

## Probation Authority

### 100.1 PURPOSE AND SCOPE

This policy is to identify the authority of Humboldt County Probation Department (HCPD) officers.

### 100.2 POLICY

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.

It is the policy of this department for all officers to exercise their authority fairly and objectively without 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, or disability.

### 100.3 OFFICER AUTHORITY

Officers are authorized to supervise probationers 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 any inmate 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 his/her 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.