

**SAN BERNARDINO COUNTY
PROBATION DEPARTMENT PROCEDURE**

SUBPOENA SERVICE TO DETAINED YOUTH AND EMPLOYEES

Authority:

Michelle Scray Brown, Chief Probation Officer

Purpose:

To establish a procedure regarding subpoena service to detained youth and employees.

Definitions:

Subpoena: The process by which the presence of a witness before a court is required.

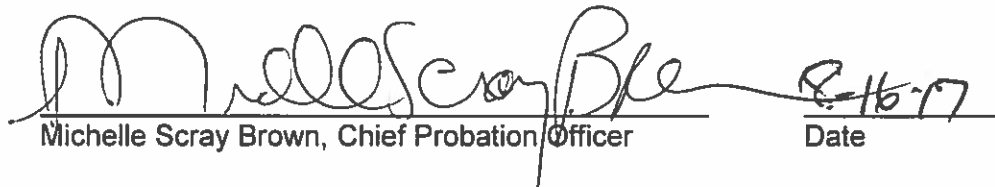
Guidelines:

- A. A subpoena may be authorized by a judge of the Superior Court, District Attorney or his investigator, Public Defender or his investigator, attorney for the defendant and the Clerk of the Court in a criminal action.
- B. Service to youth in Custody:
 - 1. When service on a youth in custody is required, the individual will be brought to the interview area and be presented the subpoena by the server.
 - 2. When the individual is unavailable, the server will present subpoena to the Watch Commander (WC).
 - 3. The facility and intake will share the obligation of producing the youth at the time and place designated by the subpoena.
- C. Service to Employees:
 - 1. All subpoenas will be served through reception or the Custodian of Records at the Administration Building.
 - 2. If the subpoena is for an officer's presence only, reception at the administration building will log, track, and notify the employee of the subpoena.
 - 3. If the subpoena includes a request for officer presence and Probation records, it will be handled through the Custodian of Records, who will then compile the requested records and notify the required officer.
 - 4. If the subpoena is for records only, it will be handled through the Custodian of Records.
 - 5. The Department will not accept a subpoena for an employee who is involved in civil litigation that did not arise out of the course of their employment.

Inspections:

Refer to the Policy and Procedure Inspection Matrix.

Issued by:


Michelle Scray Brown, Chief Probation Officer 8-16-17
Date

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