

Contacts and Searches - Community Corrections

Effective Date:	9/4/24
Revised Date:	9/4/24
Issuing Authority: Chief Probation Officer	

820.1 PURPOSE:

To establish guidelines for contacts and/or searches of persons and property.

820.2 DEFINITIONS:

Visit/Compliance Check: A visit to a person under supervision to ensure compliance with pre-determined terms and conditions at their place of residence, work, school, etc.

Protective Sweep: As limited by law, a cursory inspection conducted to ensure the safety of those on the scene.

820.3 RESPONSIBILITIES:

- I. Probation Officer (PO):
 - A. Review Caseload Explorer (CE) to verify the status of the case.
 - B. Review CE entries and documents for the names, status, residence information, pre-existing conditions, collateral information, etc. of all persons living in the residence.
 - C. If conducting a search, confirm the presence of an active search term and evaluate the scope of the search.
 - D. Advance notice to the person under supervision is not required to conduct a compliance check or search.
 - E. Refusal by the person under supervision to admit officers to the residence is not justification for forced entry without the presence of exigent circumstances but may be the foundation of a violation and subsequent arrest.
 - F. Ensure issued digital voice recorder is operational, record all contact/searches, and save the recording pursuant to the Electronic Recording procedure.
 - G. Notify dispatch of the location and the final disposition and remain alert to additional radio traffic while on the scene.
 - H. Plan for adequate staff members to be present to ensure the safety of those on scene.
 - I. Generally, compliance checks and searches should be completed with at least two (2) officers present unless pre-approved by a supervisor.

San Bernardino County Probation Department

MANUAL

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- J. Once on scene, identify yourself, explain the purpose of the visit, and act in a professional manner.
 - K. May ask persons at the residence to display a form of government-issued photo identification and run the name(s) through dispatch.
 - L. May conduct a pat-down search of all persons on the premises if there is a reason to believe that the person(s) may be armed or present a safety risk.
 - M. As limited by law, may conduct a protective sweep to ensure the safety of those on scene.
 - N. If conducting a search, shall have reasonable suspicion that the room or property to be searched is owned, controlled, or possessed by the person under supervision.
 - O. Searches shall not be arbitrary, capricious, or harassing, but reasonable in scope and intensity.
 - P. Obtain consent to conduct a search of the property of a person not known to be under supervision. Verbal consent should be recorded via the digital voice recorder and a consent form signed as applicable.
 - Q. Make reasonable efforts to leave the location in the same general condition as it was found.
 - R. Strip searches or body cavity searches shall not be conducted by an officer unless there is an active and valid search warrant for the subject's body and the search has been approved by the Chief Probation Officer/Assistant Chief Probation Officer.
 - S. Officers may conduct a search regardless of the age of the person under supervision or the age of those present at the time of the search.
 - T. In the event officers arrive at a residence and find a youth under the age of ten (10) years, who is unsupervised by an adult, assess the circumstances and determine whether contact should be made with Children and Family Services (CFS), unless other arrangements can be made to ensure the safety of the youth.
 - U. Document the contact/search/final disposition, etc. in CE pursuant to the Caseload Explorer Documentation procedure.
- II. Supervising Probation Officer (SPO):
- A. Ensure officers comply with this procedure by routinely accompanying them during contact/searches, periodic review of logs, incident reports, CE entries, stats, etc.
 - B. Identify and address any training issues.