Any other eye or vision problem	YES	NO
12. Have you <i>ever had</i> an injury to your ears, including a broken ear drum?	YES	NO
13. Do you <i>currently</i> have any of the following hearing problems?		
a. Difficulty hearing	YES	NO
b. Wear a hearing aid	YES	NO
c. Any other hearing or ear problem	YES	NO
14. Have you <i>ever had</i> a back injury?	YES	NO
15. Do you currently have any of the following musculoskeletal problems?		
a. Weakness in any of your arms, hands, legs, or feet	YES	NO
b. Back pain	YES	NO
c. Difficulty fully moving your arms and legs	YES	NO
d. Pain or stiffness when you lean forward or backward at the waist	YES	NO
e. Difficulty fully moving your head up or down	YES	NO
f. Difficulty fully moving your head side to side	YES	NO
g. Difficulty bending at your knees	YES	NO
h. Difficulty squatting to the ground	YES	NO
i. Difficulty climbing a flight of stairs or a ladder carrying more than 25 lbs.	YES	NO
j. Any other muscle or skeletal problem that interferes with using a respirator	YES	NO

Part B. Respirator Use Additional Information

1. How often are you expected to use the respirator(s)? Respirator use will be during disasters when hazardous materials and/or infectious agents are present. During such incidents, the respirator may be worn on a daily basis for over 4 hours per day.

2. During the period you are using the respirator(s), what is your work effort? The work effort will be light to moderate. This includes standing, walking on primarily level surfaces, and patient/equipment movement using assistive devices.

3. Will you be wearing protective clothing and/or equipment (other than the respirator) when you're using your respirator? Depending on the incident and the hazardous material/infectious agent, the employee could possibly wear lightweight protective clothing (gown, shoe covers, gloves, etc.) up to and including a full-facepiece respirator with chemical resistant protective clothing (coveralls, boots, gloves, etc.) of a heavier, encapsulated material.

4. Will you be working under hot conditions (temperature exceeding 77 deg. F)? The employee will typically be working in a temperature-controlled building, but there may be instances where the employee will work outside or the A/C is not working properly. Under these circumstances, employees will be encouraged to take frequent breaks in contaminant free zones.

5. Will you be working under humid conditions? Work will be performed inside or outside.

6. Describe the work you'll be doing while you're using your respirator(s):

7. Describe any special conditions you might encounter when you're using your respirator(s):

Medical Provider Contact Information:

Employee Signature

Date

Supervisor Signature

Date

RESPIRATOR MEDICAL CLEARANCE FORM

Part C: Respirator Medical Evaluation Authorization and Approval	
Employee Authorization	
I authorize the Medical Provider to review my respirator medical evaluation questionnaire for approval to wear respirators in the performance of my work duties.	
Employee Name (print):	
Employee Signature:	Date:
Medical Provider Approval	
I have reviewed the respirator medical evaluation questionnaire for the above employee and approve the following types of respirators:	
<input type="checkbox"/> Disposable respirator N,R, or P (filter-mask, non-cartridge type only)	
<input type="checkbox"/> Half-facepiece type powered-air purifying respirator (PAPR)	
<input type="checkbox"/> Full-facepiece type powered-air purifying respirator (PAPR)	
Medical Provider Name:	
Medical Provider Signature:	Date:
Instructions:	
<p>Employee: Complete the respirator medical evaluation questionnaire. Sign and date the questionnaire. Provide the questionnaire to the Medical Provider at the designated Medical Facility.</p> <p>Medical Provider: Review the respirator medical evaluation questionnaire and determine whether or not the employee is able to wear the identified respirators. If the employee is not medically able to wear a respirator, draw a line through the type(s) of respirators the employee cannot wear. Return Part C to Human Resources for the employee's record. Either maintain Part A and B in your office or return to the employee.</p> <p>Human Resources/Risk Management: Provide the Office of Emergency Services with Part C: Medical Clearance form for official clearance for the employee to obtain proper fit testing from the Office of Emergency Services Manager and/or Emergency Preparedness Coordinator.</p>	

EXAMPLE

Respirator Fit Testing and Individual Training Record

Date	Employee Name	Employee Number
Make, Model and Style of respirator tested	Disposable	Reusable
	N95 P100	Half face Full face
	Size:	
Type of Fit-testing		
Saccharin	Bitrex	Quantitative*
Taste of Threshold (if qualitative test): 10 20 30 >30 (cannot taste)		
Results of Fit-testing:		

* If Quantitative test performed, attach strip chart or printout of results.

Certified Fit Tester Signature

Date

EXAMPLE

Respirator Training Checklist

Circumstances under which respirators are to be used	<input type="checkbox"/>
Why respirators are necessary	<input type="checkbox"/>
Medical and physical conditions that limit or prevent effective use of respirators (dizziness, difficulty breathing, dental work, facial scars, missing dentures, etc.)	<input type="checkbox"/>
Proper fit checks	<input type="checkbox"/>
Demonstration of how a respirator is to be worn, how to adjust it, and how to determine if it fits properly.	
Respirator limitations and capabilities in protecting against chemical and/or biological agents	<input type="checkbox"/>
How to inspect, put on and take off respirators	<input type="checkbox"/>
How to maintain, clean and store respirators	<input type="checkbox"/>
Inspection of respirator seals	<input type="checkbox"/>
What to do when there is a change in type of respiratory protection used or a new hazard or task requiring respirator use is identified	<input type="checkbox"/>
Decontamination or safe disposal of a contaminated respirator	<input type="checkbox"/>
Self-decontamination when breakthroughs occur	<input type="checkbox"/>
How and when to arrange for fit-testing	<input type="checkbox"/>
Field Deployment considerations with regards to respirators	<input type="checkbox"/>
Training on specific respirators	<input type="checkbox"/>

Appendix B: Contacts

Name	Position	Email	Work phone	Cell phone
Shelly Nelson	HR Director/ Risk Manager	snelson@trinitycounty.org	530-623-8376	530-623-0397
Rebecca Cooper	Loss Prevention Specialist II	bcooper@trinitycounty.org	530-623-8371	530-739-8827
Ed Prestley	Office of Emergency Services Manager	eprestley@trinitycounty.org	530-623-1116	707-330-1323

Appendix C: Types of Respirators and Filters

The atmosphere and the air contaminant level that a person may encounter dictate the type of respirator that must be worn. Respirator types are listed below:

Air-purifying respirator (APR)

The air-purifying respirator passes ambient air through filters, cartridges, or canister to remove gas, vapor, particulate, or combinations of gas, vapors and /or particulate from the air. These devices do not provide oxygen or protect against oxygen-deficient atmospheres. For protection against chemical gases and vapors, the respirator must be equipped with an ESLI (End of Service Life Indicator) certified by NIOSH for containment.

Filter Facepiece (dust mask)

These negative pressure disposable particulate filtering facepieces, type of N, R, or P series have an entire facepiece composed of the filtering medium. These units have no replaceable parts.



N-95



N-95



P-100

Half Mask or Full Filtering Facepieces

These tight-fitting respirators are non-powered, negative pressure respirators. Ambient air is inhaled through purifying medium replaceable cartridges (filters) and exhaled through an exhaust valve.



Half Mask



Full Facepiece



Full Facepiece

FILTERS FOR AIR PURIFYING RESPIRATORS

To help laboratory employees identify which cartridge is designed for which specific chemical all filters, cartridges, and canisters must be labeled and color-coded with an approval label provided by NIOSH.

Canister or Cartridge

A canister or cartridge is a container with a filter, sorbent, or catalyst, or combination of these items which removes specific chemical contaminants from the air when passed through the container.



Cartridge



Cartridge



Canister

Types of Filter

The filter is the component used in respirators to remove solid or liquid aerosols (particles) from inspired air and can also be called an air-purifying element.



There are nine possible classes of filters (three levels of filter efficiency and three levels of resistance to filter efficiency degradation):

Filter Efficiency

Under NIOSH criteria, filter materials are tested at a flow rate of 85 lpm for penetration by particles with a medial aerodynamic diameter of 0.3 μm and if certified are placed in one of three categories:

- Type 100 (99.7%) efficient (considered a high efficiency particulate air (HEPA) filter)
- Type 99 (99%) efficient
- Type 95 (95 %) efficient

Filter Resistance Levels

The categories of resistance to filter efficiency degradation:

N (Not resistant to oil)

R (Resistant to oil)

P (Oil proof)

Type 100, 99, and 95 Particulate Filter

N-100, 99 and 95 are effective against particulate aerosols free of oil; time use restrictions may apply. (a single shift time limitation may be appropriate) N-series filters should be restricted to use in those workplaces free of oil or other severely degrading aerosols.

P-100, 99, and 95 are effective against all particulate aerosols and P-100 is the only filter that is color coded magenta (P series filters have neither aerosol-use nor time-use limitations).

R-100, 99 and 95 are effective against all particulate aerosols, time use restrictions may apply (R series filters do not have similar aerosol-use restrictions).

As for any filter, service time will be limited by considerations of hygiene and increased breathing resistance due to filter loading.

Examples of Particulate Filters



HEPA Filter



HEPA Filter



N-100



P-100



N-95



N-95

Use of Filter

Filter use and limitations should be clearly marked on the filter, filter package, or respirator box.

Dispose all filters according to manufacturer's guidelines.

Appendix D: Designated Positions by Department

DEPARTMENTS	<u>ENVIRONMENTAL HEALTH</u>	<u>SHERIFF</u>
<u>ADMINISTRATION</u>	Environmental Health Director	All Sworn Staff
N/A	Environmental Health Specialist I/II	Animal Control Officer
<u>AG COMMISSIONER</u>	<u>GENERAL SERVICES</u>	<u>SOLID WASTE</u>
N/A	Facility Operations Superintendent	Gate Attendant I/II
<u>ASSESSOR/CLERK RECORDER/ELECTIONS</u>	Maintenance Mechanic I/II	Equipment Operator Driver I/II/III
N/A	<u>HEALTH & HUMAN SERVICES</u>	Technician I/II/III
<u>AUDITOR</u>	Social Worker I/II/III	<u>TREASURER/TAX COLLECTOR</u>
N/A	Social Worker Supervisors	N/A
<u>BEHAVIORAL HEALTH SERVICES</u>	Custodian/ Maintenance Worker	<u>TRINITY TRANSIT</u>
Case Managers	Work Crew Leader	Transit Drivers
Clinicians	Public Health Nurse I/II	<u>VETERANS SERVICES</u>
<u>BOARD OF SUPERVISORS</u>	Public Health Nurse Supervisor	Veterans Service Officer
N/A	Public Health Nurse Director	
<u>BUILDING & DEVELOPMENT SERVICES</u>	<u>HUMAN RESOURCES</u>	
Building Inspector, I/II/III Chief Building Inspector	N/A	
<u>CANNABIS</u>	<u>INFORMATION TECHNOLOGY</u>	
Code Compliance Lead Worker Code Compliance Specialist I/II	N/A	
<u>CHILD SUPPORT SERVICES</u>	<u>LIBRARY</u>	
N/A	N/A	
<u>DEPARTMENT OF TRANSPORTATION</u>	<u>PLANNING</u>	
Mechanic I, II, III	N/A	
Road Maintenance Worker I, II, III	<u>PROBATION</u>	
Road Superintendent Director of Transportation	Assistant Chief Probation Officer Chief Probation Officer Deputy Probation Officers	
Equipment Shop Supervisor	<u>RISK MANAGEMENT</u>	
Surveyor	Risk Manager	
<u>DISTRICT ATTORNEY</u>	Loss Prevention Specialist I/II	
N/A		

**Respiratory Protection Plan policy
no 2020-01 Memo to DH 2020.pdf**



COUNTY OF TRINITY

Department of Human Resources | Risk Management
P.O. Box 1347, Weaverville, CA 96093-1347
Phone (530) 623-1325 FAX (530) 623-4222

TO: Department Heads

FROM: Shelly Nelson, HR Director/Risk Manager

SUBJECT: Implementing the new Respiratory Protection Plan for Trinity County Employees and Employees Working as Disaster Service Workers, Policy No. 2020-01

DATE: March 27, 2020

Attached is a newly signed Respiratory Protection Plan policy signed by CAO Richard Kuhns. I will be taking it to the Board on April 7th for ratification of his signature and will post the final policy on our website at that time.

