

PROBATION DEPARTMENT ADULT MANUAL

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FIELD SUPERVISION

Field work takes the officer away from the controlled office setting and into the client's environment where every situation is different and extra precautions must be taken. The safety of the officer is the primary concern. An unannounced visit to the residence of a client can be the occasion for the officer to make an arrest if the client is not in compliance with the court's order. The officer must know what she/he wants to accomplish and what tools are available to accomplish the job safely. A constant state of environmental awareness, officer safety and knowledge of available options is required.

The purpose of a field contact can be anything from a residence verification to a complete search and/or arrest. Field contacts provide an opportunity for the officer to meet a client's family, friends and acquaintances, and initiate a relationship with the client's family, friends, and neighbors, who can be sources of valuable information. The officer should make it clear to these people that the goal of the probation process is the reorientation of the client to a non-criminal lifestyle and community safety.

I. Planning the Field Contact

- A. Planning before going into the field is an integral part of the task. The probation officer should be prepared to deal with any emergency that might arise. When planning, the officer should remember officer safety is the most important factor to be considered.
 1. The probation officer will learn as much as possible about the case by reviewing the file and talking to other staff that might be familiar with the client. The initial interview with the client should be in the office. It includes a gathering of information about his/her residence, vehicle description, others who live there, animals, etc. Reviewing the CLETS and checking the probation/parole status of roommates and others in the residence are also suggested to enhance officer safety.
 2. Prior to going into the field, the officer should brief the purpose of the visit with his/her partner, i.e., employment verification, home/auto search, residence verification or drug/alcohol testing.

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- a. If planning an arrest of a client on SCRAM or GPS monitoring devices, the officer must follow department protocols to remove and take possession of this equipment.
3. If recent information leads the officer to believe the visit may pose an increased risk to officer safety (weapons, violence, mental health issues, bench warrant etc.), the case should be briefed with the supervisor to determine if additional personnel or other law enforcement assistance is needed. Upon return to the office, any arrests, searches resulting in seized property, use of force, forced entry, unholstering or unusual/ unexpected events will be debriefed with the supervisor on that date and an incident report (Pro-313) written. (Reference Admin. Manual Chapter 1116)
4. If the field visit is expected to be a threat to officer safety, the officer will contact local law enforcement to assist in the planning process and to provide backup.
5. No field visit should be perceived to be routine and not presenting any unusual circumstances. Officers will always make field visits with another officer or another member of law enforcement.
6. All officers working in the field will carry badges and I.D. cards for the purpose of identifying themselves to law enforcement agencies or the public when necessary. In the case of Extra Help staff working in the field, those officers will carry I.D. cards.

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II. Execution of the Field Contact

- A. Prior to the field visit, the officer will brief their partner of the purpose for the visit and any noteworthy circumstances. If, during the course of a field contact, a threat to officer safety is perceived, the officers may withdraw immediately if practical and safe, and call for other law enforcement backup.
- B. Officers should identify themselves when entering the residence of a client unless for officer safety reasons such identification could provoke an unwanted encounter with another person(s) present. In such a situation, officers will withdraw from the scene as soon as possible.

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- C. Carefully clear the residence and observe the room(s) entered, being particularly aware of who is present at the residence and on the alert for evidence of illegal activity such as drug use/dealing.
- D. Use “contact and cover” strategy on all encounters with clients in the field, e.g., one officer talks to the client or others in the residence while the other officer looks for and alerts the contact officer to anything that might be a potential threat. Prior to entering the residence, discuss “key” code words to employ in the event there is a potential threat and there is a need to leave immediately, a firearm is located while searching or there is a need to effect an unplanned arrest.
- E. Maintain a professional and friendly demeanor but be assertive regarding your authority to carry out the task at hand.
- F. When possible, avoid confrontational conversations with the client in the presence of his family or friends so as to avoid escalating situations unnecessarily.
- G. If resistance or hostility from a non-client(s) is encountered, make an advisement of your peace officer status and an assurance that they will be inconvenienced as little as possible. If threatening behavior is displayed toward you, you may withdraw from the premises and return with sufficient law enforcement to ensure your safety.
- H. During the field contact the officer may acknowledge and encourage positive behavior and progress on the part of the client and make him/her aware of available community resources.
- I. All information obtained as the result of a field contact will be documented by the officer in Events. The following type event notes will be used:

Client Contact Field – used to denote any contact with a client at his/her place of employment, treatment program, , Probation Report and Resource Center (PRRC) in the case of staff not assigned to the PRRC, or in the community.

