
Supervision of [Probationers/Clients/Offenders]

401.1 PURPOSE AND SCOPE

This policy establishes guidelines for the supervision of [probationers/clients/offenders] by assigning [probationers/clients/offenders] to an appropriate level of supervision and developing an appropriate case management plan for each probationer.

This policy does not address compliance monitoring, modifications and violations of release conditions, risk and needs assessments, and intake, which are addressed in other policies.

401.2 POLICY

It is the policy of the Humboldt County Probation Department (HCPD) to use case management practices to facilitate effective and safe supervision of [probationers/clients/offenders] in accordance with federal and state law and department procedure.

It is the policy of this department to implement case management practices without regard to actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

401.3 RESPONSIBILITIES

The Chief Probation Officer or the authorized designee should:

- (a) Establish and maintain procedures to assign [probationers/clients/offenders] to approved levels of supervision.
- (b) Establish and maintain procedures for the development and implementation of case management plans.
- (c) Establish and maintain procedures to ensure that [probationers/clients/offenders] are provided with guidance identifying appropriate community-based resources required or recommended for the probationer, and with assistance accessing those resources.
 1. This should include maintaining a list of resources and services available and approval of necessary additions or substitutions.
- (d) Review and approve the level of supervision to which each probationer is assigned.
 1. This should include the initial assignment and periodic reviews to determine if adjustments in the level of supervision are appropriate.
- (e) Conduct periodic reviews of case management plans to assess the need to adjust a plan for reasons including the probationer's compliance with conditions of supervision, life changes, or other risk factors.

401.4 LEVELS OF SUPERVISION

Each probationer should be assigned a level and type of supervision (Penal Code § 1202.8).

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401.4.1 ASSIGNMENT TO A LEVEL OF SUPERVISION

Officers shall follow department procedures when assigning each probationer to a level of supervision.

The assignment of each probationer to a level and type of supervision should be based on but not limited to the following:

- (a) Court-ordered directives related to supervision (Penal Code § 1202.8)
- (b) Results and findings of the risk and needs assessment administered pursuant to the Risk and Needs Assessments Policy
- (c) Results and findings of other relevant evaluations, including but not limited to mental and physical health evaluations and substance abuse evaluations
- (d) Information collected at intake pursuant to the Initial Intake to Probation Services Policy
- (e) Nature and severity of the offense requiring supervision
- (f) Past criminal history and past performance on probation/parole supervision
- (g) Other information relevant to a level and type of supervision determination

401.4.2 LEVELS OF SUPERVISION FOR SEX OFFENDERS

Adult sex offenders who are determined by a risk and needs assessment to pose a high risk to the public of committing a sex crime shall be assigned to intensive and specialized supervision as required by Penal Code § 1203(f).

Juvenile sex offenders who pose a high risk of committing a sex crime should be considered for assignment to intensive and specialized supervision.

401.5 ESTABLISHMENT OF A CASE MANAGEMENT PLAN

A case management plan should be established for all supervised [probationers/clients/offenders] according to department procedures. Prior to developing a case management plan, officers should review with the probationer the results of any risk and needs assessment, the pre-sentence investigation, if applicable, and the information collected during intake.

Case management plans should outline supervision strategies, including supervision, monitoring, needs screening, and referrals to appropriate programming such as treatment, education, and training programs.

Officers should review the materials used to develop the case management plan with the probationer, as appropriate.

A case management plan should identify all terms of release. Additions and modifications to court-ordered conditions shall be consistent with the Modifications of Conditions of Supervision Policy.

401.5.1 JUVENILE CASE MANAGEMENT PLAN

When establishing a case management plan with a juvenile, a parent or guardian should be present. Documentation should identify all persons present during the review.

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401.5.2 REVISIONS TO CASE MANAGEMENT PLAN

Officers should conduct routine reviews of the case management plan and adjust when it reasonably appears appropriate, including anytime modifications are made to the conditions of release of the probationer. Updates to the case management plan should be approved by a supervisor.

401.6 POST-RELEASE SUPERVISION FOR ADULTS

Persons subject to post-release community supervision pursuant to Penal Code § 3451 shall be supervised in accordance with this policy and state law. The individual under supervision shall be required to comply with the following terms of post-release supervision (Penal Code § 3453):

- (a) Obey all laws
- (b) Report to the probation agency within two working days of release from custody
- (c) Follow the directives and instructions of the assigned officer
- (d) Report to the assigned officer as directed
- (e) Be subject, along with the individual's residence, to search at any time of day or night, with or without a warrant by an officer or a peace officer (Penal Code § 3465)

Any additional post-release supervision conditions shall be reasonably related to the offense for which the individual was incarcerated, the individual's risk of recidivism, and the individual's criminal history (Penal Code § 3454).

401.7 MANDATORY SUPERVISION FOR ADULTS

Individuals on mandatory supervision pursuant to Penal Code § 1170(h)(5)(B) shall be supervised in accordance with this policy and Penal Code § 1170.

401.8 NOTICE TO PROBATIONER

Once a case management plan has been established, officers should review and discuss any instructions or requirements with the probationer (Penal Code § 1203.7; Penal Code § 1203.12; Penal Code § 3453).

Officers should also provide [probationers/clients/offenders] with an overview of what the probationer can expect while under the supervision of the HCPD including:

- (a) Reporting and other requirements
- (b) Applicable rules

Updates to any instructions or requirements should be reviewed with the probationer.

Officers should obtain a written acknowledgement from the probationer that the individual has received a copy of the supervision conditions and requirements.

401.8.1 NOTICE TO SEX OFFENDERS OF PROOF OF REGISTRATION DEADLINE

At least six days prior to the deadline, officers supervising [probationers/clients/offenders] required to register as sex offenders under state law shall inform the probationer that the individual is

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required to provide proof of the individual's registration as a sex offender within six working days of release, and any change to the registration within six working days of the change (Penal Code § 290.85).

401.9 OFFICER ADULT CASE RECORD

Officers shall keep a complete and accurate record of the history of each adult probationer assigned to their supervision. The record shall include (Penal Code § 1203.7; Penal Code § 1203.10):

- (a) The history of the probationer's case in court.
- (b) The name of the assigned officer.
- (c) The acts taken by the officer in connection with the case.
- (d) The age, sex, nativity, residence, education, habits of temperance, marital status, conduct, employment, occupation, parents' occupation, and the condition of the probationer during the term of probation.
- (e) The result of probation.

401.9.1 OFFICER JUVENILE CASE RECORD

Officers should keep a complete and accurate record for each juvenile probationer assigned to their supervision pursuant to established department procedures.

401.10 TRAINING

Officers should receive training on assigning of levels of supervision and developing and implementing case management plans before supervising [probationers/clients/offenders].