This policy is ONLY for those specified classifications listed on Appendix D of the policy and at this time, ONLY for those employees who have direct one-on-one interaction and will require N95 masks. At this time, we can only accommodate fit testing by appointments and they must be processed through Human Resources.

Prior to fit testing, each specified employee must first:

1. Complete the attached Medical Evaluation form and submit to Human Resources.
2. Human Resources will fax to a designated medical provider to review and either:
 - a. Provider will Fax HR a signed approved Medical Clearance Form, or
 - b. If the medical provider requires a face to face examination, Human Resources will schedule that appointment for the employee.
3. Employee must be trained on the policy and provide HR the signed training record.
4. Human Resources will schedule the fit testing to an available provider.

I have a contract in routing for approval with Trinity Hospital clinic for Medical Clearance, but it is not yet approved. We will currently be working with ROMC in Redding, CA. or other providers, as available.

ROMC fees

Cost for faxed Personal History Questionnaire review and approval.....\$40 per employee
Cost for in-person health evaluation.....\$55 per employee

Respiratory Protection Plan - signature page (002).pdf



TRINITY COUNTY

COUNTY OF TRINITY'S ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING OF THE RESPIRATORY PROTECTION PLAN POLICY

I acknowledge that I have been given the opportunity to review the County's Respiratory Protection Plan Policy. I have read and understand my responsibilities under the Policy, and I agree to abide by it. I understand that I will be subject to discipline for violating this policy, or subject to other appropriate sanctions for failing to fulfill my responsibilities as outlined in this policy.

I understand that the Policy is available for my review at any time on the County's website. If I have trouble accessing the Policy, I will contact the Human Resources Department.

Print Name _____

Signature _____

Date _____

**2015 MOU - Ofcr. Inv. Critical
Incid. Protocol - Reduced Size.pdf**

TRINITY COUNTY

MULTI-AGENCY OFFICER INVOLVED CRITICAL INCIDENT

PROTOCOL

Revised January 12, 2015

FORWARD

Investigations of critical incidents involving law enforcement agency personnel (hereafter referred to generically as “officers”), are frequently more complex and demanding than other critical incidents which do not involve law enforcement officers. Applicable administrative and criminal statutory and case law is complex. Scientific evidence collection and analysis are frequently required and often at issue long after the incident. Questions may arise about the propriety of a law enforcement agency conducting an investigation in which one of its officers is the subject of an investigation. Public and news media attention are usually intense.

The potential social, civil, administrative, and criminal consequences of an officer’s actions can be profound and affect many parties. The various competing interests may adversely affect the investigation of such a matter if adequate safeguards are not delineated in advance. When several agencies are involved, differences in policy, procedure, personnel, resources, and interests may potentially conflict with and hamper the investigation process.

In consideration of these factors, the guidelines set out in this protocol were developed to serve as a general “model” for individual agencies to aid in development of appropriate policies, directives, and procedures for the investigation of officer involved critical incidents. The goal of these guidelines is to help ensure that such incidents are fully and fairly investigated and that proper dispositions of critical incident investigations are made based upon all the legally available relevant evidence.

While this document represents the consensus in concept of member agencies as to how such cases are to be investigated, the guidelines permit individual agencies to make modifications in order to meet individual agency requirements. These are guidelines. They are not statutes, ordinances, policies, or regulations. Furthermore, these guidelines are not intended to increase the civil or criminal liability of member agencies or their officers and they shall not be construed to create any mandatory obligations to, or on behalf of, third parties.

Agencies who are signatories to this protocol have agreed to review their related policies and make every effort to modify them to avoid conflict with these guidelines.

A. GENERAL POLICY STATEMENT

Investigations of critical incidents involving law enforcement agency personnel, hereafter referred to as officer involved critical incidents, will be performed to develop all available relevant information about the incident for ultimate presentation to the District Attorney for his determination of whether criminal liability exists. This type of investigation shall hereafter be referred to in this protocol as an "incident investigation." Incident investigations shall be performed in a manner which provides for a thorough and professional investigation that avoids conflicts of interest. This protocol is not intended to interfere with an employing agency's policy of providing peer support, family notifications, or other personal needs to an officer involved in a critical incident.

The investigation of each critical incident will commence as promptly as possible after its occurrence.

The goals of an incident investigation

1. Determine the existence or nonexistence of a crime; that is, to determine whether the nature and quality of the conduct are of a type prohibited by statutes, a violation of which is punishable by criminal penalties.
2. If a crime has occurred, determine:
 - a. The identity of the person(s) responsible,
 - b. the degree of the crime,
 - c. any legal or factual defenses to the crime, and
 - d. the existence of any factors which would mitigate or aggravate punishment for the criminal conduct.

B. DEFINITIONS

1. "Officer involved critical incident," "critical incident," or "incident":

Any incident in which an officer is involved and serious injury, death, or the serious likelihood of death, results. Such incidents include, but are not limited to:

 - a. Intentional or accidental shootings.
 - b. Intentional or accidental use of physical force or any other deadly or dangerous weapon/object.
 - c. Death of a person while in law enforcement custody or under law enforcement control. *Exception: If an officer is not believed or suspected*

to be involved in the serious injury or death of a jail inmate (e.g., suicide), the provisions of this protocol will not automatically apply.

- d. Any other incident upon the request of the department head or their designee of the employing agency.

2. "Jurisdictional agency"

The agency or agencies within whose geographic jurisdiction the incident occurs. The jurisdictional agency shall establish the command post for the incident.

3. "Employing agency"

The agency which employs the officer involved in the incident. The jurisdictional agency shall establish the command post.

4. "Officer" or "officer involved"

Any law enforcement agency personnel whose act, whether intentional or unintentional, may be a contributing or proximate cause of the injury or death of another person.

5. "Proximate cause"

A cause which, in a natural and continuous sequence, produces the injury or death, and without which the injury or death would not have occurred.

6. "Contributing cause"

A factor that, though not the primary cause, plays a part in producing the injury or Death.

7. "Investigating agency"

The law enforcement agency that leads the critical incident investigation. The investigating agency is responsible for the coordination of the overall investigation and shall ensure all reports necessary to conduct booking and criminal prosecution are submitted to the District Attorney in a timely manner.

8. "Incident investigators"

Those persons assigned by the jurisdictional or investigating agency to conduct or assist in the critical incident investigation.

C. INVESTIGATIVE RESPONSIBILITY

Personnel trained in officer involved shooting or critical incident investigation techniques will be maintained by those agencies who are signatories to this protocol.

1. The responsibility for investigating officer involved critical incidents shall be retained by the jurisdictional agency, except that:
 - a. The jurisdictional agency may seek investigative assistance from other law enforcement agencies.
 - b. The jurisdictional agency may elect to relinquish the investigation authority to another agency; if so, that other agency will thereafter be designated as the investigating agency.
 - c. In the event that officers from more than one agency are involved in the critical incident, consideration to utilize an uninvolved outside agency may be deemed appropriate by the jurisdictional agency.
2. The District Attorney has independent investigatory powers and responsibilities and may conduct a separate investigation of the incident.

D. ROLE OF THE DISTRICT ATTORNEY

The District Attorney or his designee has the following roles in an officer involved critical incident investigation:

Assigned Deputy District Attorney(s)

1. Assist and advise the incident investigators on the various legal issues which may arise, including assistance in the preparation of search warrants, if necessary.
2. Monitor the law enforcement investigation, with the assistance of District Attorney investigators if deemed necessary by the assigned Deputy District Attorney(s), to objectively and independently ensure the integrity of the investigation and process, and to obtain first-hand knowledge of the facts and circumstances involved in the incident so that the District Attorney is ultimately able to determine if the officer(s) actions were justified or if potential criminal liability exists.
3. Following completion of the incident investigation, the investigation reports, and evidence collected, determine if criminal liability exists. If so, prosecute as appropriate within the sound discretion of the District Attorney.

Assigned District Attorney Investigator(s)

1. Upon the request of the jurisdictional and/or investigating agency and with the concurrence of the District Attorney or his designee, assist in the incident investigation.
2. When deemed necessary by the District Attorney or his designee, conduct an independent investigation separate from that of the jurisdictional and/or investigating agency.

E. NOTIFICATIONS

Upon identifying an incident as being an "officer involved critical incident," the jurisdictional agency shall make the following notifications as promptly as possible:

1. Intra-department personnel as required by that agency's procedures.
2. Employing agency.
3. District Attorney or his designee.
4. Upon confirmation of a fatality, the Sheriff-Coroner's Office.

F. INTERVIEWS

1. Interviews with officers or other individuals, whether they are directly involved or witnesses in an incident, should be audio and/or video tape recorded.
2. Each officer who is interviewed should be interviewed separately from other witnesses unless circumstances dictate otherwise.
3. With the input of the investigating agency, the employing agency shall determine the location of the officer(s) interview(s).
4. If and when the interview of an officer becomes a custodial interrogation, the provisions of the Fifth Amendment and *Miranda v. Arizona* **line of** cases shall be applicable.
5. To ensure the voluntariness of an interview with an officer who was involved in a critical incident, but where the interview has not reached the level of a custodial interrogation, the incident investigator(s) may wish to advise the officer as follows:

- a. The officer is not obligated to answer incriminating questions and answers which he/she provides may be used against him/her in court.
 - b. The officer is not in custody and is free to leave and/or terminate the interview at any time.
 - c. Punitive action will not be taken against the officer if he/she refuses to answer incriminating questions posed by the incident investigators. (Note: Punitive action may result from refusal to answer questions posed by the internal affairs or administrative investigators of the employing agency).
6. Except for interviews or interrogations to which the Fifth Amendment and Miranda line of cases may apply, a request by an officer involved in the critical incident to consult with his/her representative prior to being questioned by the incident investigators will be honored except when the information being sought concerns compelling public safety issues. Due to the timeliness of the information needed to manage the scene of a critical incident, the first supervisor on scene should ask the involved officer public safety questions. If the officer involved refuses to answer these types of questions, he/she should be ordered to do so by a supervisor from his/her employing agency (If the officer is ordered to answer questions, the response is deemed to have been coerced.). Examples of compelling public safety issues include, but are not limited to:
- a. Crime scene perimeters.
 - b. Type of weapon(s) used or possessed.
 - c. Number of rounds fired.
 - d. Direction and angle of rounds fired.
 - e. Number, description, and/or identity of persons involved and their last known location or direction of travel.
 - f. Description of vehicle(s) involved and last known location or direction of travel.
7. Except as specified by Government Code section 3303, a request by an officer to have a representative present during the interview may be applicable.
- a. The request can be treated as if it were a request by a civilian witness for the same privilege.
 - b. To ensure the integrity of each interview, the officer's representative should be admonished that the officer's recollections and other comments about the incident are not to be discussed or shared with other witnesses.

8. If an officer involved in a critical incident discusses the incident with their representative, the representative has no privilege to refuse to disclose the contents of that discussion unless the representative is a lawyer, physician treating the officer, clergyman, or psychotherapist.
9. A peace officer may not be compelled to submit to a polygraph or voice stress analyzer examination and, should the officer refuse to submit, Government Code section 3307 prohibits several specific uses of that refusal.

10. Administrative interview:

The criminal investigation shall take precedence over, and be separate from, the administrative or internal investigation.

- a. Administrative interviews should be conducted separately and independently from the incident investigation and associated interviews. However, the employing agency may elect to monitor the incident investigation and interviews in the interest of avoiding duplication of efforts and/or duplicate interviews.
- b. The employing agency should follow their agency's established policy for the administrative investigation.
- c. If and when the interview focuses on matters which are likely to result in punitive action against a public safety officer, he/she has the right, upon his/her request, to have a representative [as defined in Government Code section 3303(h)] present during the interview. For other law enforcement agency employees, the rights afforded to the employee by the employing agency as established by that agency or its governing body should be complied with.