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Client Contact Home – used to denote any contact with a client at his/her residence, clean and sober residence and residential treatment program.

Contact – Collateral Field – used to denote any contact with a client’s family member, spouse, employer, or treatment provider that takes place at the client’s place of employment, treatment program, clean and sober residence, residential treatment program, or in the community.

Contact – Collateral Home – used to denote any contact with a client’s family member, spouse, or roommate at the client’s residence.

Victim Contact Field – used to denote any contact with a victim at the victim’s residence, place of employment, treatment provider, or in the community.

Victim Contact Attempted – used to denote any attempt to contact a victim at the victim’s residence, place of employment, treatment provider, or in the community.

Attempted Client Contact Field – used to denote any unsuccessful attempt to contact a client at his/her place of employment, treatment program, clean and sober residence, residential treatment program, or in the community.

Search- used to denote an extensive search at the client’s residence or search or property.

Attempted Client Contact Home – used to denote any unsuccessful attempt to contact a client at his/her residence.

- J. Any field equipment not personally assigned to the probation officer (e.g., radio, Alco-Sensor, testing kit, camera, etc.) will be returned to the office area from which it was obtained.

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III. Search and Seizure Procedures

A. Policy Statement on Search and Seizure

1. A law enforcement officer may conduct a search pursuant to a valid probation search term independently and in accordance with their own agency's policy. Authorization or permission to do so from a probation officer is not required and will not be given, although law enforcement may contact the probation officer in order to verify the search terms ordered by the court are still in full force and effect prior to executing a search. A probation officer may request law enforcement assistance in conducting a probation search and is expected to be present for the search. When Probation requests law enforcement assistance with a search, Probation is the lead agency, and is ultimately responsible for insuring the search is carried out in accordance with the probation order and within department guidelines. Unusual circumstances may preclude an officer from being present when a search is requested of law enforcement. In these rare situations, the search will be conducted in accordance with the law enforcement agency's policy. However; the probation officer is expected to articulate the parameters and any limitations of the search term and any officer safety considerations such as the potential presence of weapons, contraband, a history of violence, gang association, or concerns regarding other individuals residing in the home.

B. Prior to commencing search.

1. The probation officer must verify the existence and extent of a search-and-seizure clause in a probation order. Make sure ~~that~~ the address of the person being searched is accurate and the officer has a reasonable knowledge the client actually resides at the address. The best record to verify the address is via IMPACT using "Kiosk History" which contains Monthly Report forms. Chronological notes should also be viewed to verify whether any recent field visits have been conducted to the reported address. The officer should confirm the probation grant is active. The best record is the file/IMPACT and scanned documents. If necessary, you are to return to the office to verify information.

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2. One officer will be designated as the search team leader/officer in charge (OIC). This person will be familiar with the search area and the client. He/she will be primarily responsible for the planning and execution of the search. The officer in charge delegates responsibility for assignment of roles/positions/duties prior to and during the search. Make sure all participants in the search understand their designated role(s).

REMINDER: Officer safety will always be the primary consideration.

3. Designate one officer to be the “recorder” and one officer to be the “finder.” The “finder” will locate and describe all evidence/contraband and the “recorder” will carefully log this information on an evidence sheet (Pro 306). Each item will be clearly described and the location of the evidence/contraband accurately documented.
4. The officer(s) conducting the search will bring the equipment, necessary forms and evidence-gathering materials, which may include but not be limited to:
 - a. Evidence bags, both plastic and paper
 - b. Evidence forms
 - c. Labels
 - d. Syringe disposal tubes (if available)
 - e. Camera
 - f. Gloves
 - g. Urine testing kit
 - h. Booking sheets
 - i. Detainer forms
 - j. Photograph of client
 - k. Cellular phone
 - l. Telephone numbers of Child Welfare Services
5. In the event the search is conducted with local law enforcement, treatment of the client’s property may be explained to members of other agencies by the OIC. Assisting officers should be briefed on the object of the search, the layout of the residence, and any relevant

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factors pertaining to the client such as propensity toward violence, abuse of drugs/ alcohol or mental instability.

