



**SAN MATEO COUNTY
PROBATION DEPARTMENT
ADULT & PRETRIAL SERVICES
AFTER HOURS CALLS
PROTOCOL**

The procedures outlined below pertain to after-hours received from law enforcement (LE) agencies seeking information during non-business hours (Monday – Friday between the hours of 5pm – 8am and all-day Saturday and Sunday and on Holidays).

A. Procedure:

The Institutions Division will respond to calls received during non-business hours from LE which are routed through the County Operator (650) 363-4000. The caller will identify themselves as a “county operator” and then introduce the agency and/or officer who is calling. LE officers should not contact the Probation Department directly after-hours; they are trained to call the County Operator to then be routed to Probation. Most of the calls are requests for information (probation status, conditions, court orders, contact information, etc), with some calls involving a request for a probation hold.

Because a variety of adult caseloads exist, and the need to place probation holds vary depending on the type of caseload, a guideline for when it is appropriate to place a hold follows. Further, certain caseloads may require that staff conduct a check with a specific unit’s supervisor. In the Institutions Division, only staff that are assigned to be the Officer of the Day (OD), typically the Institutions Services Manager (ISM), are authorized to place probation holds.

The decision to place a hold on a client is dependent on the information available, as well as the nature of the information provided by the inquiring LE agency. Factors to take into consideration include if the client is a danger to themselves, a victim, or the community, if additional victim concerns exist, and/or which term/condition(s) has been violated.

Whatever action is taken, it is the staff’s responsibility to notify the assigned Deputy Probation Officer (DPO) via email, and CC the DPO’s Probation Services Manager (PSM), and Assistant Deputy Chief Probation Officer (ADCPO) or their designee(s) about the LE inquiry. This is to be done after completing the call. Staff are not to contact the assigned DPO during non-business hours. Further, any follow up requests related to the matter are to be responded to and forwarded to the assigned DPO via email, and CC the PSM and ADCPO or their designee(s) about the LE inquiry.

Additionally, the Off-Duty master log is to be updated after receiving each call and is accessible on the “N” drive, in the Institutions Off-Duty folder. While some calls may pertain to active

clients, some calls may also pertain to individuals who are not on active supervised probation (e.g., court probation, diversion, pretrial release, inactive clients). Regardless of their supervision status, all calls that are received must also be documented in the Off-Duty master log. The log is password protected and each year's password will be provided at the beginning of the calendar year. For those clients on active probation or in revoked status, a detailed case note must also be entered in PIMS or eProbation.

B. Hold Instructions:

1) In county:

- Complete and fax the San Mateo Sherriff's Office (SO) "Notice of Hold" form to the jail.
- Call Jail Booking to confirm receipt of the fax/hold and record name of the SO staff who confirms receipt.

Jail Booking 650-363-4868 (fax)
Jail Booking 650-363-7350 (phone)

2) Out of county:

- Obtain the mnemonics code of the facility to which the client is to be booked (required), and a booking number (if available).
- Contact County Dispatch at 650-363-4915 to request that a teletype hold be sent to the county jail where the probationer is to be booked.
- County Dispatch will prompt the requestor for identifying information in which most information can be obtained from PIMS or eProbation (e.g., name, race, sex, DOB, ht, wt, eye/hair, charge, case #, last known address, current location). Additionally, they will request the mnemonics code of the facility of where to send the hold and the name and contact number of the requestor.

C. Hold Guidelines:

1) When a probation hold is authorized on a client, the staff who approves the hold is to obtain the police report number, arresting officer's name, contact telephone number (including fax number), and request that the police report be faxed to the assigned DPO. Additionally, this information is to be included in the email to all required individuals with the subject line "HOLD Placed" (DPO, PSM, ADCPO). Further, a case note detailing the event is to be entered into PIMS or eProbation, and the information is to be entered in the Off-Duty master log.

2) If a LE officer or anyone else insists on speaking to a DPO or is problematic with staff, the County operator can contact the assigned ADCPO or their designee. Staff are expected to handle calls thoroughly and professionally. It is also important that any problematic or noteworthy situations be communicated with their supervisor. If the inquiry is to notify the agency of a situation involving an after-hours incident to a departmental employee, this

information is to be immediately communicated to the employee's supervisor via a phone call. In the absence of the supervisor, staff shall communicate the information through their chain of command until they reach someone they can speak to.