11. Government Code section 3300, et seq., also known as the "Public Safety Officer Procedural Bill of Rights Act," may be applicable to some interviews of public safety officers who are questioned in connection with an incident.

- a. The Act is not applicable to interviews with public safety officers who are being interviewed by other than their employing agency.
- b. The Act is not applicable to interviews with public safety officers (even when being interviewed by their employing agency) when the investigation is concerned solely and directly with alleged criminal activities.

G. INTOXICANT TESTING

1. If the incident investigators determine that an officer's state of sobriety is relevant to the incident investigation, they shall proceed as they would with any civilian

subject in a similar situation. Specifically, the investigators should obtain a blood sample for alcohol testing and/or a urine sample for drug and/or alcohol testing after obtaining the officer's valid consent, pursuant to a search warrant, probable cause exists to arrest, or incidental to the arrest of the officer for a crime.

2. In the event that appropriate physiological samples are not obtained from an officer as part of the incident investigation, the employing agency may wish to obtain such sample(s) for employment-related purposes. The options are to:
 - a. Obtain the sample(s) with the officer's valid consent; or
 - b. Obtain the sample(s) by ordering the officer to provide such sample(s) based upon the employer-employee relationship.
3. Some departments may wish to establish blanket orders regarding intoxicant testing of any officer involved in a critical incident.
4. If the employing agency wishes to seek a physiological fluid sample for administrative purposes after the incident investigators have either been unable to obtain a sample or have decided against obtaining one, the employing agency will be accommodated as much as possible. The employing agency's efforts to obtain a sample should not interfere with the incident investigation.
5. An officer may volunteer to provide a physiological fluid sample for intoxicant testing even if the incident investigators and employing agency have not obtained one. Similarly, the officer from whom a sample has been taken by the incident investigators or the employing agency may wish to have a second sample taken for independent testing.

H. NEWS MEDIA RELATIONS

While any agency with knowledge of a critical incident cannot be prohibited from making statements to the news media, these guidelines are established:

1. A representative of the investigating agency, which may also be the jurisdictional agency, is in the best position to comment about the facts of the case and the progress of the investigation.
2. Other agencies may also be contacted by the news media for information about an incident.
 - a. The employing agency
Fewer problems will arise, especially at the early stages of the investigation, if the employing agency limits its comments to the following areas:

- (1) The employer-employee relationship.

(2) Factual material revealed by the employing agency's own internal investigation of the incident (as opposed to information gained from the incident investigators).

(3) Information which has been cleared for release by the investigating agency.

b. The District Attorney

c. The Criminalistics Laboratory

Information released will generally be confined to laboratory procedures including scientific facts, principle, and testing. The results or conclusions of forensic analysis will generally not be released without clearance from the investigating agency.

d. The Sheriff-Coroner's Office

The Sheriff-Coroner's Office may release information which generally will be limited to the following:

(1) The Coroner's role and responsibilities in the investigation.

(2) The date, time, and location of the autopsy, the forensic pathologist's name, and the agency representatives present.

(3) Autopsy findings, including the cause, mode, and manner of death, and toxicology test results.

3. If incident investigators determine that the release of a specific piece of information would materially jeopardize the investigation, they shall notify those agencies possessing that knowledge of the hazards of releasing it.

4. Interruptions of the assignments being carried out by the incident investigators will be minimized if the investigating agency assigns a particular individual (e.g., a "public information officer") to be the sole contact person with the news media. If this is not feasible, a lead investigator or supervisor should be assigned to media relations.

5. Agencies and individuals who are not well informed and intimately involved with the progress of the investigation should not make statements to the news media.

6. As in all law enforcement investigations, care must be taken to ensure that intentionally misleading, erroneous, or false statements are not made.

7. The interest of the public's right to know what occurred must be balanced with the need to maintain the integrity of the investigation and the right of a defendant to receive a fair trial.

I. ACCESS TO REPORTS AND EVIDENCE

Investigative material (e.g., reports, diagrams, photographs, or tape recordings) prepared, created, or collected by the incident investigators, will be made available in a timely manner to those agencies which have a "need to know" and which are legally authorized to receive the information. Agencies which have a "need to know" may include:

1. Investigating agencies.
2. The employer of officers involved in the critical incident.
3. The District Attorney.
4. The Criminalistics Laboratory.
5. The Sheriff-Coroner's Office.
6. Other authorized personnel within the chain of command of those agencies which are signatories to this protocol.

J. PROCESSING OF INVOLVED OFFICER(S)

Each officer involved in the critical incident should be processed in a timely manner according to the investigating and/or employing agency policies and procedures to collect and document forensic evidence necessary for a thorough and complete investigation. An identification technician should be assigned to these and other relevant tasks, including, but not limited to, the following:

1. Arrange for the collection of the involved officer's blood/urine sample.
2. Document, collect, photograph, and examine the involved officer's clothing, duty belt, weapon(s), and other equipment that may have been utilized during the incident.
3. Examine the officer's weapon, document, and photograph.
4. This protocol is not intended to interfere with an employing agency policy of providing peer support, family notifications, or other personnel needs to an officer involved in a critical incident.

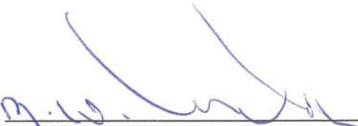
I hereby agree to accept the Multi-Agency Officer-Involved Critical Incident Protocol as the governing operational document.


Eric L. Heryford
District Attorney
Trinity County

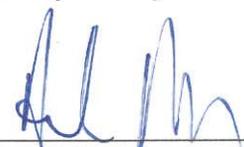
Date


Bruce Haney
Sheriff
Trinity County

Date


Mark Loveless
Trinity River Area Commander
California Highway Patrol

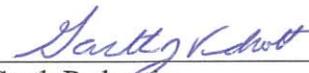
Date


Hal Ridlehuber
Chief Probation Officer
Trinity County

Date


Tony Warrington
Assistant Chief
California Department of Fish and Wildlife

Date


Garth Pedrotti
Marshal
Trinity County Marshal

Date

16-49.pdf



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

May 23, 2016

ALL COUNTY LETTER NO. 16-49

TO: ALL COUNTY CHILD WELFARE DIRECTORS
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL COUNTY CHIEF PROBATION OFFICERS
ALL TITLE IV-E AGREEMENT TRIBES
ALL INDEPENDENT LIVING PROGRAM COORDINATORS

SUBJECT: **COMMERCIALLY SEXUALLY EXPLOITED CHILDREN
DOCUMENTATION IN THE CHILD WELFARE SERVICES/CASE
MANAGEMENT SYSTEM**

REFERENCE: [PUBLIC LAW \(P.L.\) 113-183](#); [SENATE BILL \(SB\) 855 \(CHAPTER 29, STATUTES OF 2014\)](#); [SENATE BILL \(SB\) 794 \(CHAPTER 425, STATUTES OF 2015\)](#); [COMMERCIALLY SEXUALLY EXPLOITED CHILDREN \(CSEC\) PROGRAM, WELFARE AND INSTITUTIONS \(WIC\) CODE SECTION 16524.6 ET SEQ.](#); [PENAL CODE SECTION 11165.1](#); [ALL COUNTY LETTER \(ACL\) NO. 14-62](#); [ACL NO. 15-49](#).

This All County Letter (ACL) provides instruction on how to properly document within the Child Welfare Services/Case Management System (CWS/CMS) children and youth¹ who are, or are at risk of being, commercially sexually exploited (CSE) as required by SB 855 and SB 794. Specifically, these instructions explain how to transition from the Special Project Codes (SPCs) to using the **permanent system changes** in CWS/CMS.

This ACL supersedes the instructions previously provided in ACL No. 15-49, which implemented the temporary use of the SPCs. The SPCs caseworkers have been using

¹ Under Section 471(a)(9)(C)(i)(I) of the Social Security Act, this includes “any child or youth over whom the State agency has responsibility for placement, care, or supervision and who the State has reasonable cause to believe is, or is at risk of being, a sex trafficking victim (including children for whom a State child welfare agency has an open case file but who have not been removed from the home, children who have run away from foster care and who have not attained 18 years of age or such older age as the State has elected under Section 475(8) of this Act, and youth who are not in foster care but are receiving services under Section 477 of this Act)”

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

as an interim “workaround” will now be replaced by the permanent system changes described below. Existing data from the SPCs will be merged into the new commercially sexually exploited children (CSEC) fields at the same time the permanent system changes go live on **Saturday, May 21, 2016**. Users will be able to enter the SPCs between Saturday and Monday, however; that data would not be pulled over into the new fields. Caseworkers should commence use of the permanent system changes on **May 21, 2016**.

Background

Senate Bill (SB) 855 amended Welfare and Institutions Code (WIC) section 300 to clarify that under existing law, CSEC children² whose parents or guardians failed or were unable to protect them may fall within the description of the WIC section 300(b) and be adjudged as dependents of the juvenile court. The Legislature also amended the WIC (commencing with section 16524.6) to establish a state-funded CSEC Program to be administered by the California Department of Social Services (CDSS) in which counties elected to participate. Pursuant to WIC section 16524.9, the CWS/CMS must be capable of collecting data concerning CSEC, including children who are referred to the child abuse hotline and children currently served by county child welfare and probation departments who are subsequently identified as victims of commercial sexual exploitation.

In addition, on September 29, 2014, President Obama signed Public Law 113-183, the Preventing Sex Trafficking and Strengthening Families Act. This new federal law contains several provisions relating to sex-trafficked children, including a requirement that agencies develop policies and procedures for identifying, documenting, and determining appropriate services for serving children and youth who are, or are at risk of being, a victim of sex trafficking, and reporting related data to the federal Department of Health and Human Services, Administration for Children and Families.

Conforming state law changes implementing these new federal requirements were codified by SB 794 (2015) and became operative on January 1, 2016. In particular, WIC section 16501.35(a) requires county child welfare agencies and probation departments to implement policies and procedures to identify children receiving child welfare services who are, or are at risk of becoming, victims of commercial sexual exploitation, and to document these identified individuals in the CWS/CMS. Pursuant to WIC section 16501.45(c), county child welfare agencies and probation departments must provide the data necessary to comply with federal reporting requirements.

² WIC § 300(b)(2) “...a child who is sexually trafficked, as described in Section 236.1 of the Penal Code, or who receives food or shelter in exchange for, or who is paid to perform, sexual acts described in Section 236.1 or 11165.1 of the Penal Code, and whose parent or guardian failed to, or was unable to, protect the child, is within the description of this subdivision, and that this finding is declaratory of existing law. These children shall be known as commercially sexually exploited children.”

Use of the Exploitation & Neglect Abuse Categories and CSEC SubCategories

When a referral comes in indicating the commercial sexual exploitation of a child or youth, the intake worker may choose “exploitation” and/or “general neglect” as the abuse category allegation in the Referral Notebook, depending upon the specific circumstances alleged by the referral. Based upon the evidence gathered during the investigation, caseworkers should use appropriate judgment to determine who is named as the perpetrator in each allegation, and whether other allegations, such as sexual abuse or caretaker absence, should also be documented in the referral.

If an exploitation allegation in the case of a commercially sexually exploited child or youth is substantiated, county workers should select the new Abuse Subcategory of “Commercial Sexual Exploitation.” This abuse subcategory replaces the previously existing subcategories of “Child Porno/Knowledg/Involmnt of Parnt” and “Selling/Offering to Sell Child,” which will be greyed out and no longer available for use.

If a general neglect allegation in the case of a commercially sexually exploited child or youth is substantiated, county workers should select the new abuse subcategory of “Fail/Unable to Protect from CSE.” Please see Attachment A for more details.

CSEC Data Grid

The CSEC Data Grid is located on the ID page in the Client Notebook (See Attachment B). The grid is enabled in Case and Referral for a child or youth only. The new grid allows users the capability to add, view and modify CSEC data.

