

**PROBATION DEPARTMENT
ADULT MANUAL**

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Revised:	12/26/2019

**Notes and
References**

SUPERVISION RECORDS

I. Case Files

Prior to the implementation of IMPACT (Information Management for Probation Automated Client Tracking) in 2003, the Department utilized paper files only. IMPACT electronic files now contain the majority of information regarding a client and his/her case. While paper copies of some information that are not yet scanned into IMPACT are maintained in paper files, the Department continues to work toward eliminating the duplicative storage of case information as additional information is incorporated into IMPACT.

A. Paper Files –

For those files which are both electronic and paper, paper case materials are to be filed in the following manner:

(Right Side and in descending order)

1. Case Profile Sheet – as printed from IMPACT. It is permissible to use a printed IMPACT Overview page in lieu of this form. For those officers who continue to use the Case Profile Sheet, it should include the most recent contact information, along with updated terms of probation.
2. Proof of current Sex Offender, Arson, Drug or Gang registration.
3. Chronological Notes (Chronos) – **pre-IMPACT** hand written case notes. They shall be maintained in the paper file, with the most recent entries on top.
4. Court Hearing Officer (CHO) Notes Tab – the Pro 167- “Court Hearing Officer” form, is no longer used. Currently, all CHO notes are an Event Type in IMPACT, providing information both to and from the CHO. If they are printed by the CHO for use for handwritten notes while in Court, they will be destroyed once that CHO has recorded their information electronically. Old copies of CHO notes on closed cases may be removed from the file and destroyed.

Pro-124

SS8047,
SS8048,
SS8049

Pro-167

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5. Court Case Tab(s)
 - a. Separate divider tabs are assigned to each court case with the case number noted on the tab. When the case is closed, this is also noted on the tab.
 - b. The following materials will be filed under each case tab in descending chronological order:
 - i. Court referral documents (used in SB only)
 - ii. Complaint/Information/Indictment
 - iii. Conditional plea agreements
 - iv. Court reports
 - v. Court orders/dockets/criminal minutes
 - vi. Request to Hold Violation in Abeyance
 - c. (Left Side and in descending order)
6. Monthly Report Forms (MRF) – in chronological order with the most recent on top. For those clients who are unable to access the electronic Kiosk system and must submit handwritten MRFs, the MRFs are to be scanned by an Administrative Office Professional (AOP) and the hardcopy destroyed.
7. Adult Information Sheet – in chronological order with the most recent on top.
8. Correspondence Tab– the following documents in chronological order:
 - a. All incoming and outgoing correspondence regarding active cases not contained in IMPACT.
 - b. 1203.9 PC documents not contained in IMPACT or not used as an official court document and filed under court documents.
 - c. Interstate Compact documents not contained in IMPACT.

Pro-361

Pro-41

Pro-113-A

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- d. Any correspondence created using an IMPACT document or incoming scanned correspondence will not be retained in the file as a hard copy.

- 9. Law Enforcement Tab
The following are to be maintained in file only if an electronic version is not available in IMPACT, including those related to closed cases.
 - a. In descending chronological order:
 - i. Law enforcement reports/citations.
 - ii. Weapons Restrictions Form
 - iii. Search/Arrest, Forced Entry, Unholstering and Use of Force Reports

 - b. Criminal History Record Information Release Sheet.

- 10. Treatment Tab
The following items will be filed in chronological order with the most recent on top, until scanned into IMPACT:
 - a. Statement of Admission, Toxicology Laboratory results.

 - b. All psychological or medical reports or evaluations not scanned into IMPACT, including 1203.03 PC diagnostic reports, if available (**Note: Upon completion or termination of probation, the 1203.03 PC diagnostic reports shall be returned to a sealed file maintained by the court.**)

 - c. Suspected Child Abuse Reports.

 - d. The following documents related to a closed case can be purged without scanning into IMPACT:
 - i. Program referrals

 - ii. Program progress reports, proof of enrollment and disqualification reports.

Pro-215
Pro-313,
Pro-313a,
Pro-313b,
Pro-313c

Pro-27

Pro-262; Pro-75
Pro-54; Pro-365

Pro-4; Pro-4a

Pro-287
Pro-288

Pro-35

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- iii. Release of Information authorization.
- iv. AA/Antabuse/Mental Health Attendance cards.
- v. HIV/Aids Test Referrals.
- vi. 296(1)(1) PC Referrals.
- vii. Community Service Work referrals, completion notices and failure notices.

Pro-46

11 Financial Tab

The following documents related to open and closed cases will be filed in chronological order with the most current on top:

- a. Financial Orders.
- b. Letters to or from victims which include any reference to restitution.
- c. Old correspondence with the probationer regarding financial obligations.
- d. Probationer's Financial Statement.
- e. Earnings Statements, W-2 forms, Income Tax Returns.
- f. District Attorney Non Sufficient Fund Check Program Information.
- g. CR-110 (not needed if retained under "Court Documents").

