

**PROBATION DEPARTMENT
ADULT MANUAL**

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| Chapter No. 3103 | Page 1 |
| Issue Date: | 08/15/89 |
| Revised: | 05/21/18 |

**Notes and
References**

REFERRALS FOR PROBATION INVESTIGATIONS

I. Referrals from Court Clerk

- A. In all cases referred by the Court for investigation and report, a referral document and/or Clerk’s Docket and Minutes is completed by the Court. These documents are distributed on a daily basis to the Probation Department.
- B. These referral documents should contain necessary identifying information, custody status, charges, name of attorney, the type of investigation or report requested and the date of the next court appearance.

II. Processing Referrals in the Probation Department

- A. Upon receipt of the referral document at the Probation Department, it shall immediately be date stamped, initialed by the person receiving it, and forwarded to the Court Services unit, if not received directly by the Court Services Unit via email. The Court Services unit Administrative Office Professional (AOP) conducts a record check to determine if the defendant has an active or closed adult or juvenile probation file. If there is no probation record on the defendant, a case file is created.

If there is an active or closed adult or juvenile file, it is obtained and forwarded to the assigned investigation officer.

III. Assigning Referrals to Investigation Officers

- A. Upon receipt of the Court referral document and the case file, the Court Services AOP prepares the Adult Investigation Prep Sheet, enters the case in a unit log, completes a District Attorney (DA) third party release form to allow review of the DA file in DAMION, and requests a criminal history check (CLETS, FBI, III, etc.). The AOP also downloads registration forms for §11590 H&S, §290 PC and §457.1 PC, as applicable. The Supervising Probation Officer (SPO) will assign the case to an investigation officer and log the case in the assignment log on the probation portal. The case file and materials are then forwarded to the investigation officer.

Probation
Department
Referral
(MCSB-86)
and/or Clerk’s
Docket and
Minutes

Form 669

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Referrals for Probation Investigations (Continued)

- B. If the defendant has been released on OR or bail, the Court should instruct the defendant to report to the Probation Department. When the defendant reports in person to the Probation Department, he or she will be directed to fill out an Adult Information Sheet.
- C. If the defendant is in custody, the assigned investigation officer will interview the defendant at the jail or via the video conferencing system. The Adult Information Sheet will be completed during the interview by the assigned Probation Officer.

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IV. Assigning Referrals on Active Probation Cases

- A. Whenever a referral is received regarding a person who is on active probation, the assigned investigation officer will confer with the assigned supervision officer. In many cases, a violation of probation report will have already been submitted to the Court and will be present in the case file. If the recommendation made in the violation report will be changed as a result of the subsequent investigation in the new case, the information will be included in the Presentence or Preplea Report.

V. Assignment of Cases

Cases will be assigned by the SPO or his/her designee as equitably as possible considering such factors as workload, court of origin, co-defendants, and the severity and complexity of the offense.