The CSEC Type in the table on the next page will be used to identify and document children and youth who are, or are at risk of being, commercially sexually exploited and have new, open, and closed cases in the CWS/CMS. Updating CSEC data for closed cases or referrals is only allowable if the user has the 'Closed Case/Referral Update' privilege.

Please note: Four of the six CSEC Types match the CSEC SPCs that have been used in the interim workaround. To fully implement the new federal reporting requirements, two new CSEC Types have been added and are identified with an asterisk (*).

The “At Risk” definition has been changed and clarified.

	CSEC Type	Description	Instructions
1.	At-Risk³ Required by SB 794.	<p>Minimum of one of the following indicators: (A) Child/youth exhibits behaviors or otherwise indicates that she/he is being controlled or groomed by another person.</p> <p>(B) Child/youth spends time with people known to be involved in commercial sex;</p> <p>(C) Child/youth’s use of internet, cell phone, or social media involves social or sexual behavior that is atypical for his/her age;</p> <p>OR minimum of two of the following indicators D-H:</p> <p>(D) Child/youth has a history of running away, unstable housing, including multiple foster care placements, or periods of homelessness including couch surfing;</p> <p>(E) Child/youth has had prior involvement with law enforcement or the juvenile justice system;</p> <p>(F) Child/youth is frequently truant;</p> <p>(G) Child/youth’s relationships are concerning, placing him/her at risk or in danger of exploitation;</p> <p>(H) Child/youth has a history of substance abuse, specifically narcotics, opiates, crack/cocaine and amphetamines.</p>	<ul style="list-style-type: none"> • Start Date: The date the child or youth is identified by the caseworker as being at-risk for CSE based upon meeting the risk factor requirements in the description and based upon the knowledge of the caseworker. • End Date: The date the child or youth no longer meets the At-Risk criteria for CSE as assessed by the caseworker, or the date when the child or youth became a victim of CSE. If the child or youth becomes a victim of CSE after having been identified and documented as At-Risk for CSE, the caseworker should enter an end date for the At-Risk type and select the appropriate CSEC type (Victim During Foster Care, Victim in Open Case not in Foster Care, or Victim with Closed Case, Rcv ILP Svcs) to the case notebook.

³ Social Security Act § 471(a)(9)(C)(i)(I), WIC § 16501.35, & WIC § 16501.45

	CSEC Type	Description	Instructions
2.	Victim Before Foster Care ⁴ Required by SB 855 and SB 794.	Child/youth who is CSEC/sex trafficked, or who receives food or shelter in exchange for, or who is paid to perform, sexual acts as described in Penal Code §236.1 or §11165.1, including pornography and who became such a victim BEFORE entering foster care.	<ul style="list-style-type: none"> • The Start Date must be entered and can be a date prior to the child or youth’s entry into the child welfare system. • The End Date should be entered as the date the child or youth no longer receives any child welfare services.
3.	Victim During Foster Care ⁵ Required by SB 855 and SB 794.	Child/youth who is sex trafficked, or who receives food or shelter in exchange for, or who is paid to perform, sexual acts as described in Penal Code §236.1 or §11165.1, including pornography and who became such a victim WHILE IN foster care.	<ul style="list-style-type: none"> • Start Date: The date the child or youth—while in care—became a victim of CSE, as identified by the caseworker through the county screening process. • End Date: The date the child or youth is no longer in foster care.
4.	* Victim in Open Case not in Foster Care ⁶ Required by SB 855 and SB 794.	Child/youth who is CSEC/sex trafficked, or who receives food or shelter in exchange for, or who is paid to perform, sexual acts as described in Penal Code §236.1 or §11165.1, including pornography and who became such a victim while in an open case but not in foster care. This includes a child who became a CSE victim with an open family maintenance case or whose parent(s) are participating in voluntary services and the child has not been removed from the home.	<ul style="list-style-type: none"> • Start Date: The date the child or youth became a victim of CSE, as identified by the caseworker through the county screening process. • End Date: The date the child or youth no longer receives child welfare services.

⁴ Social Security Act § 471(a)(9)(C)(i)(I), § 479(c)(3)(E), WIC § 16501.45 & WIC § 16524.9

⁵ Social Security Act § 471(a)(9)(C)(i)(I), § 479(c)(3)(E), WIC § 16501.45, WIC § 16501.35, & WIC § 16524.9

⁶ Social Security Act § 471(a)(9)(C)(i)(I), WIC § 16501.35, & WIC § 16524.9

	CSEC Type	Description	Instructions
5.	Victim While Absence From Placement ⁷ Required by SB 855 and SB 794.	A child or youth who is absent without leave (AWOL), or is abducted, or is otherwise absent from placement and is CSEC/sex trafficked as described in WIC §300(b)(2) or Penal Codes §236.1 or §11165.1 during absence from placement and identified as such upon return to placement.	<ul style="list-style-type: none"> • Applies to a child or youth in foster care and not the expanded populations of youth identified in Footnote 1 of this ACL. • Per federal law⁸, the caseworker will need to ascertain the child's experiences while absent from placement, including whether the child was a victim of CSE during their absence from placement. Once the child is identified, the caseworker will retroactively enter the Start Date as the date when the child was first absent from placement and the End Date as the date the child returned to placement. • May be used multiple times for separate incidents.
6.	* Victim with Closed Case, Rcv ILP Svcs ⁹ Required by SB 794	Child/youth who is CSEC/sex trafficked, or who receives food or shelter in exchange for, or who is paid to perform, sexual acts as described in Penal Code §236.1 or §11165.1, including pornography and who became such victim in a closed case and receives Independent Living Program (ILP) Services.	<ul style="list-style-type: none"> • Applies to a child or youth whose case is closed but is receiving ILP services. • Start Date: The date the child or youth became a victim of CSE, as identified by the caseworker through the county screening process. • End Date: The date the child or youth no longer receives ILP services. • May be used multiple times for separate incidents.

⁷ Social Security Act § 471(a)(35)(A)(iii), WIC § 16501.35, WIC § 16501.45, & WIC § 16524.9

⁸ Social Security Act § 471(a)(35)(A)(iii) requires “determining the child’s experiences while absent from care, including screening the child to determine if the child is a possible sex trafficking victim (as defined in Section 475(9)(A)).” This requirement is codified in state law in WIC § 16501.35.

⁹ Social Security Act § 471(a)(9)(C)(i)(I), WIC § 16501.35

If an Allegation with an Abuse SubCategory of 'Commercial Sexual Exploitation' or 'Fail/Unable to Protect from CSE' exists and the child or youth does not have any CSEC data entered into the CSEC Data Grid, a message will be displayed and instruct the user to enter information into the CSEC Data Grid before allowing them to save to the database.

Start and End Dates

The Start Date is a mandatory field when creating a row and cannot be less than the date of birth for the child or youth. The Start Date cannot be a future start date. The history sorts in descending order with null End Dates first. The End Date is mandatory if an 'At Risk' value is created and an active 'Victim' row already exists. The same is true when a 'Victim' row is created and an active 'At Risk' row already exists. A child or youth cannot be at risk and a victim at the same time. The End Date field is mandatory if 'Absence from Placement' is selected because the child or youth would have returned and the case worker would have interviewed them. The End Date must be greater than or equal to the Start Date and cannot be a future End Date.

Counties needing additional assistance regarding data entry should contact their System Support Consultant at the Office of Systems Integration, or the CMS Support Branch at CMSProgramPolicyUnit@dss.ca.gov.

For any other questions, please contact the Child Welfare Policy and Program Development Bureau; Child Trafficking Response Unit staff at CSECProgram@dss.ca.gov.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division

Attachments

c: CWDA

ATTACHMENT A

Instructions for entering the Abuse SubCategory while Substantiating a CSEC Allegation of Exploitation

In the Referral Management Notebook (green section):

1. Click on the **Open Existing Allegation** button.
2. Select the Allegation row that you are concluding.
3. Click on the **Conclusion** tab and enter the **Allegation Conclusion** of Substantiated.
4. Click the “+” button under **Abuse Information** to select the **Abuse SubCategory** of Commercial Sexual Exploitation.

The screenshot shows the 'Client Services - Referral [L, Mother] - [Allegation [L, Susie (15)]]' application window. The 'Conclusion' tab is active. The 'Current Conclusion' section includes fields for 'People Involved' (Alleged Victim: L, Susie; Abuse Category: Exploitation; Alleged Perpetrator:), 'Conclusion Date' (04/12/2016), and 'Allegation Conclusion' (Substantiated). The 'Abuse Information' section has a '+' button highlighted in red. A 'Select Abuse Information' dialog box is open, showing a list of Abuse SubCategories: 'Child Porno, Knowledg/Involvmnt of Parnt', 'Commercial Sexual Exploitation', 'Exploiting Child's Labor', 'Involving Child in Criminal Behavior', 'Other Exploitation', and 'Selling/Offering to Sell Child'. The 'Commercial Sexual Exploitation' option is highlighted in red. A red arrow points from the '+' button in the 'Abuse Information' section to the dialog box. The 'Conclusion History' section shows a table with columns for Date, Conclusion, and Grievance. At the bottom, there is a section for 'Allegation Conclusion modified as a result of grievance?' with radio buttons for 'No' and 'Yes'.

NOTE: The existing Abuse SubCategory rows 'Child Porno, Knowledg/Involvmnt of Parnt' and 'Selling/Offering to Sell Child' under the Abuse Category of 'Exploitation' has been replaced with a new value of '**Commercial Sexual Exploitation.**'

ATTACHMENT A (cont'd)

Instructions for entering the Abuse SubCategory while Substantiating a CSEC Allegation of General Neglect

In the Referral Management Notebook (green section):

1. Click on the **Open Existing Allegation** button.
2. Select the Allegation row that you are concluding.
3. Click on the **Conclusion** tab and enter the **Allegation Conclusion** of Substantiated.
4. Click the “+” button under **Abuse Information** to select the **Abuse SubCategory** of Fail/Unable to Protect from CSE.

The screenshot displays the 'Client Services - Referral [L, Mother] - [Allegation [L, Susie (15)]]' application window. The 'Conclusion' tab is active, showing the 'Current Conclusion' section with the following fields: 'People Involved' (Alleged Victim: L, Susie; Abuse Category: General Neglect; Alleged Perpetrator: [empty]), 'Conclusion Date' (04/12/2016), and 'Allegation Conclusion' (Substantiated). Below this is the 'Abuse Information' section, which includes a red '+' button and an 'Abuse Subcategory' field. A dialog box titled 'Select Abuse Information' is open, showing a list of abuse subcategories. The 'Abuse SubCategory' field in the dialog is highlighted in red, and the 'Fail/Unable to Protect from CSE' option is selected. The dialog also features 'OK', 'Cancel', and 'Help' buttons.

ATTACHMENT B

Instructions for locating and entering the CSEC Data and Start and End Date

In the Client Management Section (blue section)\Open Existing Client notebook:

1. Click the **ID** tab to access the **CSEC Data** table.
2. Select from the six **CSEC Types** and enter the **Start and End Dates** according to the instructions in the table starting on page four of this ACL.
3. The Start Date is a mandatory field when creating a row and cannot be less than the date of birth for the child or youth.
4. The Start Date cannot be a future start date.
5. The End Date is mandatory if an 'At Risk' value is created and an active 'Victim' row already exists. The same is true when a 'Victim' row is created and an active 'At Risk' row already exists. A child or youth cannot be at risk and a victim at the same time.
6. The End Date field is mandatory if 'Absence from Placement' is selected because the child or youth would have returned and the case worker would have interviewed them.
7. The End Date must be greater than or equal to the Start Date and cannot be a future End Date.

The screenshot shows the 'Client Services - Referral [L, Mother] - [Client [Susie L]]' application window. The 'ID' tab is active, displaying the 'CSEC Data' table. The table has columns for 'CSEC Type', 'Start Date', and 'End Date'. A dropdown menu is open for the 'CSEC Type' field, showing options: '<None>', 'At Risk', 'Victim Before Foster Care', 'Victim During Foster Care', 'Victim in Open Case not in Foster Care', 'Victim while Absent from Placement', and 'Victim with Closed Case, Rcv ILP Svcs'. A red arrow points to the 'Start Date' field in the table. The 'Name and Identification' section shows client information for 'Susie L', including gender (Female), date of birth (04/16/2000), and client index number (1714-5280-8894-8002659). Other sections include 'Other Client Information', 'Language', 'Indian Ancestry Notification', 'Safety Surrendered Baby', 'Confidentiality', and 'Safety Alert Information'.