6. It is necessary when planning a search to have a sufficient number of officers involved to maintain control of any situation and ensure officer safety. If police or other probation officers are not available to assist on a search, the probation officer must not conduct it alone.
 7. Prior to conducting the search officers should attempt to obtain advance information regarding best approach, i.e. side and/or rear exit(s) as possible encounter points.
 8. When approaching the residence, park away from the front of the house to be searched. Make sure vehicles are locked and ~~that~~ at least (2) sets of keys are available for each vehicle.
- C. Knock and Notice Rules
1. Knock loudly at the front door and announce your presence. Identify yourself and state clearly your purpose and authority.
 2. When knocking on the door, do not stand directly in front of it—or in any area that would compromise your safety. If there is no response and you suspect the client is present, follow departmental rules regarding forced entry.
 - a. Before forced entry can be accomplished, Section 844 of the Penal Code requires that the probation officer knock, demand entrance, and explain the purpose before entering the residence by force. **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, UNLESS A LIFE-THREATENING SITUATION OR OTHER EXIGENT CIRCUMSTANCES ARE PERCEIVED. PROBATION STAFF SHALL NOT INDEPENDENTLY EXECUTE FORCED ENTRY.**

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3. If a resident other than the person on probation answers the door, identify yourself and the purpose of the search.
- D. Conducting the Search
1. Immediately upon entry to the residence, determine who else is in the home and have them come to a central location in the residence. A secure area will be used, with a search and clearing of couches, chairs etc. done before allowing the occupants to sit down.
 2. Clear the residence by conducting a “sweep” of all areas in the residence (which may include but not be limited to closets) for potential unknown threats to officers’ safety, including areas not within our search jurisdiction.
 3. Ask occupants if there are any weapons in the residence. Determine their location and type. For officers’ safety, all weapons will be temporarily seized or controlled during the search to eliminate access by occupants. Pat-down searches of all persons present at the residence, for the purpose of officer safety, is permitted by law.
 4. Non-clients who wish to leave the residence during a probation search should be granted permission, unless there is reasonable cause to hold and/or probable cause to arrest. However, once they leave they should not be allowed re-entry while law enforcement is present within the residence.
 5. In commencing the search, the team leader or OIC designates at least one officer to supervise the residents while the search is being conducted. This officer will closely observe these persons, being alert for any overt movements and note any physical reactions to law enforcement presence, and be sure to alert other members of the team, if necessary.
 6. If the residence is shared with other occupants, the search is limited to the client’s bedroom and common living areas, such as the garage, bathrooms, kitchen, vehicles, yards, etc., unless consent to search is obtained from the lawful resident.

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7. Officers will attempt to locate documentary evidence (i.e., mail, rent receipts, prescription bottles, etc.) with the client's name and address on it in order to verify the client's residency.
8. After the search has been completed, in the event any items are seized, the client will be provided with a copy of the Evidence Log Sheet which has been dated and signed, listing the seized items.
9. If access to the client's residence is gained via a family member, spouse, or co-occupant in the client's absence, and the residence has been searched, a business card should be left to advise the client that the Probation Officer was there. If any evidence was seized, a copy of the Evidence Log Sheet will be left at the residence.
10. Any contraband left in open or "plain" view, whether or not it is in the possession of the client and subject to the search jurisdiction, will be seized.
 - a. Any information or evidence of a new law violation(s) requires local law enforcement be notified and the search scene be turned over to said law enforcement for criminal investigation.
 - b. If law enforcement is unavailable, a detailed incident report will be prepared and forwarded to the District Attorney for consideration of new charges.
 - c. If the contraband is marijuana and one of the residents produces evidence that he/she is a patient or caregiver under the provisions of §11362.5 H&S, also known as the Compassionate Use Act of 1996, and the quantity and type of marijuana falls within the provisions of §11362.77 H&S, the marijuana will not be seized. Unless the client is being supervised in treatment court, given the state legalization of marijuana, it will not be confiscated.

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11. The search “finder” must maintain physical control of all items seized and transport them to the probation office, ensuring the chain of evidence. All items will be numbered, tagged and bagged to correlate to the Evidence Log Sheet for later use when testifying in Court and will be secured pursuant to area office protocols.

- E. Leaving the Residence After the Search
 1. The searched residence will be left in reasonable order.
 2. If there has been any property damage, the team leader or OIC will be notified, who in turn notifies the Supervising Probation Officer. If possible, a photograph of the damage will be taken. An incident report shall be prepared.
 3. If the client has been arrested and no one else is present, secure the residence. If minor children are present with no parental supervision, contact Child Welfare Services (CWS). Alternative care decisions should only be made by the CWS worker.
 - a. The safety and welfare of children is the responsibility of the searching officers. If evidence or information of child abuse is obtained, CWS must be called and a Suspected Child Abuse Report(SCAR) made. If searching officers are unsure of the ability of a resident or parent to care for children, CWS will be contacted so they can make a determination regarding the disposition of the matter.
 - b. If animals are present with no means of care, Animal Control should be called.
 - c. If drugs are present, Drug Endangered Children protocols are to be initiated.