Pro-129

Pro-256

CR-110

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II. Supervision Chronos

- A. Supervision Event Type chronos provide the official chronological history of each probationer. Entries should be appropriately detailed to give a comprehensive yet succinct history of case management and verbal directions given to the probationer and should be updated in a timely manner, written in a professional style.
- B. Since the implementation of IMPACT, all Event Type chronos are kept in this case management database. Attention to detail is imperative, and appropriateness and professionalism are required.
- C. Email correspondence specific to a case such as email staffing with the Judge, District Attorney and client's attorney or those from a victim or the client are to be copied and pasted into a chrono entry as soon as possible.

III. Computerized Caseload Printout

- A. A caseload roster is available in IMPACT, found under the Reports Tab. This printout is meant to be a resource for the assigned officer, and can be taken into the field or home in order to have access to basic caseload information when away from the office. The officer must be aware of confidentiality of the information and take basic precautions to assure probation records are maintained as per policy.
- B. The caseload printout is not meant to be a substitute for the actual terms and conditions and file. Whenever doubt arises, the officer is expected to refer to the actual file and orders for clarification.
- C. Changes regarding the client's status and terms of probation shall be made in IMPACT as soon as possible to insure information is accurate and current.

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IV. File Maintenance

A. Case File

1. In order to maintain orderly and accurate files, a periodic review of the paper file is necessary and any duplicate, extraneous, or unnecessary paperwork will be destroyed. All hardcopy criminal history documents purged will be shredded and noted on the Criminal History Release form.
2. File maintenance should be completed whenever necessary, but shall be completed prior to the transfer or closing of a file.
3. Any file being re-assigned to an investigator for the preparation of a sentencing report will have the maintenance completed within 48 working hours by the assigned officer or their back-up officer if their absence will be beyond 48 hours (vacation, training, leave, etc.).
4. Below are the documents that may be destroyed:
 - a. Duplicate copies of court reports and law enforcement reports after the disposition of the matter (sentencing, violation, modification).
 - b. All MRFs older than two years, excluding ones showing the last five addresses.
 - c. Copies of correspondence sent to the client when the original is returned to sender by the US Post Office. In those situations, open the returned mail, staple it to the envelope and discard the copy. Once it is used in and attached to a violation report, it shall be purged. Correspondence regarding closed cases such as Intake or Jail letters, notice of hearings, etc, will be discarded. Discard travel permits that are one year old or those related to closed cases.
 - d. Shred all old copies of RAP sheets if all the information is contained in the most recent criminal history check.

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- e. Shred all detainers, booking and release sheets, SRFs, e-Court/Odyssey, SAM and Warrant information print-outs.
 - f. Shred all old Treasurer-Tax Collector printouts each time a new one is generated. The new one should be hand dated.
 - g. Discard old copies of the Financial Order, which contain only change of caseload information.
 - h. Discard all copies of the Court Information Request forms.
5. Once the above file maintenance procedures have been completed and the file is still three inches in thickness, a Volume II should be created. Volume II (or subsequent volumes) should contain all active cases and their related documents.
- B. Electronic File
1. Maintenance of the electronic file is essential to insure appropriate, necessary and completed information and copies of forms are used and stored appropriately. As with the information contained in the paper files, the information stored in the electronic file are legal documents.
 2. Listed below are minimum standards regarding the electronic file:
 - a. Legible copies of scanned documents.
 - b. All documents, including court reports, letters, Release of Information and Weapons Restrictions forms, etc, will be finalized and closed as "Read Only." Exception is "Criminal History Release Form."
 - c. Client pictures imported into IMPACT for the Overview page are to be head shots taken in front of a plain background that clearly show the client's face. Clients are not allowed to wear hats for this picture.

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- d. The Overview page will have the most current information and all terms of probation updated as modifications are made.
- e. The “Held By” section on the Overview page shall be updated continuously to indicate the staff who has current possession of the physical file, if not held by the assigned officer.
- f. The “Program” tab will be kept up to date, completed, including provider, service provided, start date, end date and status.
- g. Any named victims, especially those with a no contact or protection order shall be entered in the appropriate ‘Associates’ section of IMPACT along with the most current contact information available.
- h. The Overview “Special Instructions” section will be maintained current , e.g. Registration requirements, SATC, Domestic Violence etc. In addition “Critical Factors,” “Safety” and “Officer Instruction” Alerts shall be kept up to date.