Arming Application - Revised 2019-11.pdf

On Duty Firearm Application

For Probation Deputy Probation Officers

Date:

Name:

Rank:

Current Work Assignment:

Reason(s) for position or Deputy Probation Officer to be armed:

Summary of Experience and Training:

I have reviewed and considered the Deputy Probation Deputy Probation Officer's application for arming and have made the following decision:

___ Application accepted and forwarded to the Firearms Instructor for further consideration.

___ Application denied. Reason for denial:

Tim C. Rogers, Chief Probation Officer

IIPP Revised 6.1.20 - COVID-19 Compliant.pdf

TRINITY COUNTY



INJURY & ILLNESS PREVENTION PROGRAM (I.I.P.P.)

Trinity County Illness & Injury Prevention Program (I.I.P.P.)

TABLE OF CONTENTS

	<i>Page</i>
I. Policy Statement	1
II. Responsible Parties	1
III. Safety Recognition, Compliance & Discipline	2
IV. Safety Communication	3
V. Reporting - Hazards, Injuries, Incidents & Near Misses (Remediation)	4-5
VI. Investigation - Hazards, Injuries, Incidents & Near Misses	5-6
VII. Inspections / Evaluation System	7
VIII. Training in Health & Safe Work Practices	7-8
IX. Recordkeeping / Documentation	8
X. Appendix A (<i>Contacts</i>)	9
1. Department Head Listing	9
2. Department Safety Representative (DSR) Listing	10
XI. Appendix B (<i>Forms</i>)	11
1. Heat & Illness Prevention Program	12
2. Code of Safe Practices	13-14
3. Cal/OSHA Reportable Injury Form	15
4. Incident Hazard Form	16
5. Public-Involved Incident / Accident Form	17-18
6. Supervisor's Report Form	19
7. Inspection Form – <i>Office</i>	20-21
8. Inspection Form – <i>Shop</i>	22-24
9. Safety Training Record	25-26
10. Automobile Accident Form	27-28
11. COVID-19 Illness Prevention	29-30
12. COVID-19 Employee Daily Screening Form	33

Trinity County

Injury and Illness Prevention Program (I.I.P.P.)

I. POLICY STATEMENT

Trinity County is committed to preventing injuries and illnesses, as well as providing a safe and healthy workplace. To achieve this goal, Trinity County has adopted an Injury and Illness Prevention Program (I.I.P.P.).

II. RESPONSIBLE PARTIES

See section XII. Appendix A, for current names and contact information.

The responsibilities for safety and health are shared. Trinity County accepts the responsibilities for leadership of the safety and health program, for its effectiveness and improvement, and for the safeguards required to ensure safe conditions.

A. **Program Administrator:** The Risk Manager is responsible for implementing the provisions of this program. Any questions regarding the program should be directed to the Program Administrator or appropriate line manager.

B. **Human Resources Department:**

Risk Manager:

Program Administrator

- Promotes compliance of this I.I.P.P.
- Oversees safety trainings and meetings
- Identifies hazards / remediation
- Investigates all accidents
- Maintains files of safety communication / records
- Processes Workers' Compensation claims

C. **Managers / Supervisors:**

- Responsible for developing proper attitude toward safety and health in themselves and in those they supervise.
- Held accountable for the safety record of the employee(s) working under them.
- Provide a safe and healthy workplace by ensuring compliance of this I.I.P.P.
- Know which Cal/OSHA safety orders contained in Title 8 of the California Code of Regulations apply to their department and use them to identify potential hazards.
- Responsible for workplace equipment and personal, protective equipment (PPE). Management and supervisors must assure that the operation of workplace equipment is monitored, that routine preventative maintenance is conducted and PPE is reliable.
- Ensure safe work practices by employees and themselves.
- Assure employees are provided and use necessary PPE (Personal Protective Equipment).
- Scheduled inspections are a part of the routine duties of supervisors and managers.
- Must review all written inspection reports and should assist in prioritizing actions and verify completion of previous corrective actions.

- Identify and correct hazards; If the manager is unable to correct a hazard immediately, they shall sign the hazard, block it off or lock out/tag it and immediately report the workplace hazard to their supervisor AND the Risk Management/Human Resources Department or Program Administrator.
- Investigate incidents and injuries and provide a report to the Loss Prevention Specialist.
- Promote and train employees in safety and health procedures.
- Participate in all monthly safety meetings.
- Participate in a minimum of 3 leadership/supervisory trainings per Trindel Insurance Fund's fiscal year (June 1st through May 31st).

D. **Department Safety Representatives (DSR):**

- Act as contact person in a department for all safety communication.
- Involved in all investigations, inspections, incident / hazard reporting and remediation of their department.
- Notify Department Head and immediate supervisor of any incidents, injuries, and / or hazards immediately.
- Assure monthly safety trainings occur.

E. **Employees:** All employees are required to comply with the provisions of this policy.

- Follow all Code of Safe Practices, including those specific to their department duties.
- If an employee identifies a hazard and it cannot be corrected immediately, the employee shall sign the hazard, block it off or lock it out and tag it AND report it to their supervisor and risk management.
- Report all injuries, hazards and near misses on the incident/hazard forms immediately to their direct supervisor or DSR (department safety representative) *and* the Risk Management/Human Resources Department or the Program Administrator.
- Participate in all health and safety activities including training and monthly safety meetings.

III. SAFETY RECOGNITION, COMPLIANCE & DISCIPLINE

A. **Employee Recognition:**

- i. **Annual Safety Award for an Individual Employee** - Trinity County shall recognize an employee for their high level of safety and health awareness in day to day tasks and participation in the loss prevention program.

This employee shall be presented with an award and certificate before the Board of Supervisors prior to the end of the fiscal year.

AND/OR

- ii. **Annual Safety Award for an Entire Department** - Trinity County shall recognize a department for its high level of safety and health awareness in day to day tasks and participation in the loss prevention program.

The Department Head and the DSR (Department Safety Rep) for the chosen department shall be presented with an award and certificate before the Board of Supervisors prior to the end of the fiscal year, and a luncheon to celebrate this achievement.

- iii. **Annual Performance Evaluations** shall reflect employee's safety awareness, practices and compliance.

B. **Compliance**: All employees are required to comply with the provisions of this policy.

C. **Discipline**: Trinity County reserves the right to discipline employees who knowingly violate Trinity County safety rules or policies. Disciplinary measures will include but not be limited to:

- Minor offense – verbal warning and, if needed, documented additional training, signed by the employee.
- Severe or repeated violations - written warning and documented training signed by the employee.
- If verbal and written warnings do not prove sufficient -suspension without pay.
- If none of the above measures prove satisfactory and no other acceptable solution can be found - Trinity County may have no choice but to terminate employment for those who continue to jeopardize their own safety and/or the safety of others.

IV. SAFETY COMMUNICATION

It is Trinity County’s policy to maintain open communication between management and staff on matters pertaining to safety. Thoughts regarding safety are considered important and employee’s active participation in Trinity County’s safety program is encouraged.

A. **Expressing Safety Concerns**: Employees may express any safety concerns or suggestions either during a safety meeting, individually to supervisors, or in writing on the incident hazard form (*see Appendix B, form B*).

B. **Anonymity**: A safety concern or idea may be submitted anonymously through inter-department mail directly to Risk Management.

C. **Employee Orientation**: Each employee upon new employment is required to attend orientation, which includes training on this I.I.P.P.

D. **Emergency Communication**: This is department specific. Please refer to your department’s code of safe practices and/or immediate supervisor.

E. **Safety Bulletin Boards**: Each department has a bulletin board on which all safety communication is posted. This board shall be displayed in a universal location within the department.

F. **Safety Meetings**:

a. **Employee Safety Meetings**: All employees shall be provided applicable and meaningful safety trainings on a monthly basis. An original signed roster and a copy or description of topic(s) covered shall be submitted to Risk Management within the first week of the following month.

b. **Safety Site Committee Meetings**: Members of these committees are appointed by Department Heads. Member representatives meet on a monthly basis to discuss safety issues pertaining to their department(s). Minutes are prepared within 1 week of the meeting and shared with all employees within that department. The minutes shall be posted on the Safety Bulletin Board.

▪ **Department of Transportation Committee:**

Consists of the Director, Shop Foreman, Road Superintendent/Safety Officer, and three Crew Members at Large

▪ **Health & Human Services Committee:**

Consists of a representative from each unit in Health & Human Services Department.

c. **County-Wide Safety Meetings**: An equal mix of supervisors and DSRs (department safety representatives), one representative from each County Department, meet on the last Wednesday of every month. All injuries, incidents and hazards which occurred that month are reviewed and discussed to assure follow through in making corrections and to prevent repeated occurrences. Safety concerns are discussed and resolved. Also reviewed are department safety trainings and department inspections.

- G. **Incident Hazard Form:** Standard form on which a hazard, near miss, injury or incident can be reported. Please refer to **section V. Hazard Identification / Reporting** for correct procedures. Form is available in Appendix B.
- H. **Newsletter:** *Trinity County's "Safety & Wellness Newsletter"* This monthly newsletter is provided to each employee through county email, inter-department mail and/or manual distribution. It shall also be posted on safety bulletin boards within each department / building and will be posted on the Loss Prevention Bulletin Board outside of the Human Resources Office. Announcements, safety education, hazards, recalls, and wellness education are contained here.
- I. **Email:** Safety issues are often shared via email to the involved or affected employees.

V. REPORTING – Hazards, Injuries, Incidents & Near-Misses (Remediation)

All accidents and injuries must be reported to your direct supervisor and the Risk Management Department on the same day of the occurrence.

A. **Purpose:** Trinity County's Incident/Hazard reporting program provides a means for individual employees to report an injury or an incident, hazard or near-miss that could cause employee injury, illness, death or damage to County property. Trinity County encourages employees to report without fear of reprisal any workplace hazards they identify.

B. Reporting Procedure:

For Serious Injuries:

Report immediately to Risk Management (530-623-8371, 623-8376 or 530-623-1325) any injury resulting in:

- **Death,**
- **Serious Physical Harm**
- **Hospitalization of 24 hours+**
- **Impairment**
- **Unconsciousness/Fainted**

Cal/OSHA must be notified within 8 hours of such injury, regardless of time or day of the week. The Loss Prevention Specialist or Risk Manager shall report to Cal/OSHA. If the Loss Prevention Specialist or Risk Manager is not available, the direct supervisor shall report to Cal/OSHA directly. (530) 224-4743 or FAX: (530)224-4747 (Please see Appendix B, Section 3.)

Incident/Hazard form:

- a. **Section A:** Identify if reporting an injury, incident/near-miss or hazard by checking the appropriate box and complete this section by providing the date and time of incident, location, date reported, name of person this was reported to, and the affected department.
- b. **Section B:** Briefly describe incident
- c. **Section C:** List cause, if known
- d. **Section D:** If correction cannot be made immediately, list any suggested corrections. *Brainstorming within the effected department or at a safety meeting can prove to be extremely effective.*
- e. **Section E:** If correction has been made, document here including the date. If not, the Loss Prevention Specialist will follow up here.

- f. **Investigated By:** This is usually by the supervisor, Loss Prevention Specialist and/or department safety representative.
- g. **Signature spaces:** Both the DSR and the Department Head must sign to assure they have been made aware of the incident/injury or hazard.

3. **Remediation:** Trinity County shall take all reasonably necessary steps to remedy a workplace hazard in a timely manner consistent with the health and safety standards in the industry. Hazards will be addressed according to their severity, with the most severe hazards receiving priority attention.

All reported hazards, injuries, incidents & near misses are reviewed by the County-Wide Safety Committee which meets monthly. This committee assures remedies are completed on all reports, in a timely manner.