3) If LE is requesting to confirm a warrant, they should be referred to the Sheriff's Office records division (650) 363-4525.

4) Please refer to Appendix A for hold guidelines on specific caseloads.

NOTE: A hold may be authorized for clients in revoked status should the client commit a new violation (refer to guidelines below).

APPENDIX A

1. Cases assigned to a Computer Assisted Supervision Team (CAST) caseload will not require a hold being placed, unless it involves the following criteria:
 - Client is currently on probation for a felony case involving violence or a sex offense.
 - If currently on probation for a misdemeanor case involving violence or a sex offense AND the defendant is arrested for any new felony offense or a new violent misdemeanor offense.
 - If the defendant is arrested for a new violent offense, sex offense or violation of a criminal protective order.

The hold authorization is under Section 1203.2 of the Penal Code.

2. **No holds are to be placed on AB 208 Diversion, Deferred Entry of Judgment (DEJ), Military Diversion (MDIV), Intensive Mental Health Diversion (IMHD), or pre-plea diversion Drug Court (DRCT) cases, as we have no authority to arrest clients on these cases.**

3. Cases supervised by **the Gang Intensive Unit (GIU) DPO**: A hold is to be authorized should the client be arrested for a new law violation or a violation of their terms and conditions of probation.

The hold authorization is under Section 1203.2 of the Penal Code.

4. **Intensive supervision cases (includes Domestic Violence & Sex Offender caseloads)**: A hold is to be authorized should the client be arrested for a new law violation or a violation of their terms and conditions of probation.

The hold authorization is under Section 1203.2 of the Penal Code.

5. Post Release Community Supervision Unit (PRCS), which includes Mandatory Supervision (MS)

A. PRCS: A hold is to be authorized should the client be arrested for a new law violation or a violation of their terms and conditions of probation.

The hold authorization is under Section 3455(a) of the Penal Code. Note: the CDCR number replaces the court number on the SO “Notice of Hold” form.

When identifying a PRCS client in PIMS, note that the unit code is “PRCS,” and the case subtype will indicate “PRCS.”

Should staff receive a phone call from LE indicating the client was arrested on a PRCS warrant, they are to notify the assigned DPO via email, and CC the PSM and ADCPO or their designee(s).

B. Mandatory Supervision (MS): A hold is to be authorized should the client be arrested for a new law violation or a violation of their terms and conditions of probation.

The hold authorization is under Section 1170(h)(5) of the Penal Code.

When identifying a MS client in PIMS, note that while the unit code is “PRCS,” the case subtype will indicate “Mandatory Supervision.”

6. Pathways: Pathways is a mental health court that works with clients who have significant mental health issues. A hold is to be authorized should the client be arrested for a new law violation or a violation of their terms and conditions of probation.

The hold authorization is under Section 1203.2 of the Penal Code.

7. Drug Court: A hold is to be authorized should the client be arrested for a new felony law violation or any instance where community safety is a concern.

The hold authorization is under Section 1203.2 of the Penal Code.

NOTE: No holds are to be placed on pre-plea diversion drug court cases as we have no authority to arrest clients on these cases.

8. Veteran’s Court: A hold is to be authorized should the client be arrested for a new law violation or a violation of their terms and conditions of probation.

The hold authorization is under Section 1203.2 of the Penal Code.

9. DUI Court: A hold is to be authorized should the client be arrested for a new DUI or felony law violation.

The hold authorization is under Section 1203.2 of the Penal Code.

10. Jurisdictional Transfers (JT): A hold may only be authorized for cases under our jurisdiction. Holds may be authorized on cases pending transfer-out only. We do not have authorization to place a hold on cases pending transfer-in.

The hold authorization is dependent upon the case type (refer to guidelines above).

11. Interstate Compact Offender Tracking System (ICOTS): A hold is to be authorized should the client be arrested for a new violent offense or sex offense.

The hold authorization is under Section 1203.2/11177.1 of the Penal Code.

12. High Risk Sex Offender (HRSO) on Global Position Service (GPS): TBD

-