

**PROBATION DEPARTMENT  
ADULT MANUAL**

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<b>Issue Date:</b>	03/02/20
<b>Revised:</b>	00/00/00

**Notes and  
References**

**PROTOCOL FOR PRETRIAL ASSESSMENTS**

**I. Introduction/Philosophy**

The Santa Barbara County pretrial justice system is committed to utilizing a validated pretrial assessment tool that would assist in the investigation and evaluation to determine a defendant’s risk level of failing to appear in court and reoffend while on pretrial release, while maintaining the presumption of innocence, and providing protection to the public.

**II. Case Set-up in Impact and CE Pretrial Module**

Upon review of the booking roster obtained from the jail, which be run at 6:00 am, 12:00 p.m., 2:30 p.m. 5:00 p.m., and 8:00 p.m., the Pretrial Service Specialist (PTSS) will sort and create a Daily Roster (DR) of defendants eligible to be interviewed, and assign reports to unit staff. The assigning PTSS will enter the information on the Countywide Pretrial Assessment Tracker located on the Adult Portal. The DR will be sent to an Administrative Office Professional (AOP) who will create the defendants’ profiles in IMPACT to obtain a PIN, the CE Pretrial Module, and assign to the PTSS’ caseload. The AOP will enter arrest, booking, case and charges information. Should an AOP not be available, the PTSS will create the profile in the module using the auto-generated ID, which will subsequently updated with the PIN created in Impact.

**III. Assessment/Interview Process**

The PTSS, upon receipt of their cases, will conduct the initial review of all defendants booked into jail, except for those noted below. The PTSS will utilize the Pre-Arrestment Criteria form (Pro-152) to determine if defendants arrested for misdemeanor offenses are eligible for release prior to arraignment. See Section III if defendant meets criteria for pre-arrestment release.

The PTSS will coordinate with jail staff to set up interviews with defendants deemed not eligible for pre-arrestment release. The PTSS will submit a CLETS request utilizing the CLETS request application link. The PTSS will interview and assess defendants utilizing the Virginia Pretrial Risk Assessment Instrument (VPRAI), and enter the VPRAI responses under the defendant’s case in the CE Pretrial Module to obtain a VPRAI score and risk level.

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## Notes and References

### Protocol for Pretrial Assessments (continued)

The PTSS will utilize the pretrial interview form while interviewing the defendant. The PTSS will scan and upload the completed interview form to the defendant's case in the CE Pretrial Module.

With the exception of the following, all defendants booked into the county jail will be interviewed and assessed within 24 hours, unless they refuse interview or are eligible for pre-arraignment release:

- Defendants booked on no bail probation/parole violation holds or warrants
- Defendants booked on out of county warrants
- Defendants booked for First Degree Murder

If the defendant meets the criteria above or refuses/is unavailable for an interview, the PTSS will complete a "Non-Interview" Report (Pro-155) to be filed with the court prior to the arraignment hearing.

#### IV. Pre-Arraignment Release

Defendants who are arrested and score low risk on the VPRAI will be considered for pre-arraignment release. The PTSS will review the Pre-Arraignment Report Exclusion form and upon determination that the defendant is not excluded for consideration, the PTSS will complete a Pretrial Report, contact the on-call judge and forward a copy of the Pretrial Report which will include a recommendation for basic OR release. If the judicial officer grants pre-arraignment release, the PTSS will notify jail personnel.

#### V. Preparation of Pretrial Report

The PTSS will compile the information obtained from the interview and VPRAI and complete a Pretrial Report (Pro-154) in the CE Pretrial Module to be filed with the Court for the defendant's arraignment hearing. Efforts to contact references and/or victims should be made to verify information and obtain a victim statement. An appropriate release recommendation based on the VPRAI score will be indicated in the report.

Add release Recommendations from cheat sheet and copy of matrix here:

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**Protocol for Pretrial Assessments (continued)**

In circumstances when it appears the VPRAI score should be overridden due to the risk the defendant poses to public safety or the victim, the PTSS will staff the case with the Supervising Probation Officer (SPO) prior to the completion of the report. Additionally, matters in which the defendant is facing a mandatory prison sentence and/or poses a risk to the community, or in which other unusual circumstances exist, should be considered for PTS cautiously and require staffing with a supervisor or above.

When submitting a recommendation for Supervised Pretrial Release, the PTSS will include the least restrictive applicable conditions of release based on the VPRAI score and the nature of the offense. All Pretrial Reports will be reviewed and approved by the SPO prior to filing.

**VI. Supplemental Investigation Reports**

On occasion, the Court may request a supplemental report for further information to determine if a defendant is suitable for supervised pretrial release. Upon notification from the Court, the Supervising Probation Officer (SPO) or PTSS will have the case opened in the CE Pretrial Module, if not previously opened, and assigned to a PTSS.

The PTSS will follow up on the requested information and file a Pretrial Supplemental Report (Pro 106P) for the next calendared court appearance. The report should include the reason for the report, results of the investigation and a short summary of findings. The report will be reviewed and approved by the SPO prior to filing. In the event that knowledge of the conduct involved in the underlying alleged offense will have a significant impact on the recommendation for or against release, the corresponding law enforcement report should be obtained, reviewed, and cited in the memorandum.

**VII. Closing/Transfer of Assessment Case**

If the defendant is subsequently ordered released on Pretrial Supervision (PTS), the PTSS will request an AOP close the "Investigation" case in the module and Impact and email the SPO/Sr. DPO of the Pretrial Supervision unit advising the defendant has been granted supervised release. The PTS Supervisor will then assign the defendant to a PTCO's "Supervision" caseload in the CE Pretrial Module. If the defendant is released on OR which includes conditions requiring follow-up, such as drug testing, SCRAM, check in with Pretrial Services, the case will be updated in

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**Protocol for Pretrial Assessments (continued)**

the module with the appropriate release decision, and assigned to the designated PTSS caseload for monitoring. In instances when the Court denies a defendant's release on their Own Recognizance (OR) or Supervised Pretrial Release, or the defendant posts bail bond, the PTSS will request the AOP close the "Investigation" case in the module and Impact.

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