Matters which can be solved immediately will be addressed without delay. Depending upon the nature of the condition, steps to be taken may include, but not limited to:

- a. Fixing defective equipment
- b. Implementing safer procedures
- c. Implementing other modifications or procedural safeguards
- d. Employee training

Employees are to cooperate fully and immediately with any investigation into an alleged workplace hazard and must comply without delay with any remedial action implemented by Trinity County.

VI. INVESTIGATION – Hazards, Injuries, Incidents & Near-Misses

The purpose of investigations is to determine the cause of an accident or incident and prevent further occurrences. It is not to point blame at anyone.

An unbiased approach is necessary to obtain objective findings. Investigations will be done by the supervisor, if possible, the Loss Prevention Specialist and the Department Safety Representative.

The Immediate Supervisor or the Loss Prevention Specialist will conduct an investigation into each reported employee injury to determine if a workplace hazard exists. Additionally, an investigation can be made of all “near misses.”

A written report or finalized incident hazard form adequately identifying the cause(s) of the accident or near-miss occurrence shall be completed by the Loss Prevention Specialist **and** filed within the Risk Management Department. A copy of the report shall be provided to the affected department.

Questions to ask in an accident investigation:

1. **What happened?** The investigation should describe what took place that prompted the investigation: an injury to an employee, an incident that caused a production delay, damaged material or any other conditions recognized as having a potential for losses or delays.

2. **Why did the incident happen?** The investigation must obtain all the facts surrounding the occurrence: what caused the situation to occur; who was involved; was/were the employee(s) qualified to perform the functions involved in the accident or near miss; were they properly trained; were proper operating procedures established for the task involved; were procedures followed, and if not, why not; where else this or a similar situation might exist, and how it can be corrected.

3. **What should be done?** The person conducting the investigation must determine which aspects of the operation or processes require additional attention. It is important to note that the purpose here is not to establish blame, but to determine what type of constructive action can eliminate the cause(s) of the accident or near miss.

4. **What action has been taken?** Action already taken to reduce or eliminate the exposures being investigated should be noted, along with those remaining to be addressed. Any interim or temporary precautions should also be noted. Any pending corrective action and reason for delaying its implementation should be identified. Also document how the corrective action will prevent reoccurrences, as well as, improve overall operation.

Tips for an effective investigation:

1. Visit the accident / incident scene at the earliest moment possible, while facts are fresh and before witnesses forget important details.
2. If possible, interview the injured worker at the scene of the accident and “walk” him or her through a re-enactment.
3. All interviews should be conducted as privately as possible. Witnesses shall be interviewed one at a time. Also, speak with anyone who has knowledge of the accident or incident, even if they did not actually witness it.
4. Request signed statements in cases where facts are unclear or there is an element of controversy.
5. Document details graphically. Use sketches, diagrams, and photographs as needed. Take measurements when appropriate.
6. Focus on causes and hazards. Develop analysis of what happened, how it happened and how it could have been prevented. Determine what caused the accident itself, not just the injury.
7. Every investigation should include an action plan. How will such accidents / incidents be prevented in the future?
8. If a third party or defective product contributed to the accident, save any evidence. It could be critical to the recovery of claims costs.
9. Respond to reporting parties within 30 days with the action that has been or will be taken.

VII. INSPECTIONS / EVALUATION SYSTEM

A. **Facility Inspections:** Trinity County will prevent many hazards from occurring through semi-annual scheduled and documented self-inspections of each workplace. At least one semi-annual inspection will be performed by the Loss Prevention Specialist. The second semi-annual inspection will be conducted by the Department Safety Representative, or individual as directed by the Department Head.

January & July: Child Support Services
General Services
Solid Waste – Weaverville Facility & Transfer Sites

February & August: Probation Department
Sheriff Department – Weaverville, Hayfork, Animal Control

March & September: Library – Weaverville, Hayfork, & Trinity Center
Building & Development Services – Main Office
Planning / Transit

April & October: Courthouse
Dept. of Transportation – Weaverville Main Office & All DOT yards

June & December: Health & Human Services
Behavioral Health Services

B. **Vehicle and Power Equipment Inspections:** All Trinity County vehicles and individual power equipment will be inspected daily by their operators. Inspection forms are available from supervisors for documenting inspections.

C. **Vehicle and Power Equipment Maintenance Inspections:** All Trinity County vehicles and individual power equipment maintenance inspections shall be the responsibility of the assigned departments. Record of all maintenance inspections shall be kept within the assigned department.

D. **Results of Inspections:** Inspection results will be discussed during Trinity County department safety meetings, appropriate safety site-committee meetings and the County-wide Safety and Risk meetings. Employees are encouraged to discuss and bring forward their ideas and thoughts regarding any safety items mentioned or of concern to them.

VIII. TRAINING IN HEALTH & SAFE WORK PRACTICES

In order to reduce the risk of employee injury, each employee must understand general safe and healthy work practices and any work hazards specific to the employee's job assignment, and any precautions necessitated by these hazards. Supervisors must be aware of the safety and health hazards facing the employees under their direct supervision.

All County employees, including managers and supervisors, will receive training and instruction on general and job specific safety and health practices. Training and instruction will be provided as follows:

- When the IIPP is first implemented.

- To new employees during their initial orientation and on the anniversary date of all employees at their online review orientations.
- To all employees assigned to a new position for which they have not previously been trained.
- Whenever new potentially hazardous substances, processes, procedures or equipment are introduced into the workplace.
- To supervisors to familiarize themselves with the health and safety hazards to which their staff may be exposed.
- To all employees with respect to hazards specific to their job assignments.
- Whenever the County is made aware of a new or previously unrecognized hazard.
- Every effort will be made to provide adequate training to employees. However, if an employee is ever in doubt about how to do a job safely, it is their duty to ask a qualified person for assistance and training.

IX. RECORDKEEPING / DOCUMENTATION

The Trinity County Risk Management Department shall maintain records of the following items:

1. **Inspections, Investigations and Evaluations Pertaining to Safety Issues:** Trinity County shall maintain records of scheduled inspections (both internal and any performed by an outside federal, state, county or district agency), accident investigations and hazard evaluations to identify unsafe conditions and workplace practices. These records will describe the person(s) conducting the inspections or investigations, the unsafe conditions and work practices that have been identified, the action taken to correct these conditions and practices and the date of such action. These records shall be maintained for 1 year as a hard copy and up to 5 years electronically.
2. **Training:** Trinity County shall maintain documentation of safety and health training attended by each employee, including the employee's name or other identifier, the employee's signature, training dates, training topics, and training providers. This documentation will be maintained for 1 year as a hard copy and up to 5 years electronically.
3. **Safety Committee Meeting Minutes:** Trinity County shall maintain prepared minutes of monthly safety site committee meetings and County Safety and Risk meeting minutes. These minutes shall include: Committee name, date of meeting, attendees' names, injuries / incidents / hazards discussed, remediation, inspections. This documentation will be maintained for 1 year as a hard copy and up to 5 years electronically
4. **Cal OSHA Required Records:** These shall include but not limited to Cal OSHA 300 forms, medical exposure records, and injury reports. This documentation will be maintained for 5 years.

XII. APPENDIX A (*Contacts*)

A. DEPARTMENT HEAD LISTING

(D)- Director

Ag. Commissioner:	Joe Moreo	530-623-1326
Airports:	Richard Tippett	530-623-1365
Assessor:	Shanna White	530-623-1257
Auditor:	Angela Bickle	530-623-1317
Behavioral Health Services:	Connie Smith	530-623-1362
Board of Supervisors:		
District 1 -	Keith Groves	530-623-1217
District 2 -	Judy Morris	530-623-1217
District 3 -	Bobbi Chadwick	530-623-1217
District 4 -	Jeremy Brown	530-623-1217
District 5 -	John Fenley	530-623-1217
Building & Development Services	Kim Hunter	530-623-1354
Environmental Health:	Kristy Anderson(D)	530-623-1459
Child Support Services:	Lisa Dugan	530-623-1306
Clerk Recorder/Elections:	Shanna White	530-623-1257
County Administration Officer:	Richard Kuhns	530-623-1382
County Counsel:	Margaret Long	530-623-1382
District Attorney:	Donna Daly	530-623-1304
Department of Transportation:	Richard Tippett	530-623-1365
General Services	Richard Kuhns	530-623-1217
Grants:	Richard Kuhns	530-623-1217
Health & Human Services/OES:	Letty Garza	530-623-1265
Office of Emergency Services:	Ed Prestley(D)	530-623-1116
Human Resources	Shelly Nelson	530-623-8376
Information Technology:	Richard Kuhns	530-623-1217
Library:	Richard Kuhns	530-623-1217
Library:	Kacy Guill(D)	530-623-1373
Planning/Cannabis:	Kim Hunter	530-623-1354
Probation/Juv. Detention/Collect:	Tim Rogers	530-623-1204
Solid Waste:	Richard Kuhns	530-623-1382
Solid Waste	Diane Rader(D)	530-623-1326
Sheriff:	Tim Saxon	530-623-2611
Transit:	Richard Tippett	530-623-1365
Treasurer/Tax Collector:	Terri McBrayer	530-623-1251
Veterans Services Office:	Letty Garza	530-623-1265

B. DEPARTMENT SAFETY REPRESENTATIVES (DSR)

Loss Prevention Specialist	Rebecca Cooper	530-623-8371
Administration, Human Resources, I.T., Grants	Rebecca Cooper	530-623-8371
Agriculture	Angela Blanchard	530-623-1356
Auditor	Pam Coffey	530-623-1317
Behavioral Health Services	Amber Mandolfo	530-623-8290
Bldg./Cannabis /Env. Hlth. /Plng.	Jessica Tillinghast	530-623-1354
Child Support Services	Diane Darrah	530-623-1306
Clerk Rec./Assessor/Elections	Maddy Woodman	530-623-1215
Dept. of Transportation/ Transit/ Airports	Valynn Crafford	530-623-1365
District Attorney	Shelly Floerke	530-623-1304
General Services	Ivan Klang	530-623-1319
Health & Human Services/OES/Veteran's	Jennifer Grace	530-623-8215
Library	Andrea Samara	530-623-1373
Probation/Collections/Juvenile Detention	Tuee Duong	530-623-1204
Sheriff	Jill Lynn	530-623-2611
Solid Waste	Diane Rader	530-623-1326
Treasurer/Tax	Cyndi Teal	530-623-1251

XIII. APPENDIX B (*FORMS*)

- A. Heat & Illness Prevention Program**
- B. Code of Safe Practices**
- C. Cal/OSHA Requirements of a Reportable Injury**
- D. Incident Hazard Form**
- E. Public Incident/Accident Form**
- F. Supervisor's Report Form**
- G. Inspection Form – *Office***
- H. Inspection Form – *Shop***
- I. Safety Meeting Record**
- J. Automobile Accident Form**

A. HEAT ILLNESS PREVENTION PROGRAM

The following departments maintain a specific Heat Illness Prevention Program:

- The Department of Transportation
- General Services
- Solid Waste
- Health & Human Services – Employment Services

Refer to the department's specific Code of Safe Practices.

B. CODE OF SAFE PRACTICES

Trinity County will do everything possible to protect our employees from accidents, injuries and occupational disease while on the job.

Many departments have department-related Code of Safe Practices in addition to this general Code, available within their own departments.

Safety is a cooperative undertaking requiring an ever-present safety consciousness on the part of every employee.

If an employee is injured, positive and prompt action must be taken to see that the employee receives adequate treatment.

All operations must be planned to prevent accidents and injuries.

A. GENERAL SAFETY RULES: For the protection and safety of all employees, the County of Trinity has established the following rules designed to prevent accidents and injuries. Compliance with these rules is mandatory. Documentation is made when these rules are distributed.