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IV. Collection and Preservation of Evidence

- A. Property/evidence is to be transported and retained by the appropriate law enforcement agency to be secured, or be secured in the Probation Department area office evidence room., with the chain of evidence noted.
 - 1. All information shall be logged on probation evidence form and on the evidence room log.
 - 2. Property shall be secured, labeled, , initialed and dated by the finding officer..
 - 3. Although it is not preferred, useable amounts of controlled substances, any firearms, ammunition, etc., may be held by the Probation Department. Explosive devices will not be held at the Probation Department.
 - 4. All needles (e.g., hypodermic syringes) or other sharp objects must be secured in bio-hazard, puncture resistant containers.
 - 5. Care shall be used so as not to damage any existing serial numbers or other identifying marks already on the article. (Serial numbers or existing distinctive marks already on the article shall be recorded on the evidence form.)
- B. Local law enforcement or fire officials will be contacted immediately when any potentially toxic, hazardous, explosive, etc. materials are discovered.
- C. Evidence secured at the Probation Department may be released to the rightful owner or destroyed in accordance with the orders of the Court or local law enforcement policy upon disposition of the case. Such items may be turned over to local law enforcement for destruction. It is recommended that orders to destroy seized contraband be included in violation of probation reports when applicable.

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V. Handcuff Policy and Procedures

- A. Handcuffs are a temporary restraining device and shall be used for placing a person in custody under arrest or while transporting a client or an arrestee who is lawfully detained in custody. Non-clients may be handcuffed only when, in the course of duty, there is probable cause to effect an arrest of a non-client and/or officer safety indicates that it would be prudent to restrain an arrestee, client or non-client.
- B. Law does NOT authorize the practice of handcuffing non-clients at the scene of a probation search for the purpose of securing the area, but as mentioned above, they may be restrained with handcuffs if officer safety concerns indicate that it would be prudent to restrain.

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Handcuffs shall not be used as a restraint in other situations nor shall they be used as a threat or punishment. Handcuffs shall be used during a client's arrest and while transporting an arrestee, unless there is a ~~very~~ compelling reason for not using handcuffs and there is no apparent compromise to safety. When persons are restrained with handcuffs, their safety is the responsibility of the person deploying the handcuffs. Handcuffs can present a danger both to the arrestee and the person deploying them. When using handcuffs, the following guidelines must be considered.

1. The potential safety hazards to the person deploying the handcuffs, the handcuffed person, and others.
2. The emotional and physical state of the person under arrest or in custody.
3. The potential for resistance by the person under arrest or for interference by other people present.
4. The availability of assistance from other department employees or law enforcement.

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- C. The following handcuff procedures should be observed:
1. Handcuffs are to be carried, in single lock position, in a manner that will allow for easy access. It is preferable that the keyholes are up when deployed.
 2. Two keys are provided with each set of handcuffs. Both keys should be carried at all times. One should be readily available for applying and removing the handcuffs.
 3. When practical, approach the arrestee from the side or rear, and remain alert for any unexpected moves. For officer safety, be sure to alert your partner prior to deploying handcuffs.
 4. When appropriate, attempt to keep the arrestee off balance during handcuffing, especially if the arrestee is not being cooperative. Keep yourself in a well-balanced stance in order to control the handcuffing procedure. Place the handcuffs on the arrestee with a downward motion, securing one wrist at a time.
 5. The arrestee should be handcuffed with hands behind the back unless he/she is suffering from a disability or deformity. Two sets of handcuffs, interlocked, may be used in instances when the arrestee is large or disabled, or pregnant. If the decision is made to handcuff with hands in front, it is prudent to loop the arrestee's belt between the two cuffs to secure the frontal position. Make sure the belt buckle is in the rear. A belly chain may be utilized.
 6. Upon deployment of handcuffs, make sure the handcuffs are secured to fit and not too tight. Prior to double locking the handcuffs, make sure that the skin is not pinched in the jaws of the cuffs or that circulation is not restricted.
 7. After the arrestee is securely handcuffed, check at periodic intervals to determine if the arrestee's hands are in good condition, and no attempt has been made to tamper with the handcuffs.
 8. Never handcuff a person to yourself, to another person, to a fixed object, or to a vehicle.