C. Closing of Cases

Proper closing of adult probation/PSS/PRCS cases is a complex process. To ensure a county-wide standard for closing cases that includes all of the necessary details, the following protocol is to be used in all regions. The steps are designed to utilize support staff to the greatest extent possible. Steps 1 – 4 are to be conducted by Administrative Office Professionals (AOPs). Steps 5 – 9 are to be completed by Deputy Probation Officers (DPOs) and steps 10 –12 can be completed by either DPOs or an AOP or Probation Assistant with direction from a DPO.

- 1. Run Cases Expiring Roster (High Risk/Specialized, 90 days; Central/Bank 120 days). Any expired cases on the list should be brought to the SPO’s attention immediately.

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2. Review sentencing order and subsequent court dockets to verify expiration date. Run e-Court to determine if there are any pending Court events on active probation cases. Bring any discrepancies in expiration dates to the DPO's attention for further review.
3. Verify that there is a copy of the dispositional court docket for the last court hearing (as determined by e-Court review) in IMPACT. Request the docket if it is not there.
4. Request a CLETS if one has not been run in the last 3 months.
5. The assigned DPO will review all information obtained thus far and assess completion of T&Cs/Special Conditions to determine if a probation violation/PSS violation/PRCS revocation or Flash incarceration needs to be filed or other action taken. Factors to consider:
 - a. Treatment Requirements/Completion Certificates in IMPACT/program tab updated
 - b. Update case plan in COMPAS if applicable
 - c. Dispositional dockets for every Violation of Probation (VOP), Violation of Mandatory Supervision (PSS) or PRCS Revocation
 - d. Community Service Work (CSW) completion verification
 - e. Review Payment Summary in IMPACT and verify account was set up (Pro 129). Review restitution/fines balance and payments made. If Victim Restitution is owed – consider the need for a CR-110, status of PRO-396 if needed. Contact victim if necessary.
 - f. Registration requirements (gang, arson, sex, drug)
 - g. New arrests/warrants
 - h. DNA collection

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6. The assigned DPO will chrono the client's current status and indicate what steps will be taken if they are not on target.
7. Schedule an office visit with the client if restitution is outstanding or if pending requirements need to be addressed.
8. Thirty (30) days prior to expiration, review Payment Summary tab and document information in IMPACT events.
9. Thirty (30) days prior to expiration, process CR-110 if restitution is still outstanding and violation will not be pursued.
10. At expiration, send victim letter with a copy of CR-110.
11. Submit PRO-129 closing.
12. The following will be completed at closing:
 - a. Change Body Status on overview page
 - b. Close all Program tabs with the correct ending dates
 - c. Close Officer Instructions
 - d. Close IMPACT alerts if appropriate
 - e. Close Special Instructions
 - f. Deactivate Drug Testing
 - g. Make all documents read only
 - h. Remove and destroy all scanned documents.
13. DPO reviews closing, completes a closing event in IMPACT
14. SPO/DPO Sr. reviews closing and events in IMPACT
15. Case(s) closed in IMPACT by AOP

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For the following case types, follow the steps noted in each category:

- **Investigations**
Steps 3, 14 - 15
Enter Court Event
- **Interstate (Incoming)**
Steps 1, 4 -9, 13 -15
- **Convert to Court Probation**
File a memo with the court requesting the conversion
Steps 4 - 9, 12 -15
- **Terminal Dispositions (i.e. probation to terminate upon completion of jail)**
Steps 3, 8, 11-15
- **Jail Sentence (i.e. probation terminated at time of hearing)**
Steps 3, 11-15
- **Prison Commitment**
Step 3, request prison abstract
Steps 11-15
- **PSS Expired**
Complete Pro 106F (PSS Expire Memo)
Steps 1-15
- **PRCS Termination**
Send Pro 26 to offender (PRCS Discharge Letter)
Steps 1-7, 12-15
- **Deceased**
Request Death Certificate or Coroner's Report
Submit Court Memo
Steps 12 -15

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D. Purging Probation Records

1. Per Penal Code Section 1203.10 Probation records may be purged after 5 years. The Department's Adult Division has elected to utilize an 11 year purge to ensure initiatives involving evaluations and recidivism studies have the required data. An extended purge (in excess of 11 years) is also to be utilized for sex offenders in order to facilitate future potential submissions of sex offender specific assessments, such as the Static 99-R.
2. Standard cases (non-sex offenders) will purge 11 years after the termination of probation/Court jurisdiction. Offenses requiring registration per 290 PC are to be purged no later than 20 years after the termination of probation/Court jurisdiction or the offender reaches age 75, whichever occurs first.
3. On a monthly basis the assigned Administrative Support Supervisor receives the Sex Offender Purge and Purge List-Adult Clients reports, and review to determine which cases will be purged and/or extended.