1. Employees shall report all accidents, injuries, occupational illnesses and unsafe conditions or practices at the time of occurrence to their immediate supervisor and shall complete an Incident Hazard Report Form.
2. The Loss Prevention Specialist shall be informed of all accidents, injuries, occupational illnesses and unsafe conditions or practices at the time of occurrence by a supervisor or department safety representative (DSR).
3. Machines or equipment shall not be operated until employees are properly instructed on their operation.
4. Horseplay, practical jokes, throwing things, running in aisles and stairways, unnecessary shouting, and any other acts that tend to have an adverse influence on the safety or well-being of the employees are prohibited.
5. Work shall be well-planned and supervised to forestall injuries in the handling of heavy materials and in working together with equipment.
6. No one shall knowingly be permitted or required to work while his or her ability or alertness is so impaired by fatigue, illness, or other cause that might unnecessarily expose him, her or others to injury.
7. Employees should be alert to see that all guards and other protective devices are in proper places and adjusted and shall report deficiencies promptly to a supervisor.
8. All spilled oil, grease, water and other liquids must be wiped up immediately.
9. Areas in which maintenance is being performed will be blocked off and posted to prevent possible injury from falling objects or trip hazards. A barricaded or posted area will not be entered except by those performing the work.

10. Any defective tool or equipment must be immediately reported. Any defective tool or equipment will not be used until repaired or replaced.
11. Failure by an employee to comply with the safety rules will be grounds for corrective disciplinary actions.
12. Specific Department Safety Rules, when applicable, will be posted in appropriate work areas.
13. No open flames in work areas unless associated with a required task.
14. Employees shall not handle or tamper with any electrical equipment, machinery, air or water lines in a manner not within the scope of their duties, unless they have received proper instruction.

B. PERSONAL PROTECTIVE EQUIPMENT (PPE):

1. Safety glasses, goggles and/or face shields will be worn where eye protection is required.
2. Safe shoes are required of all employees. Shoes with exposed heels, toes or archways will not be permitted in shop, maintenance or construction areas.
3. Where there is a danger of hair entanglement in moving machinery or equipment, a hair enclosure (cap, net or hat) must be worn.
4. Personal Protective Equipment required when performing specific tasks will be worn and used as directed in each department's specific Code of Safe Practices.

C. HOUSEKEEPING:

1. Good Housekeeping must be practiced at all times.
2. Materials, equipment and supplies will be kept out of aisles.
3. Materials and supplies will not be stored against doors, exits, fire ladders or fire extinguishers.
4. Tools and other equipment will be returned to their proper storage area each time after use.
5. Tools will be kept dry; all spills will be wiped up immediately.
6. Trash and scrap will be thrown in proper waste containers.

D. BLOODBORNE PATHOGENS EXPOSURE:

In the event of an incident or accident which may cause occupational exposure to blood or other body fluids:

1. Contact the appropriate emergency personnel for injured person(s).
2. Once incident has been addressed, use the appropriate universal precautions (i.e., gloves, face mask or shield, goggles).
3. Spilled body fluids should *not* be cleaned up without the appropriate protective equipment and materials specifically designated for such fluids.
4. Barricade the area using caution tape, cones, and signage.
5. Contact Risk Management immediately.

Cal/ OSHA Requirements of a Reportable Injury

-\$7,000 fine-

If an Employee is injured resulting in:

- ❖ **Death**
- ❖ **Serious Physical Harm**
 - *Hospitalization 24 hrs. +
 - *Permanent Disfigurement
- ❖ **Unconsciousness/ Fainted from Heat Illness**

Immediately call the following agencies in the order listed to report an injury:

Risk Management

(530) 623-8371 or email bcooper@trinitycounty.org for Rebecca Cooper
(530) 623-8376 or email snelson@trinitycounty.org for Shelly Nelson

If Risk Management is not available please contact:

Human Resources:

530-623-1325

The nearest office of the California Division of Occupational Safety and Health (Cal/OSHA) must be notified immediately (**within 8 hrs.**) **including on weekends!**

You may leave this information on their voicemail or fax it if Cal OSHA is closed.

Redding Division | Phone: (530) 224-4743 or Fax: (530) 224-4747

The officer taking the call will ask you for the following information regarding the injury.

- | | |
|---|--------------------------------|
| *Date of Injury | *Time of Injury |
| *Injured's Name, Age, DOB, & Phone No. | *Injured's Address |
| *Employer (County of Trinity) | *Employers Address & Phone No. |
| * Nature of Injury | |
| *List & Identity of other Law Enforcement and other responding agencies present at the accident/event site. | |

TRINITY COUNTY – INCIDENT/HAZARD REPORT
INTERNAL USE ONLY

Instructions: Employees shall use this form to report all work-related injuries, illnesses, or “near miss” events (which could have caused an injury or illness) – *no matter how minor*. This helps us to identify and correct hazards before they cause serious injuries. This form shall be completed by employees as soon as possible and given to you Supervisor and Risk Management for further action.

SECTION A	
I am reporting a work related: <input type="checkbox"/> Injury <input type="checkbox"/> Incident <input type="checkbox"/> Near Miss <input type="checkbox"/> Hazard	
Reported By (<i>Your name</i>):	
Reported To (<i>Supervisor’s Name</i>):	
Department:	
Date & Time of Incident:	Date Reported:
Location:	
SECTION B	
DESCRIPTION (<i>Briefly describe incident</i>):	
SECTION C	
CAUSES (<i>Describe in detail the cause of the incident, if known</i>):	
SECTION D	
SUGGESTED CORRECTIONS (<i>Give suggestions for preventing reoccurrence</i>):	
Investigated By:	
SECTION E	
CORRECTIVE ACTION (<i>What HAS been done to prevent this Incident/Hazard?</i>)	
Department Safety Representative Signature:	Date:
Department Head Signature:	Date:

TRINITY COUNTY

PUBLIC INCIDENT/ACCIDENT REPORT

(For incidents or accidents involving the public—to be filled out by County Employees – NOT the public).

(DO NOT ADMIT FAULT OR LIABILITY)

- To report accidents: First contact your supervisor and then report to: Rebecca Cooper at 623-8371 or Shelly Nelson at 623-1325 on day of incident.
 - Send report immediately to the Risk Management office
 - Please preserve any property damage & photographs for investigation!

Name of person making report _____ Date of Report _____

Department _____ Phone # _____

Date of Incident _____ Time ____ A.M. ____ P.M. ____

Where did incident happen? _____

Type of Incident? (i.e., slip & fall, etc.) _____

Persons Injured Name _____

(If minor child

Include info. On Address _____

Parent or guardian)

Phone # _____

Nature and Extent of Incident:

Was injured taken by ambulance? Yes ____ No ____

Name, Phone # _____
& Address of _____

Witnesses' _____
(Important) _____

Please give full details of accident

Date of this report _____

TRINITY COUNTY - SUPERVISOR'S REPORT OF EMPLOYEE INJURY

This form should be completed by supervisory/management staff to report all incidents, injuries, or illnesses sustained by agency staff. This form should also be completed to document any "near miss" situations. After completing this form, it should be attached to the "Incident /Hazard Report Form and sent to the Risk Management and Loss Prevention Department.

Name of injured:		
Date of Birth:	Job Title:	
Date of Injury:	Time:	AM PM
Date Reported:	Time:	AM PM
Accident Location:		
What was the Nature of Injury (<i>Describe in Detail</i>):		
Did employee go to the Doctor/Hospital?	YES NO	If Yes, Please List below
Name of Medical Facility:		
Address of Medical Facility:		
Did Injured Leave Work?	Date:	Time: AM PM
Did Injured Return to Work?	Date:	Time: AM PM
Describe How Accident Occurred? What was the Employee doing Prior to event?		
Names of Witnesses? (<i>if any</i>):		
Recommended preventative action to take in the future to prevent reoccurrence?		
Supervisor's Signature:		Date:
Employer:		
DWC-1 Claim Form Provided?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Employee Declined

Trindel Insurance Fund

Office Walkthrough Inspection

Date		County	TRINITY	Department	
Location			Inspect by:		DSR

Item	Description	Corrective Action	C.A. Date
Emergency Communication (Postings, evacuation maps, SDS, etc.)			
Housekeeping (Clutter, cleanliness, storage, not blocking exits, etc.)			
Trip & Fall Hazards (Carpets, rugs, steps and stairways, cords, clutter, storage, etc.)			
Electrical (Extension cords, receptacles, GFIs, breaker panels, exposed or frayed wiring, appliances, etc.)			
Heating & Ventilation (Registers clean, filters, recirculation air, temperature, etc.)			
Lighting (Indoor, parking lots, etc.)			
Emergency Exits (Egress, signage, are lighted signs illuminated, lighting, etc.)			

Janitor Closet (Clutter, chemical & flammable storage, cleaning products, eye wash inspected monthly, SDS binder present Etc.)			
Exterior (Parking lots, sidewalks, walkways, etc.)			
Security (Public access, emergency communication, etc.)			
Rest Rooms			
Can an employee locate their IIPP? First Aid Kit Stocked – any expirations? Fire Extinguishers checked Misc.			

General Comments:

Inspected by:	
Signature	
Inspected by:	
Signature	
Dept Safety Rep.	
Signature	
Department Head	
Signature	

Trindel Insurance Fund

Maintenance Shop Safety Inspection

Date		County	TRINITY	Department	
Location		Inspect by:		DSR	

Item	Description	Corrective action
Emergency Communication (Postings, evacuation maps, SDS, etc.)		
Housekeeping (Clutter, cleanliness, storage, not blocking exits, etc.)		
Trip & Fall Hazards (Carpets, rugs, steps and stairways, cords, clutter, storage, etc.)		
Electrical (Extension cords, receptacles, GFIs, breaker panels, exposed or frayed wiring, appliances, etc.)		
Compressed Air		
Power & Hand tools		
Welding area / equipment		
Hydraulic Press		
Oil Room		
Jacks / Hoists / Blocking		

Tire / Storage Shed		
Flammable Storage		
Steel / Cutting Edge storage		
Heating & Ventilation (Registers clean, filters, recirculation air, temperature, etc.)		
Lighting (Indoor, parking lots, etc.)		
Shop Exterior (Parking lots, sidewalks, walkways, etc.)		
Rest Rooms		
Eye wash station		
Yard		
First Aid Kit		
Fire Extinguishers: IIPP & Code of Safe Practices: SDS: Misc.:		

General Comments:

Inspected by:	

Signature	
Inspected by:	
Signature	
Dept Safety Rep.	
Signature	
Department Head	
Signature	

TRINTY COUNTY Safety Meeting Record

Department _____ Date _____

Conducted by _____ Location _____

Safety meeting topics (in order of priority):

- | | | |
|--|---|--|
| 1. Injuries since last meeting? | 2. Property damage since last meeting | 3. Near-Misses since last meeting? |
| 4. Identified Hazards? | 5. What will we be doing until the next safety mtg.? | 6. Relevant topic other than above? |

Safety topic(s) discussed:

Action(s) needed to address safety topics discussed:

Comments:

Employees Present:

Print Name	Signature
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	

If more space is needed attach additional sign in sheet.

Report accident within 8 hours of incident.

To report accident call:

GIVE DETAILS AS FULLY AS POSSIBLE BUT DO NOT DELAY REPORT

Name of Person Making Making Report Name _____
Home Address _____ Home Phone No. _____
(Street & No.) (City or Town) (State)
Business Address _____ Business Phone No. _____
(Street & No.) (City or Town) (State)

Time, Type and Place of Accident Date of Incident/Accident _____ Time of Incident _____ A.M. _____ P.M.
Where did incident/accident happen _____
Weather at time of incident/ accident _____
Type of incident/accident (i.e., slip & fall, vehicles, etc.) _____

County Driver and Automobile (If Applicable) Department _____
Make _____ Year _____ Type of Body _____ VIN: _____
License _____
Name of Driver _____ Age _____
Address of Driver _____ Phone No. _____

Persons Injured

Name	Addresses	Phone No.
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

Nature and extent of injuries _____
If medical aid was rendered, give name of doctor _____
Where was injured taken _____
(City)

Other Driver/ Damage to Property of Others Kind of property and extent of damage _____ Estimate of Damage \$ _____
If automobile, make of car _____ Year/Model _____ License _____
Driver's Lic. # _____ Insurance Co. name & policy # _____
Name of Driver/Owner _____ Address _____
Driver/Owner's phone number _____ Where can property be seen _____

Damage to your automobile Extent of damage to your automobile. (Please give full details) _____

**Names and Addresses
of Witnesses (Important)**

Names

Addresses

Phone No.