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- 9. When removing handcuffs from an arrestee, keep yourself in a well-balanced position to prevent escape or attack. Have other officers present.
- 10. Plastic handcuffs may be used in a situation where numerous handcuffs are required. Standard handcuffing procedures must be observed. Plastic handcuffs may not be used unless you have wire cutters available to remove them.

D. Handcuffs should be carefully handled and maintained.

VI. Transportation of Clients

- A. As part of the field supervision process, probation staff have the responsibility of transporting clients who have been taken into custody. Probation staff should carefully plan the circumstances of the transportation, including medical clearance and an assessment of potential problems when dealing with unstable or dangerous clients, securing an appropriate county vehicle and acquiring assistance if needed. Unless approved by a Supervisor, probation staff shall not transport alone or transport a client of the opposite sex. When unavoidable, the starting time and mileage, as well as the ending time and mileage of the trip will be noted and logged or law enforcement dispatch notified. Arrangements should be made for the assistance of another staff member or from another law enforcement agency if transporting alone.
- B. Persons under arrest and being transported while in custody shall be handcuffed and searched for weapons and contraband. Prior to placing the arrestee in the county vehicle, the backseat area will be searched thoroughly. Once the vehicle is searched, the arrestee shall be placed in the backseat on the left hand side. The seatbelt will be securely fastened on him/her whenever possible.

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- C. Whenever possible, a caged car shall be used for transportation. If one is not available, a non-caged car may be used. However, in such instances another probation staff member must sit in the backseat next to the arrestee. A portable radio or cellular phone must be available to the transporting officer. Local law enforcement dispatch shall be contacted and apprised of the arrest and the transport destination.

VII. Use of Portable Radio

- A. Prior to conducting field work, the dispatcher of the law enforcement agency that has jurisdiction in the area in which you are working is to be notified you are in service via radio. In some circumstances, a phone call may also be used to accomplish this notification. Notify the dispatcher when leaving that jurisdiction or upon termination of your fieldwork.
- B. Probation staff operating portable radios will be trained and familiar with the radio protocol in the area they are working.
1. All Probation call signs have Paul as the prefix of their call sign, followed by the assigned badge number. A current list of all call signs is available on the Probation Intranet.
 2. NOTE: Different jurisdictions use different codes and it is of critical importance to know the following key codes and to which jurisdiction they apply:

Code 3 – Emergency, red light and siren.

Code 33 – Frequency restricted to emergency (designated by law enforcement dispatch only).

Code 997 – Officer needs help. Area officers respond.

Code 998 – Officer needs help. Shooting involved.

Code 999 – Officer needs help, all cars respond.

Code 11-99 – Officer needs help, all cars respond.

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- C. All calls originated by Probation staff must be preceded by the appropriate probation call signs.
- D. Observe proper radio procedure:
 - 1. When transmitting a call, wait for a break in traffic, depress and hold button for a second prior to beginning transmission. Speak in a calm professional manner, loudly enough to be heard and be concise.
 - 2. Give the call sign of the station you are calling, followed by your call sign.
 - 3. Wait for an acknowledgment before proceeding with your message.
 - 4. Be brief and clear. If you do not know the appropriate codes, use plain English.
 - 5. Avoid long explanations. Remember that when you are on the air, no one else can transmit or request assistance. Saying “break” during a lengthy transmission allows for others to transmit any emergency traffic. Resume your transmission after approximately five seconds.
 - 6. Officers should take care to ensure that no open microphone situations occur. Both officers should have their radios on and be monitoring radio traffic. While in a vehicle, the vehicle radio should not be utilized as it could impair the officers ability to hear radio traffic. (Suggestion to delete, the radios in the vehicles are more likely to transmit successfully and especially when it is windy or noisy outside, they would be preferable.

VIII. Vehicle Equipment and Check- Out:

All vehicles, vehicle keys and radios are checked through each area office kiosk. Each officer will check out one set of car keys an one radio. Prior to entering the vehicle officer should:

- 1. Inspect the outside of the vehicle to note any damage and tire pressure.

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2. Inspect the inside of the vehicle, including the backseat, to ensure no contraband is present. This should also be conducted at the conclusion of field work.
3. Inventory the trunk to ensure a belly chain, flares, first aid kit, water and blankets are present.
4. Check the vehicle fuel level to ensure there is sufficient fuel to complete field work.