**Description of
Accident
(If applicable)**

Direction your automobile was going _____ Other automobile _____

Rate of speed, your car _____ Other car _____

Number of persons in your car _____ Other car _____

Was roadway wet or dry _____ Paved _____ Dirt _____ Under construction _____

Was either automobile on the wrong side of the road, if so which automobile _____

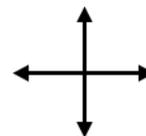
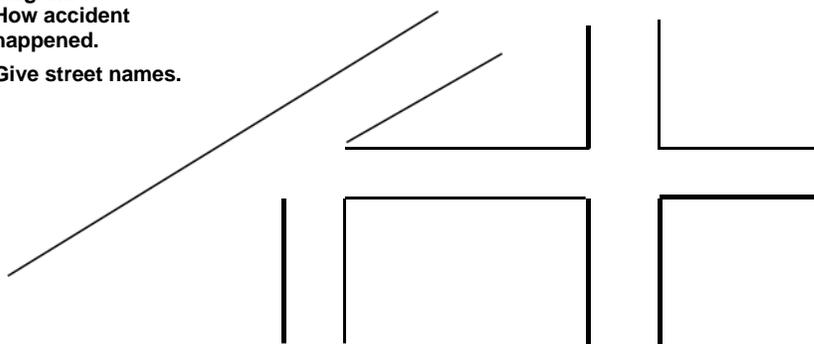
Was either driver arrested _____ Did police investigate _____

If at night, were all lights on other automobile lit _____

Who was at fault for the accident, and why _____

Please give full details of accident.

**Please show on
diagram
How accident
happened.
Give street names.**



Indicates points of compass
N.E.S.W.

**Date of This
Report**

Month/Date/Year

Report made by

COVID-19 Illness Prevention

Employee Training

Training shall be provided annually and initially upon employment using interactive methods that are easy to understand and may include verbal, visual, audiovisual, picture-centered handouts and other resources on the following topics:

- What is COVID-19 and how is it spread
- Signs and symptoms of COVID-19
- When to seek medical attention if not feeling well
- Prevention of the spread of COVID-19 if you are sick
- Physical distancing guidelines
- Importance of washing hands with soap and water for at least 20 seconds or use of hand sanitizer if soap and water are not readily available.
- Hand washing should occur before and after using the toilet, eating, coming and going to work, after interactions with others, after contacting shared surfaces or tools, before and after wearing masks or gloves, and after blowing nose or sneezing.
- Methods to avoid touching eyes, nose and mouth
- Coughing and sneezing etiquette
- Safely using cleansers and disinfectants
- Reading labels, wearing proper personal protective equipment (PPE), hazard review and steps to minimize harm to employees using those products.

Procedures to help prevent the spread of COVID-19

1. Employees' shall self-assess their symptoms before entering work daily. These daily logs must be kept confidential and turned into your Supervisor's bi-weekly. Departments must turn these logs into Human Resources monthly. If an employee has a fever of 100 degrees Fahrenheit or greater, the employee must not report to work or if their temperature accumulated while at work the employee must be sent home.
2. Employees must assess their health daily to verify if they have a cough, are feeling feverish, have shortness of breath or have been exposed to anyone with a positive diagnosis.
3. A doctor's note shall be provided to your Supervisor and Human Resources prior to returning to work if you have been out ill for more than 5 days. You may return to work at the least if a minimum of 3 days (72 hours) has passed since recovery as defined as resolution of fever without the use of fever-reducing medications and improvement in respiratory symptoms and at least 7 days have passed since your symptoms first began.
4. If informed that an employee tests positive for COVID-19, the County will provide notice to Public Health immediately. Information to be included but is not limited to:
 - The employee's work location, work hours, general and specific work duties, if the employee has traveled to multiple worksites recently with timing, and the last day the employee was at work.
 - Identify who has been in contact with the employee. The employee's name will not be disclosed unless requested by health officials.
5. County will establish routine schedule to clean and disinfect common surfaces and objects in the workplace. This includes but is not limited to:
 - Tools, machinery, containers, counters, tables, chairs, benches, door handles, knobs, doorbells, drinking fountains, refrigerators, vending machines, portable restroom and bathroom surfaces, automobiles – inside and out.
6. The process of disinfecting includes providing disinfecting products, any PPE required for their safe use along with review of manufacturer instructions for proper use.

Employees shall abide by the following Physical Distancing Procedures while at work:

Physical distancing is an effective method that can help stop or slow the spread of an infectious disease by limiting the contact between people. For COVID-19, the recommended distance is at least 6 feet.

Employees must practice distancing outdoors including, but not limited to the following:

- Arriving at the workplace
- Leaving the workplace
- Coming and going from vehicle
- Entering, working and exiting physical buildings or other structures
- During breaks and lunch periods

Custodial Staff will check for the following daily:

- Check restroom facilities daily and make sure they are clean and sanitary
- Establish a documented cleaning schedule and a well-visit program to check restrooms condition between scheduled cleaning, re-stock toilet paper, clean and sanitize as necessary or post a closure sign until cleaned.
- Make sure there are plenty of paper towels and that handwashing areas are clean and sanitized
- Make sure handwashing supplies are re-stocked regularly
- Sanitize water receptacle and spigot frequently
- Sanitize door handles and other regularly touched surfaces daily.

If your departments restroom needs to be cleaned or sanitary supplies need to be restocked please notify General Services immediately.

Limit non-essential visits and travel

- Visitors may need approval before arriving, employees should maintain social distancing from visitors.
- Limit any unnecessary travel from one destination to another in vehicles, this includes personal employee vehicles and company provided vehicles, with multiple passengers.
- Eliminate all non-essential and non-related services, such as entertainment activities.

Washing Facilities

Regardless of COVID-19 risk, all employers must provide washing facilities that have an adequate supply of suitable cleansing agents, water and single-use towels or blowers (title 8 sections [1527](#), [3366](#), [3457](#) and [8397.4](#)).

Personal Protective Equipment (PPE)

Title 8 [section 3380](#) Personal Protective Devices requires employers to conduct a hazard assessment to determine if hazards are present in the workplace that necessitate the use of PPE. If an employer identifies COVID-19 as a workplace hazard, they must select and provide exposed employees with properly fitting PPE that will effectively protect employees.

Control of Harmful Exposures

Title 8 [section 5141](#) Control of Harmful Exposures requires employers to protect employees from inhalation exposures that can result in injury, illness, disease, impairment or loss of function. COVID-19 is a harmful exposure if there is an increased risk of infection at the workplace. Employers must implement engineering controls where feasible and administrative controls where practicable, or provide respiratory protection where engineering and administrative controls cannot protect employees and during emergencies.



COUNTY OF TRINITY EMPLOYEE DAILY SCREENING FORM – COVID-19

Employee Name: _____

Two week period: _____

Each employee must answer the following questions each morning prior to coming into the office:

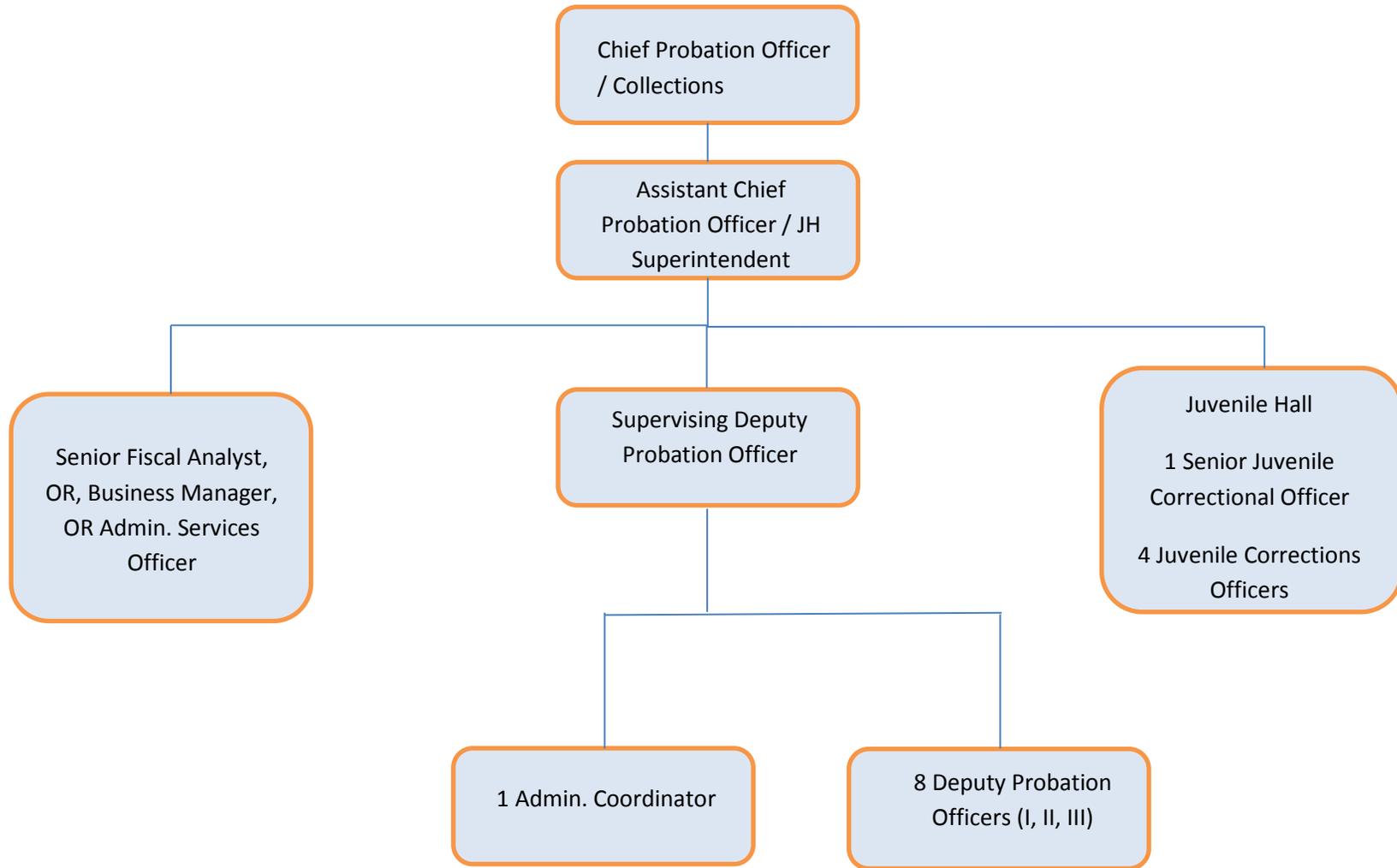
1. Have you been in close contact or staying in the same household as someone with a known or suspected case of coronavirus (COVID-19)? YES NO
2. Are you ill today? YES NO
3. Do you have any of the following symptoms? YES NO
 - Fever
 - Cough
 - Difficulty Breathing
 - Subjective feeling of fever (body aches, chills, etc.)
4. Is your current temperature more than 100°F? YES NO
5. Have you been in prolonged close contact or staying in the same household as someone with any of the above symptoms? YES NO

Any YES answer to questions 1-5 requires the employee to immediately self-separate and to not enter the work area. These employees are restricted from working until they are cleared either through isolation, quarantine and/or testing of COVID-19.

1.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
2.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
3.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
4.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
5.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
6.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
7.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
8.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
9.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
10.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
11.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
12.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
13.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____
14.	Date: _____	Symptoms:	<input type="checkbox"/> No	<input type="checkbox"/> Yes: _____	Initials: _____

Org Chart - Revised 2020-03-30.pdf

Trinity County Probation Organization Chart



NEW Trinity County Probation
Department Manual
New Probation Manual

INDEX / TOPICS